



Master Delegation Register

This Master Delegation Register was last reviewed in July 2025, and was presented and adopted by Council at the 18 August 2025 Council Meeting - Minute 159/2025

Section 22(4)(a) and (b) of the *Local Government Act 1993*
Section 64(2)(a) and (b) of the *Local Government Act 1993*

CM Ref: DOC/25/9385

No.	Delegations Register Page Shortcut	Links to Legislation	Version (Act)	Last Updated
1	Archives Act 1983	https://www.legislation.tas.gov.au/view/html/inforce/current/act-1983-076	01-July-2025	18-March-2022
2	Building Act 2016	https://www.legislation.tas.gov.au/view/html/inforce/current/act-2016-025	01-October-2024	17-July-2025
3	Building Regulations 2016	https://www.legislation.tas.gov.au/view/html/inforce/current/sr-2016-110	01-October-2024	17-July-2025
4	Burial and Cremation Act 2019	https://www.legislation.tas.gov.au/view/html/inforce/current/act-2019-050	01-July-2025	25-December-2019
5	Burial and Cremation Regulations 2025	https://www.legislation.tas.gov.au/view/html/inforce/current/sr-2025-016	27-May-2025	24-July-2025
6	Cat Management Act 2009	https://www.legislation.tas.gov.au/view/html/asmade/act-2009-089	01-July-2025	01-March-2022
7	Child and Youth Safe Organisations Act 2023	https://www.legislation.tas.gov.au/view/html/inforce/current/act-2023-006	01-July-2025	01-July-2023
8	Dog Control Act 2000	https://www.legislation.tas.gov.au/view/html/inforce/current/act-2000-102	01-July-2025	18-December-2019
9	Emergency Management Act 2006	https://www.legislation.tas.gov.au/view/html/inforce/current/act-2006-012	06-May-2020	24-July-2025
10	Environmental Management and Pollution Control Act 1994	https://www.legislation.tas.gov.au/view/html/inforce/current/act-1994-044	14-December-2022	14-December-2022
11	Food Act 2003	https://www.legislation.tas.gov.au/view/html/inforce/current/act-2003-008	01-July-2025	05-October-2021
12	Heavy Vehicle National Law (Tasmania) Act 2013	https://www.legislation.tas.gov.au/view/whole/html/inforce/current/act-2013-030	01-July-2025	27-November-2020
13	Land Acquisition Act 1993	https://www.legislation.tas.gov.au/view/html/inforce/current/act-1993-023	01-January-2022	01-January-2022
14	Land Titles Act 1980	https://www.legislation.tas.gov.au/view/html/inforce/current/act-1980-019	13-June-2023	13-June-2023
15	Land Use Planning & Approvals Act 1993	https://www.legislation.tas.gov.au/view/html/inforce/current/act-1993-070	16-June-2025	17-July-2025
16	Land Use Planning & Approvals Regulations 2024	https://www.legislation.tas.gov.au/view/html/inforce/current/sr-2024-101	24-December-2024	24-July-2025
17	Litter Act 2007	https://www.legislation.tas.gov.au/view/html/inforce/current/act-2007-038	01-July-2025	12-May-2025
18	Local Government Act 1993	https://www.legislation.tas.gov.au/view/html/inforce/current/act-1993-095	01-July-2025	24-July-2025
19	Local Government (Building and Miscellaneous Provisions) Act 1993	https://www.legislation.tas.gov.au/view/html/inforce/current/act-1993-096	01-December-2022	01-December-2022
20	Local Government (General) Regulations 2025	https://www.legislation.tas.gov.au/view/html/inforce/current/sr-2025-024	24-June-2025	24-July-2025
21	Local Government (Highways) Act 1982	https://www.legislation.tas.gov.au/view/html/inforce/current/act-1982-057	01-July-2025	01-January-2022
22	Local Government (Meeting Procedures) Regulations 2025	https://www.legislation.tas.gov.au/view/html/inforce/current/sr-2025-025	24-June-2025	24-July-2025
23	Monetary Penalties Enforcement Act 2005	https://www.legislation.tas.gov.au/view/html/inforce/current/act-2005-057	13-June-2023	13-June-2023
24	Occupational Licencing Act 2005	https://www.legislation.tas.gov.au/view/html/inforce/current/act-2005-047	01-July-2025	17-July-2025
25	Place Names Act 2020	https://www.legislation.tas.gov.au/view/html/inforce/current/act-2020-001	01-July-2020	01-July-2020
26	Public Health Act 1997	https://www.legislation.tas.gov.au/view/html/inforce/current/act-1997-086	01-July-2025	24-October-2022
27	Public Interest Disclosures Act 2002	https://www.legislation.tas.gov.au/view/html/inforce/current/act-2002-016	31-August-2023	31-August-2023
28	Right to Information Act 2009	https://www.legislation.tas.gov.au/view/html/inforce/current/act-2009-070	06-November-2024	30-August-2024
29	Roads and Jetties Act 1935	https://www.legislation.tas.gov.au/view/html/inforce/current/act-1935-082	01-July-2025	17-May-2023
30	Strata Titles Act 1998	https://www.legislation.tas.gov.au/view/html/inforce/current/act-1998-017	05-November-2021	05-November-2021
31	Strategic Infrastructure Corridors (Strategic and Recreational Use) Act 2016	https://www.legislation.tas.gov.au/view/html/inforce/current/act-2016-050	27-November-2023	27-November-2023
32	Traffic Act 1925	https://www.legislation.tas.gov.au/view/html/inforce/current/act-1925-038	23-June-2023	23-June-2023
33	Urban Drainage Act 2013	https://www.legislation.tas.gov.au/view/html/inforce/current/act-2013-071	10-May-2024	10-May-2024
34	Vehicle and Traffic Act 1999	https://www.legislation.tas.gov.au/view/html/inforce/current/act-1999-070	01-July-2024	01-July-2024
35	Miscellaneous Powers and Functions			29-July-2025
36	Procurement Delegation	Issued by the General Manager	N/A	20-August-2025

Archives Act 1983

Back to CONTENTS

Legislation Version: 1 July 2025

This register is maintained in compliance with section 22 (4) of the *Local Government Act 1993* (Tas).

Notes on Delegation

- (1) A council, in writing, may delegate with or without conditions to the general manager, any of its functions or powers under any Act: s.22 *Local Government Act 1993* (Tas) (subject to restrictions).
- (2) The general manager, in writing, may delegate to an employee of the council (a) any functions or powers under any Act, other than this power of delegation; and (b) any functions or powers delegated by the council which the council authorised the general manager to delegate: s.64 *Local Government Act 1993* (Tas).
- (3) If an Act confers a power on a person to delegate a function or power, the person may, in accordance with the Act, delegate the function or power to (a) a person by name; or (b) the holder of a particular office or position by reference to the title of the office or position concerned, whether or not the office or position is vacant at the time of the delegation: s.23AA(1) *Acts Interpretation Act 1931* (Tas).
- (4) If a function or power is delegated to a particular officer or the holder of a particular office or position (a) the delegation does not cease to have effect merely because the person who was the particular officer or the holder of the particular office or position when the function or power was delegated ceases to be that officer or the holder of that office or position; and (b) the function or power may be performed or exercised by the person for the time being occupying or acting in the office or position concerned: s.23AA(5) *Acts Interpretation Act 1931* (Tas).
- (5) A function or power that has been delegated may, notwithstanding the delegation, be exercised by the delegator: s.23AA(6) *Acts Interpretation Act 1931* (Tas).

No.	Provision	Function or Power	Nature	Given by	Given To		Conditions or Restrictions	Decision	Evidence of Authorisation / Delegation
		Description	Appointment, Delegation or Authorisation	Council	General Manager	General Manager	Director - Corporate Services	Date(s) of Delegation / Authorisation	Resolution Number
1	S 10(1)	Preservation of State records: Council is to keep proper records of the business of the local authority for which that relevant authority is responsible	Delegation	X	X	X		21-Oct-24	Minute 211/24
2	S 11	Transfer of State records to Archives office: Council is to transfer state records to archives office.	Delegation	X	X	X		21-Oct-24	Minute 211/24
3	S 15(3)	Conditions may be imposed on the making of State archives available for public inspection: Giving of notice to State Archivist and the imposition of conditions for availability for inspection.	Delegation	X	X	X	Approve or refuse access to restricted information subject to compliance with the provisions of the <i>Archives Act 1983</i> and the <i>Right to Information Act 2009</i> .	21-Oct-24	Minute 211/24

Building Act 2016

Back to CONTENTS

Legislation Version: 1 October 2024

This register is maintained in compliance with section 22 (4) of the *Local Government Act 1993* (Tas).

Notes on Delegation

- (1) A council may delegate to any person any of its powers and functions under the *Building Act* 2016, other than the power of delegation: s.8(3) of the *Building Act* 2016.
- (2) The council of a municipal area is the permit authority for the municipal area.
- (3) A function or power of the permit authority is only to be performed or exercised by the 'licensed person', within the meaning of the *Occupational Licensing Act 2005* , nominated by the council in its capacity as a 'licensed entity' under the *Occupational Licensing Act 2005*.
- (4) The general manager may delegate any functions or powers delegated by the Council which the Council authorised the general manager to delegate: s.64(b) of the *Local Government Act 1993*.
- (5) If an Act confers a power on a person to delegate a function or power, the person may, in accordance with the Act, delegate the function or power to (a) a person by name; or (b) the holder of a particular office or position by reference to the title of the office or position concerned, whether or not the office or position is vacant at the time of the delegation: s.23AA(1) *Acts Interpretation Act 1931* (Tas).
- (6) If a function or power is delegated to a particular officer or the holder of a particular office or position (a) the delegation does not cease to have effect merely because the person who was the particular officer or the holder of the particular office or position when the function or power was delegated ceases to be that officer or the holder of that office or position; and (b) the function or power may be performed or exercised by the person for the time being occupying or acting in the office or position concerned: s.23AA(5) *Acts Interpretation Act 1931* (Tas).
- (7) A function or power that has been delegated may, notwithstanding the delegation, be exercised by the delegator: s.23AA(6) *Acts Interpretation Act 1931* (Tas).
- (8) Where the operation of a provision of an Act is dependent upon the opinion, belief, or state of mind in relation to a matter of a person specified in that Act and any of the powers or functions of that person have been delegated, in pursuance of that Act, to some other person, that provision may operate upon the opinion, belief, or state of mind of the delegate in relation to that matter: s.23A(2) *Acts Interpretation Act 1931*(Tas).

		Function or power	Nature	Given by	Given to	Conditions or restrictions	Decision	Evidence of Authorisation / Delegation
			Appointment, Delegation or Authorisation	Council	General Manager		Date(s) of Delegation / Authorisation	Resolution Number
No.	Provision	Description				Notes		
1	s.27(3) & (4)	Records of permit authority	Delegation	X	X		20-Nov-23	Minute 196/23
2	Part 6	Protection Work: Take all steps required to be taken in relation to protection work and insurance cover in circumstances where the Council is either the owner of the premises where building work, plumbing worked or demolition work will be carried out, or the responsible person for that work.	Delegation	X		Excludes the ability to pay or agree to pay compensation pursuant to s.89	20-Nov-23	Minute 196/23
3	Part 6	Notice of proposed Protection Work: Take all steps required to be taken in relation to protection work and insurance cover in circumstances where the Council is the owner of an adjoining premises to a premises where building work, plumbing work or demolition work will be carried out.	Delegation				20-Nov-23	Minute 196/23
4	s.265(3) & (4)	Failure to comply with emergency, building or plumbing order: Perform works where there has been failure to comply with an emergency, building or plumbing order	Delegation	X			20-Nov-23	Minute 196/23
5	s.266	Possession of building: Proceedings to obtain possession of a building or temporary structure if any occupier fails to allow any person to do work pursuant to s.265.	Delegation	X			20-Nov-23	Minute 196/23
6	s.269(1)	Recovery of performance costs: If a person fails to perform the work required by an order, council may enter land or a building and perform the required work.	Delegation	X	X		20-Nov-23	Minute 196/23

		Function or power	Nature	Given by	Given to	Conditions or restrictions	Decision	Evidence of Authorisation / Delegation
				Council	General Manager			
No.	Provision	Description	Appointment, Delegation or Authorisation			Notes	Date(s) of Delegation / Authorisation	Resolution Number
7	s.269(2)	Recovery of performance costs: Make an application to recover the cost of performing any work, and to impose a charge on land.	Delegation				20-Nov-23	Minute 196/23
8	s.271(1)	Purchasing buildings and materials: Councils may sell a building for removal or after demolishing a building, sell the materials on the premises for removal.	Delegation				20-Nov-23	Minute 196/23
9	s.271(2)	Purchasing buildings and materials: Grant the purchaser of a building sold pursuant to s.271(1) all of the powers Council has under s.265.	Delegation				20-Nov-23	Minute 196/23
10	s.271(6)	Purchasing buildings and materials: Authority to pay, on behalf of the Council, the owner of the building or materials sold under subsection (1) the balance of any proceeds of the sale after deducting any reasonable expenses incurred by it.	Delegation				20-Nov-23	Minute 196/23
11	s.310	Prosecution of offences: Proceedings for an offence against this Act or the regulations are to be commenced by an authorised person within the period of 2 years from the date on which evidence of the alleged offence first came to the attention of any authorised person.	Delegation	X			20-Nov-23	Minute 196/23

Building Regulations 2016

[Back to CONTENTS](#)

Legislation Version: 1 October 2024

This register is maintained in compliance with section 22 (4) of the *Local Government Act 1993* (Tas).

Notes on Delegation

- (1)** A council may delegate to any person any of its powers and functions under the *Building Act* 2016, other than the power of delegation: s.8(3) of the *Building Act* 2016.
- (2)** The council of a municipal area is the permit authority for the municipal area.
- (3)** A function or power of the permit authority is only to be performed or exercised by the 'licensed person', within the meaning of the *Occupational Licensing Act* 2005 , nominated by the council in its capacity as a 'licensed entity' under the *Occupational Licensing Act* 2005.
- (4)** The general manager may delegate any functions or powers delegated by the Council which the Council authorised the general manager to delegate: s.64(b) of the *Local Government Act* 1993.
- (5)** If an Act confers a power on a person to delegate a function or power, the person may, in accordance with the Act, delegate the function or power to (a) a person by name; or (b) the holder of a particular office or position by reference to the title of the office or position concerned, whether or not the office or position is vacant at the time of the delegation: s.23AA(1) *Acts Interpretation Act 1931* (Tas).
- (6)** If a function or power is delegated to a particular officer or the holder of a particular office or position (a) the delegation does not cease to have effect merely because the person who was the particular officer or the holder of the particular office or position when the function or power was delegated ceases to be that officer or the holder of that office or position; and (b) the function or power may be performed or exercised by the person for the time being occupying or acting in the office or position concerned: s.23AA(5) *Acts Interpretation Act 1931* (Tas).
- (7)** A function or power that has been delegated may, notwithstanding the delegation, be exercised by the delegator: s.23AA(6) *Acts Interpretation Act 1931* (Tas).
- (8)** Where the operation of a provision of an Act is dependent upon the opinion, belief, or state of mind in relation to a matter of a person specified in that Act and any of the powers or functions of that person have been delegated, in pursuance of that Act, to some other person, that provision may operate upon the opinion, belief, or state of mind of the delegate in relation to that matter: s.23A(2) *Acts Interpretation Act* 1931(Tas).

		Function or power	Nature	Given by	Given to	Conditions or restrictions	Decision	Evidence of Authorisation / Delegation
No.	Provision	Description	Appointment, Delegation or Authorisation	Council	General Manager	Notes	Date(s) of Delegation / Authorisation	Resolution Number
1	r.43(1)	Plumbing work involving network utility operator's stormwater drainage systems: A person must not perform plumbing work unless written consent to do so has been obtained from the relevant network utility operator.	Delegation	X	X		20-Nov-23	Minute 196/23
2	r.43(3)	Plumbing work involving network utility operator's stormwater drainage systems: If not satisfied that a stormwater drainage system is sealed in accordance with the Act, enter the premises and perform any work necessary.	Delegation	X	X		20-Nov-23	Minute 196/23
3	r.43(5)(a)	Plumbing work involving network utility operator's stormwater drainage systems: Recover costs as a charge under the <i>Local Government Act</i> 1993.	Delegation	X	X		20-Nov-23	Minute 196/23
4	r.53	Riverine inundation: Assessment of land as having a reasonable probability of flooding.	Delegation	X	X		20-Nov-23	Minute 196/23
5	r.78(3)	Permit authorities may perform maintenance work: Recover costs as a charge under the <i>Local Government Act</i> 1993.	Delegation	X	X		20-Nov-23	Minute 196/23

This register is maintained in compliance with section 22 (4) of the Local Government Act 1993 (Tas).

Notes on Delegation

- (1) A council, in writing, may delegate with or without conditions to the general manager, any of its functions or powers under any Act: s.22 *Local Government Act 1993* (Tas) (subject to restrictions).
- (2) The general manager, in writing, may delegate to an employee of the council (a) any functions or powers under any Act, other than this power of delegation; and (b) any functions or powers delegated by the council which the council authorised the general manager to delegate: s.64 *Local Government Act 1993* (Tas).
- (3) If an Act confers a power on a person to delegate a function or power, the person may, in accordance with the Act, delegate the function or power to (a) a person by name; or (b) the holder of a particular office or position by reference to the title of the office or position concerned, whether or not the office or position is vacant at the time of the delegation: s.23AA(1) *Acts Interpretation Act 1931* (Tas).
- (4) If a function or power is delegated to a particular officer or the holder of a particular office or position (a) the delegation does not cease to have effect merely because the person who was the particular officer or the holder of the particular office or position when the function or power was delegated ceases to be that officer or the holder of that office or position; and (b) the function or power may be performed or exercised by the person for the time being occupying or acting in the office or position concerned: s.23AA(5) *Acts Interpretation Act 1931* (Tas).
- (5) A function or power that has been delegated may, notwithstanding the delegation, be exercised by the delegator: s.23AA(6) *Acts Interpretation Act 1931* (Tas).

No.	Provision	Function or power	Nature	Given by	Given to			Conditions or restrictions	Decision	Evidence of Authorisation / Delegation
		Description	Appointment, Delegation or Authorisation	Council	General Manager	General Manager	Director - Development Services	Environmental Health Officer	Notes	Date(s) of Delegation / Authorisation
1		COUNCIL AS CEMETERY MANAGER: The Council delegates the following functions and powers of the Council in its capacity as cemetery manager pursuant to the <i>Burial and Cremation Act 2019</i> (except the setting of fees), to the General Manager and authorises the General Manager to delegate those functions and powers.		X	X			The ultimate responsibility for the cemetery will remain with the Council, as cemetery manager.	20-Jul-20	Minute 109/20
2	29(1)(c)	Interment otherwise than in cemetery: The general manager's written permission (and the landholder's and Director of Public Health) is required to inter human remains otherwise than in a cemetery	Delegation	X		X	X		20-Jul-20	Minute 109/20
3	29(4)	Interment otherwise than in cemetery: The general manager must ensure Council keep a record of the proposed internment and ensure it is included on any s337 LGA certificate issued by Council	Delegation	X		X	X		20-Jul-20	Minute 109/20
4	29(5)	Interment otherwise than in cemetery: Permission given by the general manager under section 29(1)(c) may be subject to any conditions necessary to ensure that the proposed internment will not be prejudicial to public health or public safety.	Delegation	X		X	X		20-Jul-20	Minute 109/20
5	34(1)	Duties and powers of cemetery managers: Keep a cemetery in accordance with the Act so as not to be prejudicial to public health or public safety	Delegation	X	X				20-Jul-20	Minute 109/20

No.	Provision	Function or power	Nature	Given by	Given to			Conditions or restrictions	Decision	Evidence of Authorisation / Delegation
		Description	Appointment, Delegation or Authorisation	Council	General Manager	General Manager	Director - Development Services	Environmental Health Officer	Notes	Date(s) of Delegation / Authorisation
6	34(2)	Duties and powers of cemetery managers: Ensure that as far as reasonably practicable the cemetery is maintained to prevent it from falling into disrepair, or from being defaced or damaged. Rectify any disrepair or defacement as soon as possible	Delegation	X	X				20-Jul-20	Minute 109/20
7	34(4)	Duties and powers of cemetery managers: Keep all prescribed records (as per 2002 Act - see Sch 1 part 2)	Delegation	X	X				20-Jul-20	Minute 109/20
8	34(5)	Duties and powers of cemetery managers: Permit any person access free of charge at any reasonable time	Delegation	X	X				20-Jul-20	Minute 109/20
9	34(7)	Duties and powers of cemetery managers: A cemetery manager may (a) improve, embellish and enlarge a cemetery under the management of that manager; and (b) restrict interments in any portion of the cemetery, except as may be required by an exclusive right of burial; and (c) take any other action as may be required for the reasonable management and maintenance of the cemetery	Delegation	X	X				20-Jul-20	Minute 109/20
10	39(1)	Monuments, &c.: The cemetery manager may permit any vault or grave to be made or dug, and any monument to be erected or placed, in any portion of the cemetery on payment of the fee which has been fixed for doing so	Delegation	X	X				20-Jul-20	Minute 109/20
11	39(2)	Monuments, &c. : The cemetery manager may determine the position of any monument to be erected or placed according to its description, size and character and having regard to the general plan for ornamenting the cemetery in an appropriate manner	Delegation	X	X				20-Jul-20	Minute 109/20
12	39(3)	Monuments, &c. : The cemetery manager may enter into an agreement for the maintenance of a vault, grave or monument	Delegation	X	X				20-Jul-20	Minute 109/20
13	40(1)	Requirement to remove monuments: The cemetery manager may provide notice to require a person to take down or remove a monument or to render it safe, if a monument has been erected or placed contrary to the terms and conditions on which the permission to erect or place it was granted or, in the opinion of the cemetery manager, it is unsafe	Delegation	X	X				20-Jul-20	Minute 109/20
14	40(3)(c)	Removal of certain monuments in cemeteries: To make enquiries to find a person who erected or placed a monument	Delegation	X					20-Jul-20	Minute 109/20
15	40(3)(d)	Removal of certain monuments in cemeteries: Render the monument safe or take the monument down and remove	Delegation	X					20-Jul-20	Minute 109/20
16	40(3)(e)	Removal of certain monuments in cemeteries: Recover in a court the reasonable cost of rendering the monument safe or taking a monument down and removing it	Delegation	X					20-Jul-20	Minute 109/20
17	40(6)	Removal of certain monuments in cemeteries: Provide notice of the removal of a monument and arrange for it to be re-erected if there is an agreement pursuant to s.40(4) which meets the requirements of the Act	Delegation	X					20-Jul-20	Minute 109/20

No.	Provision	Function or power	Nature	Given by	Given to			Conditions or restrictions	Decision	Evidence of Authorisation / Delegation	
		Description	Appointment, Delegation or Authorisation	Council	General Manager	General Manager	Director - Development Services	Environmental Health Officer	Notes	Date(s) of Delegation / Authorisation	Resolution Number
18	41(2)										
19	42(2)	Notifications of possible cemeteries: The general manager of a council is to notify the regulator as soon as practicable after becoming aware land within municipal area is a cemetery or contains more than one monument and is not covered by an entry in the register (section 14)	Delegation	X						20-Jul-20	Minute 109/20
20	52(1)(a)	Sale of Cemetery - Notice: Cemetery manager must publish notice of intention (in prescribed form see s 52(2)) to sell cemetery	Delegation	X	X					20-Jul-20	Minute 109/20
21	52(1)(b)	Sale of Cemetery - Notice to Exclusive right holders: Cemetery manager must notify in writing each person who holds exclusive right of burial or other exclusive write of intention to sell cemetery	Delegation	X	X					20-Jul-20	Minute 109/20
22	52(1)(c)	Sale of Cemetery - Certificate of Compliance: Cemetery manager must apply for certificate of compliance in respect of proposed sale	Delegation	X	X					20-Jul-20	Minute 109/20
23	53	Sale of Cemetery - Audit: Cemetery manager must ensure audit undertaken within 6 months of issue of notice of intention to sell	Delegation	X	X					20-Jul-20	Minute 109/20
24	57	Notification of decision to not sell cemetery: If cemetery manager, having given notice, decides not to sell cemetery they must notify regulator	Delegation	X	X					20-Jul-20	Minute 109/20
25	58(1)	Cemetery disclosure document: Cemetery manager must provide disclosure document to proposed purchaser	Delegation	X	X					20-Jul-20	Minute 109/20
26	61	Notification to purchase of cemetery: If Council purchases a cemetery it must give notice to the regulator of the transfer with 30 days of it occurring	Delegation	X	X					20-Jul-20	Minute 109/20
27	63	Closure of cemeteries for reasons of public health or public safety: The general manager may given notice to cemetery manager that the whole or portion of cemetery is to be closed	Delegation	X						20-Jul-20	Minute 109/20
28	64	Intention to close (no internments for 50 yrs+) - notice/appln: The cemetery manager must give notice of intention to close and apply to regulator for approval	Delegation	X	X					20-Jul-20	Minute 109/20
29	65(1)(a)	Intention to close cemetery (no internments for 50 yrs+): If the regulator approves the closure the cemetery manager must notify the holder of exclusive rights.	Delegation	X	X					20-Jul-20	Minute 109/20
30	65(1)(b)	Close cemetery (no internments for 50 yrs+): On receipt of notification from the regulator of approval to close the cemetery manager may close the cemetery	Delegation	X	X					20-Jul-20	Minute 109/20
31	66	Effect of closure of cemetery: Cemetery manager must forward all records to the State archivist and may take steps in relation to altering or moving tombstones in accordance with this section	Delegation	X	X					20-Jul-20	Minute 109/20

No.	Provision	Function or power	Nature	Given by	Given to			Conditions or restrictions	Decision	Evidence of Authorisation / Delegation
				Council	General Manager	Director - Development Services	Environmental Health Officer		Date(s) of Delegation / Authorisation	Resolution Number
No.	Provision	Description	Appointment, Delegation or Authorisation							
32	67	Exclusive rights of burial in closed cemetery: Cemetery manager must enter into an agreement with a person who holds an exclusive right of burial in a closed cemetery, and take action as agreed and prescribed in this section	Delegation	X	X				20-Jul-20	Minute 109/20
33	68	Actions by cemetery manager in closed cemeteries: The cemetery manager may apply to the regulator for approval to lay out a closed cemetery as a park or garden, and take related steps	Delegation	X	X				20-Jul-20	Minute 109/20
34	70	Removal of grave etc or human remains in closed cemeteries: A cemetery manager must not remove a grave etc or human remains from a closed cemetery without giving public notice and preparing the statement prescribed in this section	Delegation	X	X				20-Jul-20	Minute 109/20
35	71	Application to reduce time to take action in closed cemetery: A cemetery manager may apply to take action under ss 66 or 68 even though 100 years has not passed	Delegation	X	X				20-Jul-20	Minute 109/20
36	72	When land ceases to be cemetery: Council can sell land that has ceased to be a cemetery but must comply with this section in relation to persons who hold an exclusive right of burial	Delegation	X	X				20-Jul-20	Minute 109/20
37	72(6)	When land ceases to be cemetery: A cemetery manager must notify regulator after dealing with land under this section	Delegation	X	X				20-Jul-20	Minute 109/20
38	73	Declaration land is not a cemetery: If Council intends to sell land subject to a declaration under this section it must notify the prospective purchaser of matters specified in this section	Delegation	X	X				20-Jul-20	Minute 109/20

Burial and Cremation Regulations 2025

Back to CONTENTS

Legislation Version: 27 May 2025

This register is maintained in compliance with section 22 (4) of the Local Government Act 1993 (Tas).

Notes on Delegation

(1) A council, in writing, may delegate with or without conditions to the general manager, any of its functions or powers under any Act: s.22 *Local Government Act 1993* (Tas) (subject to restrictions).

(2) The general manager, in writing, may delegate to an employee of the council (a) any functions or powers under any Act, other than this power of delegation; and (b) any functions or powers delegated by the council which the council authorised the general manager to delegate: s.64 *Local Government Act 1993* (Tas).

(3) If an Act confers a power on a person to delegate a function or power, the person may, in accordance with the Act, delegate the function or power to (a) a person by name; or (b) the holder of a particular office or position by reference to the title of the office or position concerned, whether or not the office or position is vacant at the time of the delegation: s.23AA(1) *Acts Interpretation Act 1931* (Tas).

(4) If a function or power is delegated to a particular officer or the holder of a particular office or position (a) the delegation does not cease to have effect merely because the person who was the particular officer or the holder of the particular office or position when the function or power was delegated ceases to be that officer or the holder of that office or position; and (b) the function or power may be performed or exercised by the person for the time being occupying or acting in the office or position concerned: s.23AA(5) *Acts Interpretation Act 1931* (Tas).

(5) A function or power that has been delegated may, notwithstanding the delegation, be exercised by the delegator: s.23AA(6) *Acts Interpretation Act 1931* (Tas).

NOTE: The Burial and Cremation Regulations 2015 is repealed under section 11 of the Subordinate Legislation Act 1992.

No.	Provision	Function or power	Nature	Given by	Given to	Conditions or restrictions	Decision	Evidence of Authorisation / Delegation
		Description	Appointment, Delegation or Authorisation	Council	General Manager	General Manager	Notes	Date(s) of Delegation / Authorisation
1		COUNCIL AS CEMETERY MANAGER: The Council delegates the following functions and powers of the Council in its capacity as cemetery manager pursuant to the <i>Burial and Cremation Act 2019</i> (except the setting of fees), to the General Manager and authorises the General Manager to delegate those functions and powers.		X	X	The ultimate responsibility for the cemetery will remain with the Council, as cemetery manager.	20-Jul-20	Minute 109/20
2	27	Issue of certificate of exclusive right of burial: The cemetery manager must issue a certificate of exclusive right of burial	Delegation	X	X		20-Jul-20	Minute 109/20
3	28	Amendment of certificate of exclusive right of burial: The cemetery manager may amend a certificate of exclusive right of burial	Delegation	X	X		20-Jul-20	Minute 109/20
4	29	Cancellation or transfer of certificate of exclusive right of burial: The cemetery manager may cancel or transfer a certificate of exclusive right of burial	Delegation	X	X		20-Jul-20	Minute 109/20
5	30(3)	Permission to inter human remains: A cemetery manager may grant or refuse permission to inter human remains in a cemetery. The permission may be subject to conditions. Notice of the grant or refusal of permission is to be given	Delegation	X	X		20-Jul-20	Minute 109/20
6	39	Plan of cemetery: A cemetery manager must keep a plan of the cemetery showing the graves and plots set aside in respect of an exclusive right of burial	Delegation	X	X		20-Jul-20	Minute 109/20
7	40	Register of Interments: A cemetery manager must keep a register of instruments as set out in this section	Delegation	X	X		20-Jul-20	Minute 109/20
8	42	Driving in cemeteries: A cemetery manager can give reasonable directions to a driver which it is an offence not to obey	Delegation	X	X		20-Jul-20	Minute 109/20
9	44	Power of cemetery manager in relation to graves and plots: A cemetery manager may take certain action in cemeteries in relation to the appearance of the cemetery and public health and safety	Delegation	X	X		20-Jul-20	Minute 109/20
10	45	Power of cemetery manager to approve permanent items: A cemetery manager may approve certain items or classes of items that may be permanently affixed to or next to a grave or plot	Delegation	X	X		20-Jul-20	Minute 109/20
11	46(1)	Power of cemetery manager to remove persons: A cemetery manager may require a person to leave and not re-enter a cemetery as set out in this section	Delegation	X	X		20-Jul-20	Minute 109/20
12	46(3)	Power of cemetery manager to remove persons: A cemetery manager may use reasonable force to remove from a cemetery or prevent the entry of a person into a cemetery in contravention of a requirement under section 46(1)	Delegation	X	X		20-Jul-20	Minute 109/20
13	47	Duty of cemetery manager on removal of monument: A cemetery manager must take photos as prescribed if removing a monument and provide the photos to the heritage council	Delegation	X	X		20-Jul-20	Minute 109/20

Cat Management Act 2009

[Back to CONTENTS](#)

Legislation Version: 1 July 2025

This register is maintained in compliance with section 22 (4) of the Local Government Act 1993 (Tas).

Notes on Delegation

- (1)** A council, in writing, may delegate with or without conditions to the general manager, any of its functions or powers under any Act: s.22 *Local Government Act 1993* (Tas) (subject to restrictions).
- (2)** The general manager, in writing, may delegate to an employee of the council (a) any functions or powers under any Act, other than this power of delegation; and (b) any functions or powers delegated by the council which the council authorised the general manager to delegate: s.64 *Local Government Act 1993* (Tas).
- (3)** If an Act confers a power on a person to delegate a function or power, the person may, in accordance with the Act, delegate the function or power to (a) a person by name; or (b) the holder of a particular office or position by reference to the title of the office or position concerned, whether or not the office or position is vacant at the time of the delegation: s.23AA(1) *Acts Interpretation Act 1931* (Tas).
- (4)** If a function or power is delegated to a particular officer or the holder of a particular office or position (a) the delegation does not cease to have effect merely because the person who was the particular officer or the holder of the particular office or position when the function or power was delegated ceases to be that officer or the holder of that office or position; and (b) the function or power may be performed or exercised by the person for the time being occupying or acting in the office or position concerned: s.23AA(5) *Acts Interpretation Act 1931* (Tas).
- (5)** A function or power that has been delegated may, notwithstanding the delegation, be exercised by the delegator: s.23AA(6) *Acts Interpretation Act 1931* (Tas).

No.	Provision	Function or power	Nature	Given by	Given to	Conditions or restrictions	Decision	Evidence of Authorisation / Delegation
		Description	Appointment, Delegation or Authorisation	Council General Manager	Director - Development Services	Notes	Date(s) of Delegation / Authorisation	Resolution Number
1	8A	Collection and analysis of sample from a cat: (2) The general manager may approve a person to collect a non-intimate sample from a cat, and a person to conduct the analysis of the sample collected. (4) If the general manager receives a request under sub-section (3), they may authorise an approved person to collect a non-intimate sample from the cat, or a veterinary surgeon to collect an intimate or non-intimate sample from the cat. (7) The general manager may authorise a qualified person to conduct analysis of a sample collected in accordance with section 8A(5)(b).	Delegation	X	X		21-Oct-24	Minute 211/24
2	16B	Application to keep more than 4 cats: (3) (b) If a general manager, to whom an application is made under subsection (1) so requires, an applicant must publish a notice, in a prescribed manner, (4) (b) In considering an application that is made under subsection (1) to a general manager, the general manager must consult with the Secretary.	Delegation	X	X		21-Oct-24	Minute 211/24
3	16C	Determination of application to keep more than 4 cats: (1) A general manager may grant or refuse an application made under s.16B(1), subject to conditions. (2) If an application is approved, the general manager is to issue a permit in writing. (5) A general manager may vary permit conditions by notice to the permit holder. (6) Where an application is refused, the general manager must provide notice of the refusal with written reasons.	Delegation	X	X	Permits may not be issued in contravention of a council by-law. 16C(3)	21-Oct-24	Minute 211/24
4	16D	Cancellation of multiple cat permits: (1) A general manager may cancel a multiple cat permit by notice in writing served on the permit holder if satisfied of the matters in subsection (2). (3) Before cancelling a multiple cat permit, the general manager must give the permit holder one month's notice to make written submissions and must consider those submissions (if any).	Delegation	X	X		21-Oct-24	Minute 211/24
5	19	Declaration of prohibited area: A council may declare an area of land within the authority of the council to be an area where cats are prohibited.	Delegation	X			21-Oct-24	Minute 211/24

		Function or power	Nature	Given by	Given to	Conditions or restrictions	Decision	Evidence of Authorisation / Delegation
				Council	General Manager	Director - Development Services		
No.	Provision	Description	Appointment, Delegation or Authorisation	Notes			Date(s) of Delegation / Authorisation	Resolution Number
6	<u>20</u>	Declaration of cat management area: (1) A council may declare an area of land within the municipal area of the council to be an area within which measures may be taken in respect of cats. (2) Without limiting the generality of subsection (1) , a measure in respect of a cat may include a cat management action as defined in section 18(1).	Delegation	X			21-Oct-24	Minute 211/24
7	<u>21</u>	Proposal for council declaration: (1) A council that proposes to make a declaration under section 19 or 20 in relation to an area of land is to publish a notice specifying – (a) the area of land; and (b) the proposed restrictions or activities relating to the use of the area of land; and (c) the reasons for the proposed declaration; and (d) that submissions as to the proposed declaration may be made to the council within 15 working days after the notice is published. (2) A notice under subsection (1) may be published in one or more of the following ways: (a) in a newspaper circulating generally in the municipal area of the council; (b) in a document delivered to persons whom the council considers likely to be affected by the declaration if made; (c) on a website maintained by or on behalf of the council; (d) in a prescribed manner. (3) A person may, within 15 working days after a notice is published under subsection (1) , make a submission in writing to the council. (4) The council is to consider submissions made under subsection (3) , if any, before making a declaration under section 19 or 20 .	Delegation	X			21-Oct-24	Minute 211/24
8	<u>21A</u>	Council declaration: (3) A council may propose to amend or revoke a declaration made under section 19 or 20 by notice published in accordance with subsection (1)(a) and (b) . (5) The council is to consider submissions made under subsection (3) , if any, before amending or revoking a declaration.	Delegation	X			21-Oct-24	Minute 211/24
9	<u>31</u>	Permit to breed cats: (3) A general manager may grant an application for a cat breeding permit, subject to conditions, or may refuse a permit. (5) If a general manager grants an application for a cat breeding permit, they are to issue a permit in writing to the applicant. (7) A general manager may vary a cat breeding permit, including the conditions of the permit, if satisfied there are reasonable grounds to do so. (8) If a general manager refuses an application, they are to provide the applicant with written notice of the refusal, with reasons.	Delegation	X	X		21-Oct-24	Minute 211/24

Child and Youth Safe Organisations Act 2023

[Back to CONTENTS](#)

Legislation Version: 1 July 2025

This register is maintained in compliance with section 22 (4) of the Local Government Act 1993 (Tas).

Notes on Delegation

- (1) A council, in writing, may delegate with or without conditions to the general manager, any of its functions or powers under any Act: s.22 *Local Government Act 1993* (Tas) (subject to restrictions).
- (2) The general manager, in writing, may delegate to an employee of the council (a) any functions or powers under any Act, other than this power of delegation; and (b) any functions or powers delegated by the council which the council authorised the general manager to delegate: s.64 *Local Government Act 1993* (Tas).
- (3) If an Act confers a power on a person to delegate a function or power, the person may, in accordance with the Act, delegate the function or power to (a) a person by name; or (b) the holder of a particular office or position by reference to the title of the office or position concerned, whether or not the office or position is vacant at the time of the delegation: s.23AA(1) *Acts Interpretation Act 1931* (Tas).
- (4) If a function or power is delegated to a particular officer or the holder of a particular office or position (a) the delegation does not cease to have effect merely because the person who was the particular officer or the holder of the particular office or position when the function or power was delegated ceases to be that officer or the holder of that office or position; and (b) the function or power may be performed or exercised by the person for the time being occupying or acting in the office or position concerned: s.23AA(5) *Acts Interpretation Act 1931* (Tas).
- (5) A function or power that has been delegated may, notwithstanding the delegation, be exercised by the delegator: s.23AA(6) *Acts Interpretation Act 1931* (Tas).
- (6) A General Manager (head of an entity) may delegate, to a worker of the entity, any of the functions or powers of the General Manager under this Act other than this power of delegation. "Worker" is defined in section 8.

		Function or power	Nature	Given by	Given to	Conditions or restrictions	Decision	Evidence of Authorisation / Delegation
				Council General Manager	Director - Corporate Services			
No.	Provision	Description	Appointment, Delegation or Authorisation			Notes	Date(s) of Delegation / Authorisation	Resolution Number
1	Section 10(3)	Delegations: A General Manager may delegate, to a worker of the entity, any of the functions or powers of the General Manager under this Act other than this power of delegation.				"Worker" is defined in section 8.	18-Dec-23	Minute 219/23
2	Section 34	Head of relevant entity to notify Regulator of reportable allegation or reportable conviction: (1) If a General Manager becomes aware of a reportable allegation or a reportable conviction against a worker of the relevant entity, the head must notify the Regulator, in writing, within 3 business days after becoming aware of the reportable allegation or reportable conviction in accordance with this section. (2) The General Manager must not fail, without reasonable excuse, to comply with subsection (1) . Penalty: Fine not exceeding 120 penalty units.	Delegation	X	X	"Reportable allegation" is defined in section 3. "Reportable conviction" is defined in section 7. "Worker" is defined in section 8.	18-Dec-23	Minute 219/23

		Function or power	Nature	Given by	Given to	Conditions or restrictions	Decision	Evidence of Authorisation / Delegation
No.	Provision	Description	Appointment, Delegation or Authorisation	Council General Manager	Director - Corporate Services	Notes	Date(s) of Delegation / Authorisation	Resolution Number
3	Section 35	Investigation by head of relevant entity: (1) As soon as practicable after the General Manager becomes aware of a reportable allegation or reportable conviction against a worker, the General Manager: (a) must – (i) investigate the reportable allegation or reportable conviction; or (ii) engage an independent investigator to investigate the reportable allegation or reportable conviction on behalf of the head; and (b) must inform the Regulator of the identity of the body or person who will conduct the investigation. (2) If the General Manager is unable, or does not intend, to comply with subsection (1) , the General Manager is to – (a) notify the Regulator as soon as practicable; and (b) provide reasons for the non-compliance. (3) An investigation conducted under this section must be completed despite the person who is the subject of the investigation ceasing to be a worker of the relevant entity during the period in which the investigation is being conducted. (4) As soon as practicable after an investigation has been completed, the General Manager must give to the Regulator – (a) a copy of the findings of the investigation and the reasons for those findings; and (b) details of any disciplinary or other action that the relevant entity has taken, or proposes to take, in relation to the worker, and the reasons for that action; and (c) if the relevant entity does not propose to take any disciplinary or other action in relation to the worker, the reasons why no action is to be taken.	Delegation	X	X		18-Dec-23	Minute 219/23
	The Royal Commission into Institutional Responses to Child Sexual Abuse - Recommendation 6.12:		Delegation	X	X	Appointed by Council, along with authority to delegate the role of Child Safety Officer in accordance with Recommendation 6.12, as required.	18-Dec-23	Minute 219/23
	<i>“With support from governments at the national, state and territory levels, local governments should designate child safety officer positions from existing staff profiles”</i>		Delegation					

Dog Control Act 2000

[Back to CONTENTS](#)

Legislation Version: 1 July 2025

This register is maintained in compliance with section 22 (4) of the *Local Government Act 1993* (Tas).

Authorised person

Section 3 - authorised person - a person appointed by a general manager to be an authorised person. Instrument of appointment to be separate to any delegations.

Notes on Delegation

- (1)** A council, in writing, may delegate with or without conditions to the general manager, any of its functions or powers under any Act: s.22 Local Government Act 1993 (Tas) (subject to restrictions).
- (2)** The general manager, in writing, may delegate to an employee of the council (a) any functions or powers under any Act, other than this power of delegation; and (b) any functions or powers delegated by the council which the council authorised the general manager to delegate: s.64 Local Government Act 1993(Tas).
- (3)** If an Act confers a power on a person to delegate a function or power, the person may, in accordance with the Act, delegate the function or power to (a) a person by name; or (b) the holder of a particular office or position by reference to the title of the office or position concerned, whether or not the office or position is vacant at the time of the delegation: s.23AA(1) Acts Interpretation Act 1931(Tas).
- (4)** If a function or power is delegated to a particular officer or the holder of a particular office or position (a) the delegation does not cease to have effect merely because the person who was the particular officer or the holder of the particular office or position when the function or power was delegated ceases to be that officer or the holder of that office or position; and (b) the function or power may be performed or exercised by the person for the time being occupying or acting in the office or position concerned: s.23AA(5) Acts Interpretation Act 1931(Tas).
- (5)** A function or power that has been delegated may, notwithstanding the delegation, be exercised by the delegator: s.23AA(6) Acts Interpretation Act 1931(Tas).
- (6)** The general manager may delegate to any person any of his or her functions or powers under this Act, other than the power of delegation: s82 Dog Control Act.

No.	Provision	Function or power	Nature	Given by	Given to		Conditions or restrictions	Decision	Evidence of Authorisation / Delegation
		Description	Appointment, Delegation or Authorisation	Council General Manager	Director - Development Services	Animal Management Officer	Notes	Date(s) of Delegation / Authorisation	Resolution Number
1	Z	Dog management Policy: (1) A council is to develop, make and implement a policy relating to dog management in its municipal area. (3) A council is to invite public submissions relating to a proposed dog management policy or an amendment of the policy; and consult with any appropriate body or organisation; and consider any submissions and results of any consultation before making the policy or the amendment.(4) A council is to review its dog management policy at least once every 5 years.	Delegation	X				20-Jul-20	Minute 109/20
2	9(1)	Application for registration: Power to receive application for the registration of a dog.	Delegation	X				20-Jul-20	Minute 109/20

No.	Provision	Function or power	Nature	Given by	Given to		Conditions or restrictions	Decision	Evidence of Authorisation / Delegation

No.	Provision	Function or power	Nature	Given by	Given to		Conditions or restrictions	Decision	Evidence of Authorisation / Delegation
		Description	Appointment, Delegation or Authorisation	Council	General Manager	Director - Development Services			Animal Management Officer
Notes									
16	23	Restricted areas: A council may declare an area to be an area where dogs are restricted from entering (a) during specified hours, days or seasons; or (b) during specified hours, days or seasons unless they are on a lead; or (c) at all times.	Delegation	X				20-Jul-20	Minute 109/20
17	24	Public notice of intention to declare areas	Delegation	X				20-Jul-20	Minute 109/20
18	25	Date and period of declaration	Delegation	X				20-Jul-20	Minute 109/20
19	26	Review of declaration	Delegation	X				20-Jul-20	Minute 109/20
20	27	Signs: A council is to erect and maintain signs sufficient to identify any exercise area, training area, prohibited area or restricted area	Delegation	X				20-Jul-20	Minute 109/20
21	29	Declaration of particular dangerous dog	Delegation	X				20-Jul-20	Minute 109/20
22	30	Guard dogs: The owner of a dog used to guard premises that are not residential must notify the general manager, by notice in writing, that the dog is a guard dog	Delegation	X				20-Jul-20	Minute 109/20
23	30	Guard dogs: On receipt of notification under s30(1) the general manager is to declare the dog to be a dangerous dog	Delegation	X				20-Jul-20	Minute 109/20
24	30	Guard dogs: The general manager may revoke a dangerous dog declaration if dog is no longer a guard dog and is not a dangerous dog	Delegation	X				20-Jul-20	Minute 109/20
25	32A(3)	Dangerous dogs and restricted breed dogs to be de-sexed and microchipped: Receiving of copy of a veterinary surgeon's certificate, stating that the dog has been de-sexed or implanted with a microchip.	Delegation	X				20-Jul-20	Minute 109/20
26	34	Dangerous dog or restricted breed dog missing, dying, &c.: If a dangerous dog or a restricted breed dog goes missing, strays or dies, or is lost, sold or given away to another owner, the owner or a person on behalf of the owner of that dog must notify the general manager	Delegation	X				20-Jul-20	Minute 109/20
27	34A	Application for approval to transfer ownership of dangerous dog or restricted breed dog	Delegation	X				20-Jul-20	Minute 109/20
28	34B	Offence to transfer ownership of dangerous dog or restricted breed dog without approval	Delegation	X				20-Jul-20	Minute 109/20
29	35(2)	Seizure and detention of dogs at large: If a dog is seized and its owner is identifiable, the general manager is to notify in writing the owner of the dog that – (a) the dog has been seized and detained; and (b) the owner may reclaim the dog.	Delegation	X	X	X		20-Jul-20	Minute 109/20
30	35(3)	Seizure and detention of dogs at large: If, after 5 working days after the notice has been given to the owner, the owner does not reclaim the dog, the general manager may sell, destroy or otherwise dispose of the dog.	Delegation	X	X	X		20-Jul-20	Minute 109/20

No.	Provision	Function or power	Nature	Given by	Given to		Conditions or restrictions	Decision	Evidence of Authorisation / Delegation		
		Description	Appointment, Delegation or Authorisation	Council	General Manager	Director - Development Services	Animal Management Officer	Notes	Date(s) of Delegation / Authorisation	Resolution Number	
31	35(4)	Seizure and detention of dogs at large: If a dog is seized and its owner is not identifiable, the general manager, not less than 3 working days after its seizure, may – (a) sell, destroy or otherwise dispose of the dog if it is not a dangerous dog or a restricted breed dog; or (b) destroy the dog if it is a dangerous dog or a restricted breed dog	Delegation			X	X	X		20-Jul-20	Minute 109/20
32	35(5)	Seizure and detention of dogs at large: The general manager is to take reasonable steps and make reasonable inquiries to identify the owner of a dog	Delegation			X	X	X		20-Jul-20	Minute 109/20
33	35(6)	Seizure and detention of dogs at large: The general manager may cause a dog that is seized under this section to be implanted in an approved manner with an approved microchip	Delegation			X	X	X		20-Jul-20	Minute 109/20
34	39	Release of dogs: The general manager is to release a dog to its owner on payment of relevant fees or on court order.	Delegation			X	X	X		20-Jul-20	Minute 109/20
35	39A(1)	Destruction of dangerous dog if enclosure not suitable: The general manager is not to release a dangerous dog to its owner unless the general manager is of the opinion that the owner has a suitable enclosure or satisfactory alternative arrangements have been made	Delegation			X	X	X		20-Jul-20	Minute 109/20
36	39A(2)	Destruction of dangerous dog if enclosure not suitable: If the owner of a dangerous dog does not have an enclosure referred to in subsection (1), the general manager may, by notice in writing served on the owner, require the owner to build, or have built, such an enclosure within 28 days after service of the notice	Delegation			X	X	X		20-Jul-20	Minute 109/20
37	39A(3)	Destruction of dangerous dog if enclosure not suitable: The general manager may extend the 28 day period to build the enclosure if of the opinion that sufficient progress towards the completion of the enclosure has been made	Delegation			X	X	X		20-Jul-20	Minute 109/20
38	39A(4)	Destruction of dangerous dog if enclosure not suitable: If the owner does not build, or have built, a suitable enclosure within the period specified in the notice or such other period as the general manager allows or does not make satisfactory alternative arrangements for housing the dog, the general manager may destroy the dog	Delegation			X	X	X		20-Jul-20	Minute 109/20
39	39A(5)	Destruction of dangerous dog if enclosure not suitable: Before destroying a dog under section 39A, the general manager must, by notice in writing served on the owner, notify the owner of the general manager's intention to destroy the dog	Delegation	X	X	X		20-Jul-20	Minute 109/20		
40	41(2)	Attacking dogs: A person who restrains a dog under subsection (1) is to notify the general manager as soon as possible	Delegation	X	X	X		20-Jul-20	Minute 109/20		

No.	Provision	Function or power	Nature	Given by	Given to		Conditions or restrictions	Decision	Evidence of Authorisation / Delegation
		Description	Appointment, Delegation or Authorisation	Council	General Manager	Director - Development Services			Animal Management Officer
41	42(3)	Destruction of dog: If a dog destroyed under subsection 42(1) was wearing a registration disc or any other means of identification, the general manager is to notify the dog's owner in writing of – (a) the destruction of the dog; and (b) the reasons for the destruction.	Delegation	X	X	X		20-Jul-20	Minute 109/20
42	47(1)	Complaints relating to nuisance: A person may make a complaint to the general manager in respect of a dog that is a nuisance.	Delegation	X	X	X		20-Jul-20	Minute 109/20
43	48(1)	Investigation of complaint: On receipt of a complaint, the general manager is to investigate the subject matter of the complaint.	Delegation	X	X	X		20-Jul-20	Minute 109/20
44	48(2)(a)	Investigation of complaint: If the general manager considers that the complaint has substance, the general manager may institute proceedings for an offence under section 46	Delegation	X	X	X		20-Jul-20	Minute 109/20
45	48(2)(b)	Investigation of complaint: If the general manager considers that the complaint has substance, the general manager is to refund the fee that accompanied the complaint to the complainant.	Delegation	X				20-Jul-20	Minute 109/20
46	49A	Abatement notices	Delegation	X	X	X		20-Jul-20	Minute 109/20
47	51(1)	Application for licences: A person can apply to the general manager for a licence to keep more than 2 dogs or more than 4 working dogs	Delegation	X				20-Jul-20	Minute 109/20
48	51(3)	Application for licences: The general manager can require a licence applicant to give public notice of application for licence to keep several dogs	Delegation	X				20-Jul-20	Minute 109/20
49	52	Objections to licence	Delegation	X				20-Jul-20	Minute 109/20
50	54	Refusing application	Delegation	X	X	X		20-Jul-20	Minute 109/20
51	55(1)	Granting application: The general manager may grant an application for a licence to keep several dogs in certain circumstances	Delegation	X	X	X		20-Jul-20	Minute 109/20
52	55(2)	Granting application: The general manager may issue a licence that has been granted specifying certain matters	Delegation	X				20-Jul-20	Minute 109/20
53	57(2)	Renewal of licence: Refusal to renew a licence if Act or any other Act not being complied with, the premise is causing a nuisance or it is in the public interest that the licence not be renewed.	Delegation	X	X	X		20-Jul-20	Minute 109/20
54	58(1)	Cancellation of licence: The general manager may cancel a licence in certain circumstances	Delegation	X				20-Jul-20	Minute 109/20
55	58(2)	Cancellation of licence: The general manager must give notice and consider representations prior to cancelling a licence	Delegation	X				20-Jul-20	Minute 109/20
56	73(6)	Entering land: Giving of notice of entering of land and seizure of dog.	Delegation	X	X	X		20-Jul-20	Minute 109/20
57	75	Use of tranquiliser devices	Delegation	X	X	X		20-Jul-20	Minute 109/20
58	80(2)(a)-(c)	Fees: A general manager may (a) waive a fee; (b) refund part or all of a fee; or (c) discount a fee	Delegation	X				20-Jul-20	Minute 109/20
59	81	Payment by instalments	Delegation	X				20-Jul-20	Minute 109/20

		Function or power	Nature	Given by	Given to		Conditions or restrictions	Decision	Evidence of Authorisation / Delegation
No.	Provision	Description	Appointment, Delegation or Authorisation	Council General Manager	Director - Development Services	Animal Management Officer	Notes	Date(s) of Delegation / Authorisation	Resolution Number
60	82	Delegation: The general manager may delegate to any person any of his or her functions or powers under this Act, other than this power of delegation.	Delegation	X				20-Jul-20	Minute 109/20

APPOINTMENTS

* A member of a statutory service (Council) is an authorised officer.

Notes on Delegation

- (1) A council, in writing, may delegate with or without conditions to the general manager, any of its functions or powers under any Act: s.22 *Local Government Act 1993* (Tas) (subject to restrictions).
- (2) The general manager, in writing, may delegate to an employee of the council (a) any functions or powers under any Act, other than this power of delegation; and (b) any functions or powers delegated by the council which the council authorised the general manager to delegate: s.64 *Local Government Act 1993* (Tas).
- (3) If an Act confers a power on a person to delegate a function or power, the person may, in accordance with the Act, delegate the function or power to (a) a person by name; or (b) the holder of a particular office or position by reference to the title of the office or position concerned, whether or not the office or position is vacant at the time of the delegation: s.23AA(1) *Acts Interpretation Act 1931* (Tas).
- (4) If a function or power is delegated to a particular officer or the holder of a particular office or position (a) the delegation does not cease to have effect merely because the person who was the particular officer or the holder of the particular office or position when the function or power was delegated ceases to be that officer or the holder of that office or position; and (b) the function or power may be performed or exercised by the person for the time being occupying or acting in the office or position concerned: s.23AA(5) *Acts Interpretation Act 1931* (Tas).
- (5) A function or power that has been delegated may, notwithstanding the delegation, be exercised by the delegator: s.23AA(6) *Acts Interpretation Act 1931* (Tas).

No.	Provision	Function or Power	Nature	Given by	Given to			Conditions or Restrictions	Decision	Evidence of Authorisation / Delegation
		Description	Appointment, Delegation or Authorisation	Council	General Manager	Municipal Coordinator	Deputy Municipal Coordinator	Notes	Date(s) of Delegation / Authorisation	Resolution Number
1	21(2)	Duty of council to determine who is to be the Municipal Chair Person: A council for the municipal area must determine who is to be the Municipal Chairperson.	Delegation	X				Determined to be the Dorset Council Mayor	18-Aug-25	Minute 159/2025
2	23(2), (7), (8)	Council to nominate a person to be the Municipal Emergency Management Coordinator, or Deputy Municipal Emergency Management Coordinator: A council can only nominate a person for either of the positions if the person, once appointed to the position would have authority and ability to make decisions relating to the coordination of emergency management in the municipal area during an emergency without first seeking the approval of council	Delegation	X		X	X	Endorsed nomination by Council required to be submitted to the Minister for approval	18-Aug-24 23-Jun-25	Minute 234/24 Minute 112/2025
3	24G(2)	Municipal Recovery Coordinator: A General Manager of a council may appoint a Municipal Recovery Coordinator for the municipal area governed by the council.	Delegation	X		X			18-Aug-25	Minute 159/2025
4	46	Council to use resources in emergency: If an emergency affects a municipal area, the council in the municipal area is to use its resources and the resources made available to it for the purposes of managing the emergency	Delegation	X	X	X			18-Aug-25	Minute 159/2025

5	47	Council to establish or provide for resources: Each council is to establish and maintain or otherwise provide for the availability of all resources and facilities it considers necessary for the management of an emergency in its municipal area in accordance with the relevant Municipal Emergency Management Plan.	Delegation	X	X	X			18-Aug-25	Minute 159/2025
6	48	Municipal Volunteer SES units: Council is to establish and maintain municipal volunteer SES units, if it is considered necessary after consultation with the Director of the SES.	Delegation	X	X	X			18-Aug-25	Minute 159/2025
7	49	Resources of municipal volunteer SES units: Council is responsible for the effective operation of its municipal volunteer SES units, and responsible for all aspects of the storage and maintenance of the equipment used by those units. This includes accommodation for the purposes of training members of those units.	Delegation	X	X	X			18-Aug-25	Minute 159/2025
8	50	Power to bind in contracts: A Council may enter into a contract with one or more councils or other persons to enable or facilitate emergency management in its municipal area or other municipal areas.	Delegation	X	X	X			18-Aug-25	Minute 159/2025
9	Schedule 2	Special emergency powers of State Controller and Regional Controllers: In the event the Council owns resources, they must surrender the resources for emergency manager to the State Controller or Regional Controller.	Delegation	X	X	X			18-Aug-25	Minute 159/2025

APPOINTMENTS

- * A council may appoint an employee of the council to be a council officer for the purposes of this Act: s.21 of EMPCA.
- * Any person authorised pursuant to s.21 must be provided with a certificate of authorisation which is capable of production upon request (along with identification), pursuant to s.92(4).

DELEGATIONS

- 1 A council, in writing, may delegate with or without conditions to the general manager, any of its functions or powers under any Act: s.22 Local Government Act 1993 (subject to restrictions).
- 2 The general manager, in writing, may delegate to an employee of the council (a) any functions or powers under any Act, other than this power of delegation; and (b) any functions or powers delegated by the council which the council authorised the general manager to delegate: s.64 Local Government Act 1993.
- 3 If an Act confers a power on a person to delegate a function or power, the person may, in accordance with the Act, delegate the function or power to (a) a person by name; or (b) the holder of a particular office or position by reference to the title of the office or position concerned, whether or not the office or position is vacant at the time of the delegation: s.23AA(1) of the Acts Interpretation Act 1931.
- 4 If a function or power is delegated to a particular officer or the holder of a particular office or position (a) the delegation does not cease to have effect merely because the person who was the particular officer or the holder of the particular office or position when the function or power was delegated ceases to be that officer or the holder of that office or position; and (b) the function or power may be performed or exercised by the person for the time being occupying or acting in the office or position concerned: s.23AA(5) of the Acts Interpretation Act 1931.
- 5 A function or power that has been delegated may, notwithstanding the delegation, be exercised by the delegator: s.23AA(6) of the Acts Interpretation Act 1931.

No.	Provision	Function or Power	Nature	Given by	Given To			Conditions or Restrictions	Decision	Evidence of Authorisation / Delegation
		Description	Appointment, Delegation or Authorisation	Council	General Manager	Director - Development Services	Environmental Health Officer	Notes	Date(s) of Delegation / Authorisation	Resolution Number
1	Sec 20A	Duty of council to prevent or control pollution: In relation to activities other than prescribed activities, a council must use its best endeavours to prevent or control acts or omissions which cause or are capable of causing pollution.	Delegation	X	X			Nil	20-Jul-20	Minute 109/20
2	Sec 20B	Council may ask Board to exercise powers: A council may ask the Board, in respect of an activity that is not a level 2 activity or a level 3 activity, to exercise any of the Board's powers relating to the following: an environmental audit, an environmental improvement programme, an environmental agreement and lodgement of financial assurance.	Delegation	X	X			Nil	20-Jul-20	Minute 109/20
3	Sec 21	Council officers: A council may appoint an employee of the council to be a council officer	Delegation	X	X	X	X	Nil	20-Jul-20	Minute 109/20
4	Sec 22 (1A)	Registers of environmental management and enforcement instruments: A council must keep a register containing particulars of any environment protection noise issues and any amendment or revocation of any notice.	Delegation	X	X			Nil	20-Jul-20	Minute 109/20

No.	Provision	Function or Power	Nature	Given by	Given To			Conditions or Restrictions	Decision	Evidence of Authorisation / Delegation
		Description	Appointment, Delegation or Authorisation	Council	General Manager	Director - Development Services	Environmental Health Officer	Notes	Date(s) of Delegation / Authorisation	Resolution Number
5	Sec 23 (1) (2)	Trade secrets: If it appears to the Board or a council that – (a) any information that could be kept as a trade secret would be available to the public; and (b) the release of that information would be likely to cause financial loss to any person – the Board or council must consult with that person before including the information on any register kept under this Act.	Delegation	X	X			Nil	20-Jul-20	Minute 109/20
6	Sec 24 (1)	Assessment of permissible level 1 activities: Council must refer application to the Board if directed to do so	Delegation	X	X	X	X		20-Jul-20	Minute 109/20
7	S 25(1)(b)	Assessment of permissible level 2 activities: Planning Authority to refer the application to the board as soon as practicable, but any case within 21 days, after the date of lodgement of the application.	Delegation	X					20-Jul-20	Minute 109/20
8	Sec 25A (1D)(a)	Assessment of applications for permits that are combined with applications for planning scheme amendments: Giving of notice to the applicant of the determination of the Board to refuse to grant a permit	Delegation	X					20-Jul-20	Minute 109/20
9	Sec 27AC (5)	Directions in relation to permits in respect of EL activities: Notify the Board of the grant of the permit and provide to the Board a copy of the permit	Delegation	X					20-Jul-20	Minute 109/20
10	Sec 27AD	Minor variations of planning permit in relation to EL activities: Application to the Board for approval to amend a planning permit	Delegation	X					20-Jul-20	Minute 109/20
12	Sec 43	Power to require information: Notify the Director, EPA of the issue of an emergency order and provide a copy of the order	Delegation	X					20-Jul-20	Minute 109/20
13	Sec 44 (4)	Environment protection notices: Where an environment protection notice is issued by a council officer, the council must, as soon as practicable and in any event within 7 days, advise the Director in writing of that fact and of any amendment or revocation of the notice.	Delegation	X	X	X		Nil	20-Jul-20	Minute 109/20
14	Sec 44A	Correction of mistakes: Council Officer may correct an environmental protection noticed issued by him or her.		X		X	X		20-Jul-20	Minute 109/20
15	Sec 45A	Transfer of environment protection notice: Council Officer may amend the notice by substituting the name of that person with the name of the person identified in the particulars.	Delegation	X		X	X		20-Jul-20	Minute 109/20
16	Sec 46(4)	Registration of environment protection notices: The Recorder of Titles must register the environment protection notice as if it were a dealing, within the meaning of the Land Titles Act 1980 , lodged in accordance with that Act.	Delegation	X					20-Jul-20	Minute 109/20
17	Sec 47(1)	Action on non-compliance with environment protection notice: The Director or, in the case of an environment protection notice served by a council officer, the council may take any action required by an environment protection notice if the requirements of the notice are not complied with.		X	X	X			20-Jul-20	Minute 109/20

No.	Provision	Function or Power	Nature	Given by	Given To			Conditions or Restrictions	Decision	Evidence of Authorisation / Delegation
		Description	Appointment, Delegation or Authorisation	Council	General Manager	General Manager	Director - Development Services	Environmental Health Officer	Notes	Date(s) of Delegation / Authorisation
18	Sec 47 (3) (4)									
19	Sec 48 (1)	Civil enforcement proceedings: Where – (a) a person has engaged, is engaging or is proposing to engage in conduct in contravention of this Act; or (b) a person has refused or failed, is refusing or failing or is proposing to refuse or fail to take any action required by this Act; or (c) a person has caused environmental harm by contravention of this Act, any other Act or the repealed Act – the Director, a council or a person who has, in the opinion of the Appeal Tribunal, a proper interest in the subject matter may apply to the Appeal Tribunal for an order.	Delegation	X	X			Nil	20-Jul-20	Minute 109/20
20	Sec 61	Reports in respect of alleged contraventions: Where a person reports to the Director or a council an alleged contravention of this Act, the Director or the council must, at the request of the person, advise the person as soon as practicable of the action (if any) taken or proposed to be taken by the Director or the council in respect of the allegation.		X	X	X	X		20-Jul-20	Minute 109/20
21	Sec 64	Recovery of technical costs associated with prosecutions: Where a person is convicted of an offence against this Act, the court may, on application by the Director or a council, order the convicted person to pay to the Director or the council the reasonable costs and expenses incurred by the Director or the council in the taking of any samples or the conduct of tests, examinations or analyses in the course of the investigation and prosecution of the offence.		X	X	X			20-Jul-20	Minute 109/20
22	Sec 67	Environmental infringement notices: Where a council officer is satisfied that a person has committed a prescribed offence, an infringement notice may be served	Delegation	X		X			20-Jul-20	Minute 109/20
23	Sec 74	Environmental Impact Assessment Principles: An environmental impact assessment may be required when an environmentally relevant activity is proposed to be undertaken by the public or the private sector.	Delegation	X		X	X	Nil	20-Jul-20	Minute 109/20
24	Sec 94(3)	Provisions relating to seizure: Where a thing has been seized or made subject to a seizure order under this Division, the thing must, if it has been seized, be held pending proceedings for an offence against this Act related to the thing seized unless the Director, Commissioner or the council, as the case may require, on application, authorizes its release to the person from whom it was seized, or to any person who had legal title to it at the time of its seizure.	Delegation	X		X	X		20-Jul-20	Minute 109/20

No.	Provision	Function or Power	Nature	Given by	Given To			Conditions or Restrictions	Decision	Evidence of Authorisation / Delegation
		Description	Appointment, Delegation or Authorisation	Council	General Manager	General Manager	Director - Development Services	Environmental Health Officer	Notes	Date(s) of Delegation / Authorisation
25	Sec 103	Fees imposed by councils: In accordance with the provisions of the Local Government Act 1993 , a council may impose fees in relation to any function or service carried out by the council under this Act.		X	X				20-Jul-20	Minute 109/20

Food Act 2003

Back to CONTENTS

Legislation Version: 1 July 2025

APPOINTMENTS

- * A council may appoint a person to be an authorised officer for the purposes of this Act: S.100(2) of the Food Act 2003.

DELEGATIONS

- * A council, in writing, may delegate with or without conditions to the general manager, any of its functions or powers under any Act: s.22 Local Government Act 1993 (subject to restrictions).
- * The general manager, in writing, may delegate to an employee of the council (a) any functions or powers under any Act, other than this power of delegation; and (b) any functions or powers delegated by the council which the council authorised the general manager to delegate: s.64 Local Government Act 1993.
- * If an Act confers a power on a person to delegate a function or power, the person may, in accordance with the Act, delegate the function or power to (a) a person by name; or (b) the holder of a particular office or position by reference to the title of the office or position concerned, whether or not the office or position is vacant at the time of the delegation: s.23AA(1) of the Acts Interpretation Act 1931.
- * If a function or power is delegated to a particular officer or the holder of a particular office or position (a) the delegation does not cease to have effect merely because the person who was the particular officer or the holder of the particular office or position when the function or power was delegated ceases to be that officer or the holder of that office or position; and (b) the function or power may be performed or exercised by the person for the time being occupying or acting in the office or position concerned: s.23AA(5) of the Acts Interpretation Act 1931.
- * A function or power that has been delegated may, notwithstanding the delegation, be exercised by the delegator: s.23AA(6) of the Acts Interpretation Act 1931.

No.	Provision	Function or Power	Nature	Given by	Given To			Conditions or Restrictions	Decision	Evidence of Authorisation / Delegation
		Description	Appointment, Delegation or Authorisation	Council	General Manager	Director - Development Services	Environmental Health Officer	Notes	Date(s) of Delegation / Authorisation	Resolution Number
1	Sec 101 (2)	Appointment of authorised officers	Appointment	X	X		X		20-Jul-20	Minute 109/20
2	Sec 33	Making of order: An order may be made by a relevant authority to prevent or reduce the possibility of a serious danger to public health or to mitigate the adverse consequences of a serious danger to public health.	Delegation	X	X		X	Nil	20-Jul-20	Minute 109/20
3	Sec 34 (2)	Nature of order: An order may be varied or revoked by the relevant authority who made the order.	Delegation	X	X		X	Nil	20-Jul-20	Minute 109/20
4	Sec 40	Powers of authorised officers: For the purposes of this Act, an authorised officer may, at any reasonable time, do any one or more of the following.	Delegation	X	X		X	Entry, inspection and seizure	20-Jul-20	Minute 109/20
5	Sec 50 (2)	Forfeiture of item: Items forfeited under this section may be destroyed, sold or otherwise disposed of.	Delegation	X	X		X		20-Jul-20	Minute 109/20
6	Sec 52 (1)	Return of forfeited item: Council must return an item that has not been destroyed as soon as possible to the person it was seized from.	Delegation	X	X		X		20-Jul-20	Minute 109/20
7	Sec 53 (4) (2) (3)	Compensation to be paid in certain circumstances: The enforcement agency is to pay such compensation as is just and reasonable in relation to any item seized under this Part by an authorised officer appointed by it	Delegation	X	X		X		20-Jul-20	Minute 109/20
8	Sec 55	Enforcement agency entitled to answer application: The enforcement agency is entitled to appear as respondent at the hearing of an application made under Section 54.	Delegation	X	X		X		20-Jul-20	Minute 109/20

No.	Provision	Function or Power	Nature	Given by	Given To			Conditions or Restrictions	Decision	Evidence of Authorisation / Delegation
		Description	Appointment, Delegation or Authorisation	Council	General Manager	Director - Development Services	Environmental Health Officer	Notes	Date(s) of Delegation / Authorisation	Resolution Number
9	Sec 68 (2) (3)	Compensation: If there were no grounds for the issuing of an order, the enforcement agency that issued the order is to pay such compensation as is just and reasonable.	Delegation	X	X			Nil	20-Jul-20	Minute 109/20
10	Sec 83H	Priority classification system and frequency of auditing	Delegation	X	X		X	Nil	20-Jul-20	Minute 109/20
11	Sec 87 (1) (5) (6) (7)	Registration of food business: The Council may register a food business which is located within it's municipal area. If the council grants an application for registration, it must issue the applicant with a certificate of registration that sets out the conditions, if any, to which the registration is subject. If the council refuses an application for registration, the council must give notice of the refusal in writing to the applicant setting out the reasons for the refusal.	Delegation	X	X		X	Nil	20-Jul-20	Minute 109/20
12	Sec 89 (3) (5)	Renewal of registration: The council may, after considering an application for renewal of registration grant the application, with or without conditions; or refuse the application. If the council refuses an application for renewal of registration, the council must give notice of the refusal in writing to the applicant setting out the reasons for the refusal.	Delegation	X	X		X	Nil	20-Jul-20	Minute 109/20
13	Sec 91	Variation of conditions, or suspension or cancellation, of registration of food businesses: The council of the municipal area in which the food business is registered may vary the conditions of, or suspend or cancel, the registration of a food business under this Part.	Delegation	X	X		X	Nil	20-Jul-20	Minute 109/20
14	Sec 94	Register of food businesses to be maintained: The Council is required to prepare and maintain a list which contains notified food businesses, registered food businesses, and food businesses whose registration is renewed.	Delegation	X	X		X	Nil	20-Jul-20	Minute 109/20
15	Sec 97	Functions of councils: A council is to – (a) take adequate measures to ensure that the provisions of this Act are complied with; and (b) carry out any other function the Minister or Director of Public Health determines.	Delegation	X	X		X	Nil	20-Jul-20	Minute 109/20
16	Sec 98 (4)	Power of Director of Public Health to order council to perform functions: A council may request the Director of Public Health to exercise any of its powers or perform any of its functions at the council's expense.	Delegation	X	X		X	Nil	20-Jul-20	Minute 109/20
17	Sec 100 (1) (2)	Reports by councils: The council is to report to the Director of Public Health on the performance of functions under this Act. In addition, the council is to forward to the Director of Public Health details of any proceedings for an offence under this Act taken by an officer, employee or agent of the council.	Delegation	X	X		X	Nil	20-Jul-20	Minute 109/20
18	Sec 104(1)	Institution of proceedings: Proceedings for an offence under this Act may only be instituted by the Minister, an authorised officer, council, or Director of Public Health. They may only be instituted within 3 years after the date on which the offence is alleged to have been committed or within 120 days after the date on which a sample is obtained.	Delegation	X	X			Nil	20-Jul-20	Minute 109/20

No.	Provision	Function or Power	Nature	Given by	Given To			Conditions or Restrictions	Decision	Evidence of Authorisation / Delegation
		Description	Appointment, Delegation or Authorisation	Council General Manager	General Manager	Director - Development Services	Environmental Health Officer	Notes	Date(s) of Delegation / Authorisation	Resolution Number
19	Sec 118 (1)	Infringement notices: An authorised officer or council may serve an infringement notice on a person, other than a person under the age of 16 years, if of the opinion that the person has committed a prescribed offence.	Delegation	X	X	X		Nil	20-Jul-20	Minute 109/20

Heavy Vehicle National Law (Tasmania) Act 2013

[Back to CONTENTS](#)

Legislation Version: 1 July 2025

This register is maintained in compliance with section 22 (4) of the *Local Government Act 1993* (Tas).

[The Heavy Vehicle National Law \(Tasmania\) Act 2013 \(Tas\) makes the Heavy Vehicle National Law applicable in Tasmania with certain modifications for the Tasmanian context. The Act results in the creation of the Heavy Vehicle National Law \(Tasmania\) 2013.](#)

[The Heavy Vehicle National Law is contained in a Schedule to the Heavy Vehicle National Law Act 2012 \(Qld\) .](#)

The *Acts Interpretation Act 1931 (Tas)* does not apply to the *Heavy Vehicle National Law (Tasmania)*.

A council, within the meaning of the *Local Government Act 1993 (Tas)* , is declared to be a local government authority for the purposes of the *Heavy Vehicle National Law (Tasmania)*. The council is the "*road manager*" for the purposes of this Act in relation to a road controlled by a local government authority.

The Registrar of Motor Vehicles is the "road authority".

The National Heavy Vehicle Regulator may appoint an employee of a Council to be an "authorised officer": *Heavy Vehicle National Law* s.481. The Act does not provide for this appointment to be made by a Tasmanian body.

Notes on Delegation

(1) A council, in writing, may delegate with or without conditions to the general manager, any of its functions or powers under any Act: s.22 *Local Government Act 1993* (Tas) (subject to restrictions).

(2) The general manager, in writing, may delegate to an employee of the council (a) any functions or powers under any Act, other than this power of delegation; and (b) any functions or powers delegated by the council which the council authorised the general manager to delegate: s.64 *Local Government Act 1993* (Tas).

No.	Provision	Function or power	Nature	Given by	Given to		Conditions or restrictions	Decision	Evidence of Authorisation / Delegation
		Description	Appointment, Delegation or Authorisation	Council	General Manager	Director - Infrastructure	Notes	Date(s) of Delegation / Authorisation	Resolution Number
1	16(b)	ROAD MANAGER		X	X			20-Jul-20	Minute 109/20
2	118(1)(b)	Granting consent for exemption on mass or dimension restriction	Delegation	X	X			20-Jul-20	Minute 109/20
3	124(1)(b)	Granting consent for exemption (permit) on mass or dimension restriction	Delegation	X	X			20-Jul-20	Minute 109/20
4	139(1)(b)	Granting consent for a class 2 heavy vehicle authorisation (notice)	Delegation	X	X			20-Jul-20	Minute 109/20
5	145(1)(b)	Granting consent for a class 2 heavy vehicle authorisation (permit)	Delegation	X	X			20-Jul-20	Minute 109/20
6	156(2)	Asking the Regulator for a longer period to decide whether to grant consent for a mass or dimension authority	Delegation	X	X	X	Decide to give or not to give the consent	20-Jul-20	Minute 109/20
7	156A	Decide whether to grant consent, after considering the specific matters in s.156A & provide written reasons to the Regulator for the decision in relation to consent	Delegation	X	X		The statement explaining a decision is to be in accordance with s. 172.	20-Jul-20	Minute 109/20
8	158	Deal with a request for consent and decide to give or not give consent for a mass or dimension authority	Delegation	X	X		As far as practicable, deal with the request for consent and decide to give or not give the consent (even though the consultation with the other entity is not completed).	20-Jul-20	Minute 109/20
9	159(2)	Notifying the Regulator that route assessment is required by the road manager in deciding whether to give consent and the fee payable	Delegation	X	X	X	Deciding whether to give or not to give the consent and notify the Regulator.	20-Jul-20	Minute 109/20
10	160(1)	Specifying road condition(s) to which the granting of consent is subject	Delegation	X	X	X		20-Jul-20	Minute 109/20
11	160(2)	Providing the Regulator with a written statement explaining the road manager's decision to grant consent subject to road conditions	Delegation	X	X	X	The statement explaining a decision is to be in accordance with s. 172.	20-Jul-20	Minute 109/20
12	161(1)	Specifying travel condition(s) to which the granting of consent is subject	Delegation	X	X	X		20-Jul-20	Minute 109/20

		Function or power	Nature	Given by	Given to		Conditions or restrictions	Decision	Evidence of Authorisation / Delegation
				Council General Manager	General Manager	Director - Infrastructure			
No.	Provision	Description	Appointment, Delegation or Authorisation				Notes	Date(s) of Delegation / Authorisation	Resolution Number
13	161(2)	Providing the Regulator with a written statement explaining the road manager's decision to grant consent subject to road conditions	Delegation		X	X	The statement explaining a decision is to be in accordance with s. 172.	20-Jul-20	Minute 109/20
14	162(2)	Requesting specified vehicle condition(s) be imposed on the mass or dimension authority	Delegation		X	X		20-Jul-20	Minute 109/20
15	167(2)(b)	Giving notice to the Regulator of objection to the application of this section [which provides for expedited process for renewal of mass or dimension authority]	Delegation		X	X		20-Jul-20	Minute 109/20
16	169	Giving consent to the grant of a mass or dimension authority for a trial period or no more than 3 months	Delegation		X	X		20-Jul-20	Minute 109/20
17	170	Provide the Regulator with a written objection to a renewal of a mass or dimension authority	Delegation		X			20-Jul-20	Minute 109/20
18	174(2)	Asking the Regulator to amend or cancel the mass or dimension authority granted by Commonwealth Gazette notice due to adverse effect of heavy vehicles	Delegation		X	X		20-Jul-20	Minute 109/20
19	176 (4)(c)	Provide consent to an amendment of a permit for a mass or dimension authority	Delegation		X			20-Jul-20	Minute 109/20
20	178(2)	Asking the Regulator amend or cancel the mass or dimension authority granted by Commonwealth Gazette notice due to adverse effect of heavy vehicles	Delegation		X	X		20-Jul-20	Minute 109/20
21	645	Decide a review of a reviewable decision under the Act	Delegation	X	X			20-Jul-20	Minute 109/20

Land Acquisition Act 1993

[Back to Contents](#)

Legislation Version: 1 January 2022

This register is maintained in compliance with section 22 (4) of the Local Government Act 1993 (Tas).

Notes on Delegation

(1) A council, in writing, may delegate with or without conditions to the general manager, any of its functions or powers under any Act: s.22 Local Government Act

(2) The general manager, in writing, may delegate to an employee of the council (a) any functions or powers under any Act, other than this power of delegation; and
(b) any functions or powers delegated by the council which the council authorised the general manager to delegate: s.64 Local Government Act 1993(Tas).

(3) If an Act confers a power on a person to delegate a function or power, the person may, in accordance with the Act, delegate the function or power to (a) a person by name; or (b) the holder of a particular office or position by reference to the title of the office or position concerned, whether or not the office or position is vacant at the time of the delegation: s.23AA(1) Acts Interpretation Act 1931(Tas).

(4) If a function or power is delegated to a particular officer or the holder of a particular office or position (a) the delegation does not cease to have effect merely because the person who was the particular officer or the holder of the particular office or position when the function or power was delegated ceases to be that officer or the holder of that office or position; and (b) the function or power may be performed or exercised by the person for the time being occupying or acting in the office or position concerned: s.23AA(5) Acts Interpretation Act 1931(Tas).

(5) A function or power that has been delegated may, notwithstanding the delegation, be exercised by the delegator: s.23AA(6)

No.	Provision	Function or Power	Nature	Given by	Given to	Conditions or Restrictions	Decision	Evidence of Authorisation / Delegation
		Description	Appointment, Delegation or Authorisation	Council	General Manager	Notes	Date(s) of Delegation / Authorisation	Resolution Number
1	S.54	Powers of entry and examination	Delegation	X	X		21-Oct-24	Minute 211/24
2	S.55	Immediate entry	Delegation	X	X		21-Oct-24	Minute 211/24
3	S.56	Power to occupy adjacent land	Delegation	X	X		21-Oct-24	Minute 211/24

Land Titles Act 1980

[Back to Contents](#)

Legislation Version: 13 June 2023

This register is maintained in compliance with section 22 (4) of the Local Government Act 1993 (Tas).

Notes on Delegation

- (1) A council, in writing, may delegate with or without conditions to the general manager, any of its functions or powers under any Act: s.22 Local Government Act 1993 (Tas) (subject to restrictions).
- (2) The general manager, in writing, may delegate to an employee of the council (a) any functions or powers under any Act, other than this power of delegation; and (b) any functions or powers delegated by the council which the council authorised the general manager to delegate: s.64 Local Government Act 1993(Tas).
- (3) If an Act confers a power on a person to delegate a function or power, the person may, in accordance with the Act, delegate the function or power to (a) a person by name; or (b) the holder of a particular office or position by reference to the title of the office or position concerned, whether or not the office or position is vacant at the time of the delegation: s.23AA(1) Acts Interpretation Act 1931(Tas).
- (4) If a function or power is delegated to a particular officer or the holder of a particular office or position (a) the delegation does not cease to have effect merely because the person who was the particular officer or the holder of the particular office or position when the function or power was delegated ceases to be that officer or the holder of that office or position; and (b) the function or power may be performed or exercised by the person for the time being occupying or acting in the office or position concerned: s.23AA(5) Acts Interpretation Act 1931(Tas).
- (5) A function or power that has been delegated may, notwithstanding the delegation, be exercised by the delegator: s.23AA(6) Acts Interpretation Act 1931(Tas).

No.	Provision	Function or Power	Nature	Given by	Given To				Conditions or Restrictions	Decision	Evidence of Authorisation / Delegation
		Description	Appointment, Delegation or Authorisation	Council General Manager	General Manager	Director - Development Services	Director - Corporate Services	Administration Team Leader	Notes	Date(s) of Delegation / Authorisation	Resolution Number
1	S 138U	Restriction on title by possession: (1) For the purposes of an application to acquire title to any land by possession, any period during which council rates have been or are paid by or on behalf of the owner is to be disregarded. (2) This section does not apply to an application if the relevant council has certified in writing that it is unclear who has paid, or is paying, the relevant council rates.	Delegation	X	X	X	X	X		20-Nov-23	Minute 196/23
2	S 138Y	Avoidance of sub-minimum lots: (1) In this section, sub-minimum lot means a lot that does not have the qualities of a minimum lot as provided by section 109 of the Local Government (Building and Miscellaneous Provisions) Act 1993 . (2) If the Recorder is not sure whether the granting of an application under this Division would result in the continuation or creation of a sub-minimum lot, the Recorder may require the applicant to produce a certificate from the relevant council – (a) that the application would not result in the continuation or creation of a sub-minimum lot; or (b) that the council consents to the application. (3) If the applicant fails to produce a certificate required under subsection (2) , the Recorder is not required to proceed with the application.	Delegation	X	X	X				20-Nov-23	Minute 196/23

Land Use Planning and Approvals Act 1993

Back to CONTENTS

Legislation Version: 16 June 2025

This register is maintained in compliance with section 22 (4) of the *Local Government Act 1993* (Tas).

Notes on Delegation

(1) A council, in writing, may delegate with or without conditions to the general manager, any of its functions or powers under any Act: s.22 *Local Government Act 1993* (Tas) (subject to restrictions).

(2) The general manager, in writing, may delegate to an employee of the council (a) any functions or powers under any Act, other than this power of delegation; and (b) any functions or powers delegated by the council which the council authorised the general manager to delegate: s.64 *Local Government Act 1993* (Tas).

(3) If an Act confers a power on a person to delegate a function or power, the person may, in accordance with the Act, delegate the function or power to (a) a person by name; or (b) the holder of a particular office or position by reference to the title of the office or position concerned, whether or not the office or position is vacant at the time of the delegation: s.23AA(1) *Acts Interpretation Act 1931* (Tas).

(4) If a function or power is delegated to a particular officer or the holder of a particular office or position (a) the delegation does not cease to have effect merely because the person who was the particular officer or the holder of the particular office or position when the function or power was delegated ceases to be that officer or the holder of that office or position; and (b) the function or power may be performed or exercised by the person for the time being occupying or acting in the office or position concerned: s.23AA(5) *Acts Interpretation Act 1931* (Tas).

(5) A function or power that has been delegated may, notwithstanding the delegation, be exercised by the delegator: s.23AA(6) *Acts Interpretation Act 1931* (Tas).

(6) A planning authority may, by resolution, delegate any of its functions or powers under this Act other than this power of delegation to a person employed by the authority (Part 1, S. 6(3)).

No.	Provision	Function or Power	Nature	Given By		Given To				Conditions or Restrictions	Decision	Evidence of Authorisation / Delegation
		Description	Appointment, Delegation or Authorisation	Council (as the Planning Authority)	Council	General Manager	General Manager	Director - Development Services	Town Planner	Director - Infrastructure	Notes	Date(s) of Delegation / Authorisation
PART 3		PLANNING SCHEMES										
3	Part 3 Generally	As a consequence of any decision by the Council to initiate preparation of a planning scheme or a planning scheme amendment or to provide its views and opinions on any representation received on a draft planning scheme or draft amendment: i) authority to give such advice, consultation, referral or notification as required under this Part; ii) authority to initiate public notification of a draft scheme or draft amendment; iii) authority to submit a draft scheme or a draft amendment for approval if no representations are received during the exhibition period; iv) authority to modify a draft planning scheme or draft amendment if only to correct any error, remove an anomaly, clarify or simplify a provision, remove any inconsistency with other regulation, make procedural changes or to bring the planning scheme into conformity with a mandatory planning instruction; v) represent the Council and to give evidence and make submissions before any hearing conducted by the Tasmanian Planning Commission.	Delegation & authority to delegate	X		X	X				16-Jul-18 20-Jul-20 17-May-21	Minute 128/18 Minute 109/20 Minute 80/21
PART 3A		LOCAL PLANNING SCHEDULE (LPS)										

No.	Provision	Function or Power	Nature	Given By	Given To				Conditions or Restrictions	Decision	Evidence of Authorisation / Delegation
				Council (as the Planning Authority)	Council	General Manager	General Manager	General Manager			
		Description	Appointment, Delegation or Authorisation								

No.	Provision	Function or Power	Nature	Given By	Given To				Conditions or Restrictions	Decision	Evidence of Authorisation / Delegation	
				Council (as the Planning Authority)	Council	General Manager	General Manager	Director - Development Services	Town Planner	Director - Infrastructure		
		Description	Appointment, Delegation or Authorisation							Date(s) of Delegation / Authorisation	Resolution Number	
6	Continued	g) give notice in accordance with s40G of the exhibition of a draft amendment to the LPS, and including any exhibition of a permit application under s40Z; h) undertake exhibition of the draft amendment to the LPS in accordance with s40H, and including any permit application approved under 40Y; i) provide a report to the TPC in accordance with s40K and s42 if there are no representations making objection on the draft amendment to the LPS and to any permit application requested under 40T; j) provide a report to the TPC in accordance with s40K and s42 in relation to the planning authority’s – i. views and opinions on each representation received during the exhibition period; ii. compliance to s34; and iii. its recommendations on how the draft LPS or the permit application under 40T should be determined;	Delegation & authority to delegate	X			X	X			16-Jul-18 20-Jul-20 17-May-21	Minute 128/18 Minute 109/20 Minute 80/21
	Continued	k) make modifications to a draft LPS amendment if instructed by the TPC in accordance with s40O or 40P; l) re-exhibit a modified draft amendment to the LPS under s40G and 40H if instructed by TPC in accordance with s40P; m) give notice of an approved amendment to the LPS in accordance with s40S; n) grant an extension of time under s42C for a permit granted under s42B; o) correct a mistake under s42D in a permit granted under s42B; and p) make minor amendments in accordance with s43 to a permit granted under s42B										16-Jul-18 20-Jul-20 17-May-21
PART 4		ENFORCEMENT OF PLANNING CONTROL										
7	Part 4 Generally	Authority to require the making of a permit application and to undertake actions and proceedings in pursuance of the Council’s obligations as a planning authority to observe and enforce compliance of a planning scheme; including – i) to give such advice, consultation, referral or notification as required under this Part; ii) to represent the Council and to give evidence before TASCAT in respect of any appeal against a decision on a planning permit; iii) to initiate legal proceedings for any use of land, development or act if:- - contrary to a State Policy, planning scheme or special planning scheme; - an obstruction of a planning scheme or special planning scheme; or - a breach of a condition or restriction of a planning permit.	Delegation	X			X	X	X		16-Jul-18 20-Jul-20 17-May-21	Minute 128/18 Minute 109/20 Minute 80/21
8	S.30C(4)	Terms of reference in relation to draft amendment of the SPPs: A planning authority or another person may request the Minister to consider preparing terms of reference in relation to a draft amendment of the SPPs.		X							16-Jul-18 20-Jul-20 17-May-21	Minute 128/18 Minute 109/20 Minute 80/21
9	S.35	Draft LPS to be provided to Commission: A planning authority may prepare and submit to the Commission a draft LPS that applies to the municipal area of the planning authority.		X							16-Jul-18 20-Jul-20 17-May-21	Minute 128/18 Minute 109/20 Minute 80/21
10	S.35C	Notice of exhibition of draft LPS	Delegation	X			X	X			16-Jul-18 20-Jul-20 17-May-21	Minute 128/18 Minute 109/20 Minute 80/21
11	S.35F	Report by planning authority to Commission about exhibition	Delegation	X			X	X			16-Jul-18 20-Jul-20 17-May-21	Minute 128/18 Minute 109/20 Minute 80/21

No.	Provision	Function or Power	Nature	Given By	Given To				Conditions or Restrictions	Decision	Evidence of Authorisation / Delegation
		Description	Appointment, Delegation or Authorisation	Council (as the Planning Authority) Council General Manager	General Manager	Director - Development Services	Town Planner	Director - Infrastructure	Notes	Date(s) of Delegation / Authorisation	Resolution Number
12	S.35G	Planning authority may notify Minister as to whether amendment of SPPs is required	Delegation	X	X	X				16-Jul-18 20-Jul-20 17-May-21	Minute 128/18 Minute 109/20 Minute 80/21
13	S.35I	Withdrawal of draft LPS	Delegation	X	X	X				16-Jul-18 20-Jul-20 17-May-21	Minute 128/18 Minute 109/20 Minute 80/21
14	S.35M	Notice of approval of Local Provisions Schedules	Delegation	X	X	X				16-Jul-18 20-Jul-20 17-May-21	Minute 128/18 Minute 109/20 Minute 80/21
15	S.35P	Conduct of review (of an LPS or a part of an LPS)	Delegation	X	X	X				16-Jul-18 20-Jul-20 17-May-21	Minute 128/18 Minute 109/20 Minute 80/21
16	S. 40T	Permit application that requires amendment to the LPS: (6) An application for a permit under subsection (1) by a person to a planning authority to amend the zoning or use or development of one or more parcels of land specified in an LPS must, if the person is not the owner, or the sole owner, of the land and the relevant planning scheme does not provide otherwise – (a) be signed by each owner of the land; or (b) be accompanied by the written permission of each owner of the land to the making of the request.	Delegation (by council as land owner)	X	X				(7) Subsection (6) does not apply to an application for a permit to carry out mining operations, within the meaning of the Mineral Resources Development Act 1995 , if a mining lease or a production licence which authorises those operations has been issued under that Act.	16-Jul-18 20-Jul-20 17-May-21 21-Oct-24	Minute 128/18 Minute 109/20 Minute 80/21 Minute 211/24
17	S40G	Notice of exhibition: A planning authority, as soon as practicable after providing to the Commission under section 40F(4) a copy of a draft amendment of an LPS or receiving under section 35KB(4)(b)(i) a notice in relation to a draft amendment of an LPS, must ensure an exhibition notice in relation to the draft amendment of an LPS is published in accordance with this section, unless the planning authority receives a notice under section 40I(1) in relation to the draft amendment.	Delegation	X	X	X				16-Jul-18 20-Jul-20 17-May-21	Minute 128/18 Minute 109/20 Minute 80/21
18	S.40U	Additional information: A planning authority, within 28 days from the day on which it receives from a person an application for a permit, may, by notice in writing, require the person to provide to the planning authority additional information before it considers the application.	Delegation	X	X	X				16-Jul-18 20-Jul-20 17-May-21	Minute 128/18 Minute 109/20 Minute 80/21
19	S.40W	Determination of amendment where concurrent permit application sought	Delegation	X	X	X				16-Jul-18 20-Jul-20 17-May-21	Minute 128/18 Minute 109/20 Minute 80/21
20	S.43(2)	Minor amendment of permit: The planning authority may amend or refuse to amend the permit.	Delegation	X	X	X				16-Jul-18 20-Jul-20 17-May-21	Minute 128/18 Minute 109/20 Minute 80/21
21	S.43(6)	Minor amendment of permit: If the planning authority amends a permit, it must, by notice in writing served on the following persons, notify them of the amendment: (a) the applicant for the amendment; (b) the owner of the land; (c) any person or body who or that made a representation; (d) the owner or occupier of any property which adjoins the land to which the permit relates.	Delegation	X	X	X				16-Jul-18 20-Jul-20 17-May-21	Minute 128/18 Minute 109/20 Minute 80/21

No.	Provision	Function or Power	Nature	Given By	Given To				Conditions or Restrictions	Decision	Evidence of Authorisation / Delegation		
		Description	Appointment, Delegation or Authorisation	Council (as the Planning Authority)	Council	General Manager	General Manager	Director - Development Services	Town Planner	Director - Infrastructure		Date(s) of Delegation / Authorisation	Resolution Number
Notes													
22	S.43(7)	Minor amendment of permit: If the planning authority amends a permit that contains a condition or restriction that the Board of the Environment Protection Authority has required under section 25(5) of the Environmental Management and Pollution Control Act 1994 , the planning authority must, by notice in writing served on the Board, notify it of the amendment.	Delegation	X			X	X				16-Jul-18 20-Jul-20 17-May-21	Minute 128/18 Minute 109/20 Minute 80/21
23	S.43(9)	Minor amendment of permit: If the planning authority amends a permit in respect of which the Commission has modified, deleted or added conditions or restrictions, the planning authority must, by notice in writing served on the Commission, notify it of the amendments made to the permit.	Delegation	X			X	X				16-Jul-18 20-Jul-20 17-May-21	Minute 128/18 Minute 109/20 Minute 80/21
24	S.43(10)	Minor amendment of permit: If the planning authority amends a permit containing a condition or restriction which the Heritage Council has specified, the planning authority must, by notice in writing served on the Heritage Council, notify the Council of the amendment.	Delegation	X			X	X				16-Jul-18 20-Jul-20 17-May-21	Minute 128/18 Minute 109/20 Minute 80/21
25	S.48AA	Enforcement of major project permits A planning authority must, within the ambit of its power, enforce the observance of any condition or restriction to which a major project permit is subject.	Delegation	X			X	X	X			16-Jul-18 20-Jul-20 17-May-21	Minute 128/18 Minute 109/20 Minute 80/21
26	S.48A	Notice to remove signs	Delegation	X			X	X	X			16-Jul-18 20-Jul-20 17-May-21	Minute 128/18 Minute 109/20 Minute 80/21
27	S.51	Permits: A person must not commence any use or development which requires a permit unless the planning authority which administers the scheme, the Commission, or the Tribunal, has granted a permit in respect of that use or development and the permit is in effect or a major project permit has been granted in respect of that use or the development and the permit is in effect.	Delegation	X			X	X	X			16-Jul-18 20-Jul-20 17-May-21	Minute 128/18 Minute 109/20 Minute 80/21
28	s 51A	Fees payable for application: ... (2) Despite section 86 , a planning authority is not entitled – (a) to refuse to take an action in relation to determining whether or not an application for a permit is valid; or (b) to refuse to accept a valid application for a permit – on the ground that a fee, under a relevant legislative instrument, for an application for a permit has not been paid, unless – (c) the planning authority has, before, or within 4 business days after, the day on which a person lodges, or attempts to lodge, with the planning authority, the application for the permit, demanded the payment of the fee; and (d) the fee has not been paid within the 21-day period after the day on which the demand is made. (3) If – (a) the planning authority has demanded payment of a fee, under a relevant legislative instrument, for an application for a permit before, or within 4 business days after, the day on which a person lodges, or attempts to lodge, with the planning authority, the application for the permit; and (b) the fee has been paid within the 21-day period after the day on which the demand is made – the application, if it is a valid application, is taken for the purposes of this Act to have been received on the day on which the fee is paid.		X								16-Jul-18 20-Jul-20 17-May-21	Minute 128/18 Minute 109/20 Minute 80/21

No.	Provision	Function or Power	Nature	Given By	Given To				Conditions or Restrictions	Decision	Evidence of Authorisation / Delegation	
		Description	Appointment, Delegation or Authorisation	Council (as the Planning Authority)	Council	General Manager	General Manager	Director - Development Services	Town Planner	Director - Infrastructure	Notes	Date(s) of Delegation / Authorisation
29	S.52(1B)											
30	S.53(5A), (5B), (5C) & (5D)	When does a permit take effect?: Where a planning authority grants a permit, the permit takes effect on the day on which it is granted by the authority or, where there is a right of appeal against the granting of the permit, at the expiration of 14 days from the day on which the notice of the granting of the permit was served on the person who has the right of appeal.	Delegation	X		X	X	X			16-Jul-18 20-Jul-20 17-May-21 18-Aug-25	Minute 128/18 Minute 109/20 Minute 80/21 Minute 159/2025
31	S.54	Additional information: A planning authority that receives an application for a permit (other than a permit referred to in section 40T) may require the applicant to provide it with additional information before it considers the application.	Delegation	X		X	X	X			16-Jul-18 20-Jul-20 17-May-21	Minute 128/18 Minute 109/20 Minute 80/21
32	S.55	Correction of mistakes: A planning authority may correct a permit granted by it if the permit contains – (a) a clerical mistake or an error arising from any accidental slip or omission; or (b) an evident material miscalculation of figures or an evident material mistake in the description of any person, thing or property referred to in the approval.	Delegation	X		X	X	X			16-Jul-18 20-Jul-20 17-May-21	Minute 128/18 Minute 109/20 Minute 80/21
33	S.56	Minor amendments of permits issued by a planning authority: s 56(1A): planning authority that receives a request under ss(1) for amendment to permits, (a) within 28 days after the request was received, amend, or refuse to amend the permit and (b) must within 7 days (i) after amending the permit or (ii) after refusing to amend the permit, give notice of the refusal to the person who made the request	Delegation	X		X	X	X			16-Jul-18 20-Jul-20 17-May-21	Minute 128/18 Minute 109/20 Minute 80/21
34	S.56AA	Fees for amendment of permits under section 56: .. (2) Despite section 86 , a planning authority is not entitled – (a) to refuse to take an action in relation to determining whether or not an application under section 56 for an amendment of a permit is valid; or (b) to refuse to accept a valid application under section 56 for an amendment of the permit – on the ground that a fee, under a relevant legislative instrument, for an application for an amendment of a permit under section 56 has not been paid, unless – (c) the planning authority has, before, or within 4 business days after, the day on which a person lodges, or attempts to lodge, with the planning authority, the application for an amendment of the permit, demanded the payment of the fee; and (d) the fee has not been paid within the 21-day period after the day on which the demand is made.	Delegation	X							16-Jul-18 20-Jul-20 17-May-21	Minute 128/18 Minute 109/20 Minute 80/21
DORSET SPECIFIC: Section 57: Applications for discretionary permits									All Council planning applications where Council is the applicant or is the underlying developer or proponent must be undertaken in accordance with Council Policy No. 69 - Managing Conflicts of Interest		18-Aug-25	Minute 159/2025
36	S.57(2)	Applications for discretionary permits: The planning authority may, on receipt of an application for a permit to which this section applies, refuse to grant the permit	Delegation	X		X	X	X		If use or development proposed by an applicant is prohibited by the planning scheme.	16-Jul-18 20-Jul-20 17-May-21	Minute 128/18 Minute 109/20 Minute 80/21

		Function or Power	Nature	Given By	Given To				Conditions or Restrictions		Decision	Evidence of Authorisation / Delegation	
				Council (as the Planning Authority)	Council	General Manager	General Manager						
No.	Provision	Description	Appointment, Delegation or Authorisation			General Manager	Director - Development Services	Town Planner	Director - Infrastructure	Notes	Date(s) of Delegation / Authorisation	Resolution Number	
37	S.57(3)	Applications for discretionary permits: Unless the planning authority requires the applicant to give notice, the authority must give notice, as prescribed, of an application for a permit.	Delegation	X		X	X	X			16-Jul-18 20-Jul-20 17-May-21	Minute 128/18 Minute 109/20 Minute 80/21	
38	S.57(5)	Applications for discretionary permits: Any person may make representations relating to the application during the period of 14 days commencing on the date on which notice of the application is given or such further period not exceeding 14 days as the planning authority may allow.	Delegation	X		X	X	X			16-Jul-18 20-Jul-20 17-May-21	Minute 128/18 Minute 109/20 Minute 80/21	
39	S.57(6) & (7)	Applications for discretionary permits: Grant a discretionary permit with or without conditions	Delegation	X		X	X	X		ONLY delegated to the General and Director - Development Services If: (1) there will be a failure to determine an application for a permit under s.57 before the expiration period referred to in either s.57(6)(b)(i) or (ii); or (2) the recommendation of the Director - Development Services is to grant a permit for an application and: (a) only a single representation has been received for the application; or (b) two or more representations have been received for the application and the representations fail to address standards or requirements of the planning scheme applicable to the assessment of the application; or (c) no representations from residents or landowners of Dorset municipality have been received that object to the application.	ONLY delegated to the Town Planner If: (a) there will be a failure to determine an application for a permit under s.57 before the expiration period referred to in either s.57(6)(b)(i) or (ii); or (b) no representations have been received that object to an application; and (c) the recommendation of the Director - Development Services is to grant a permit.	16-Jul-18 16-Dec-19 20-Jul-20 17-May-21 21-Oct-24 18-Aug-25	Minute 128/18 Minute 208/19 Minute 109/20 Minute 80/21 Minute 211/24 Minute 159/2025
40	S.57(6A)	Applications for discretionary permits: A further period agreed to by a planning authority and an applicant may be extended or further extended by agreement, in writing, between the planning authority and applicant at any time before the expiration of the period to be extended and, when so extended, is taken to be the further period referred to in that subsection.	Delegation	X		X	X	X			16-Jul-18 20-Jul-20 17-May-21	Minute 128/18 Minute 109/20 Minute 80/21	

No.	Provision	Function or Power	Nature	Given By	Given To				Conditions or Restrictions	Decision	Evidence of Authorisation / Delegation		
		Description	Appointment, Delegation or Authorisation	Council (as the Planning Authority)	Council	General Manager	General Manager	Director - Development Services	Town Planner	Director - Infrastructure	Notes	Date(s) of Delegation / Authorisation	Resolution Number
41	S.57A	Mediation	Delegation	X								16-Jul-18 20-Jul-20 17-May-21	Minute 128/18 Minute 109/20 Minute 80/21
42	S.58	Application for other permits: This section applies to an application for a permit in respect of a use or development for which, under the provisions of a planning scheme, a planning authority is bound to grant a permit either unconditionally or subject to conditions or restrictions.	Delegation	X							All Council planning applications where Council is the applicant or is the underlying developer or proponent must be undertaken in accordance with Council Policy No. 69 - Managing Conflicts of Interest	16-Jul-18 20-Jul-20 17-May-21 18-Aug-25	Minute 128/18 Minute 109/20 Minute 80/21 Minute 159/2025
43	S.59	Failure to determine an application for a permit: Notwithstanding the provisions of this Division, a planning authority may make a decision on an application for a permit to which section 57 or 58 applies at any time before the lodging of an application.	Delegation	X								16-Jul-18 20-Jul-20 17-May-21	Minute 128/18 Minute 109/20 Minute 80/21
44	S.60	Council responding and issuing notices relating to compliance with certain permit conditions	Delegation	X								16-Jul-18 20-Jul-20 17-May-21	Minute 128/18 Minute 109/20 Minute 80/21
45	S.60H(3)	Minister may request information from council or relevant state entity: A council, to which a notice is given under subsection (1) is to take all reasonable steps to provide to the Minister, within the period specified in the notice, the information specified in the notice.	Delegation		X							16-Jul-18 20-Jul-20 17-May-21	Minute 128/18 Minute 109/20 Minute 80/21
46	S.60I(3)	Council to give notice in relation to eligibility of major project proposals: A council that is provided under this section with a major project proposal may notify the Minister, in writing within 28 days, and advise the Minister why the project is not a major project.	Delegation		X							16-Jul-18 20-Jul-20 17-May-21	Minute 128/18 Minute 109/20 Minute 80/21
47	S.60S(4)(b)	Refund of ordinary permit where declaration of major project is made: The planning authority to which the application was made must, as soon as practicable, refund to the applicant half of any fees that the applicant has paid in respect of the application.	Delegation	X								16-Jul-18 20-Jul-20 17-May-21	Minute 128/18 Minute 109/20 Minute 80/21
48	S.60S(5)	Refund of ordinary permit where declaration of major project is amended under s. 60TG(2) so that the declaration also relates to an additional area of land: The planning authority to which the application was made must, as soon as practicable, refund the applicant half of any fees that the applicant has paid in respect of the application.	Delegation	X								16-Jul-18 20-Jul-20 17-May-21	Minute 128/18 Minute 109/20 Minute 80/21
49	S. 60SA(6)	Service of certificate of development completion: If the Commission issues a certificate of development completion under s.60SA, the Commission must give a copy of the certificate of development completion, issued in relation to all, or part, of the area to which a major project permit relates to the planning authority in relation to the area of land.	Delegation	X								16-Jul-18 20-Jul-20 17-May-21	Minute 128/18 Minute 109/20 Minute 80/21
50	S.60TD(1)	Notice of request under s.60TC(1): On receiving a request in relation to an additional area of land in relation to a major project under s.60TC(1), a relevant advice body must, within 7 days, give a notice in relation to the request to: ... (c) the council that is the relevant planning authority in relation to the major project; (d) each council that is not a relevant planning authority in relation to the major project but that is the council for a municipal area that is in the regional area, or regional areas, in which the project is to be situated.	Delegation	X	X							16-Jul-18 20-Jul-20 17-May-21	Minute 128/18 Minute 109/20 Minute 80/21
51	S.60ZX(1)	Provision to Panel of further information: A person to whom a request is made under section 60ZW(1) is to take all reasonable steps to provide to the Panel, as soon as practicable the information specified in the request.	Delegation	X								16-Jul-18 20-Jul-20 17-May-21	Minute 128/18 Minute 109/20 Minute 80/21

No.	Provision	Function or Power	Nature	Given By	Given To				Conditions or Restrictions	Decision	Evidence of Authorisation / Delegation		
		Description	Appointment, Delegation or Authorisation	Council (as the Planning Authority)	Council	General Manager	General Manager	Director - Development Services	Town Planner	Director - Infrastructure	Notes	Date(s) of Delegation / Authorisation	Resolution Number
52	S.60ZZP(10)	Major project permit may be granted subject to conditions or restrictions: Without limiting the conditions or restrictions that may be imposed under subsection (1), such a condition or restriction may specify that: (a) plans, information, designs, or other documents, are required, under the condition or restriction, to be prepared and provided to the Panel or a planning authority ; and (b) particular actions or works are to be carried out to the satisfaction of the Panel or a planning authority.	Delegation	X								16-Jul-18 20-Jul-20 17-May-21	Minute 128/18 Minute 109/20 Minute 80/21
53	S.60ZZZAA(5)	Determination as to whether, and the manner in which, proposed significant amendment may be assessed: After making a determination under s.60ZZZAA(2), the relevant decision-maker must, within 7 days after making that determination, give notice to the council that is a relevant planning authority in relation to the project to which the major project permit relates.	Delegation	X								16-Jul-18 20-Jul-20 17-May-21	Minute 128/18 Minute 109/20 Minute 80/21
54	S.60ZZZAB	Enforcement certificates: (3) If the Commission issues an enforcement certificate in relation to all or part of the land to which a major project permit relates, the Commission must give a copy of the enforcement certificate to the planning authority in relation to the land to which the major project relates. (4) An enforcement certificate is to specify the planning authority's responsibility for the enforcement of the Act.	Delegation	X								16-Jul-18 20-Jul-20 17-May-21	Minute 128/18 Minute 109/20 Minute 80/21
55	S.61	Appeals against planning decisions	Delegation	X			X	X	X			16-Jul-18 20-Jul-20 17-May-21	Minute 128/18 Minute 109/20 Minute 80/21
56	S.63	Obstruction of sealed schemes: Initiate legal proceedings for obstruction of a planning scheme	Delegation	X								16-Jul-18 20-Jul-20 17-May-21	Minute 128/18 Minute 109/20 Minute 80/21
57	S.63A	Enforcing compliance with planning schemes	Delegation	X								16-Jul-18 20-Jul-20 17-May-21	Minute 128/18 Minute 109/20 Minute 80/21
58	S.63B(3)	Notice of suspected contravention, &c., may be given: If a notice in relation to a contravention or failure, or likely contravention or failure, is given by to a planning authority, the planning authority must issue a notice in writing to the person as soon as practicable.	Delegation	X			X	X	X			16-Jul-18 20-Jul-20 17-May-21	Minute 128/18 Minute 109/20 Minute 80/21
59	S.64	Civil enforcement proceedings: Where a person contravenes or fails or is likely to contravene or fail to comply with a provision of this Part, a person, other than the Commission or a planning authority, who has, in the opinion of the Appeal Tribunal, a proper interest in the subject matter may apply to the Appeal Tribunal for an order.	Delegation	X			X	X	X		Council to be advised at the next Ordinary Council Meeting.	16-Jul-18 20-Jul-20 17-May-21	Minute 128/18 Minute 109/20 Minute 80/21
60	S.65B(5)	Notice of intention to issue enforcement notice: The planning authority must notify in writing an owner of land, in relation to which a notice of intention to issue an enforcement notice is served under subsection (1) , if the person on whom the notice is served is not the owner of the land.	Delegation	X								16-Jul-18 20-Jul-20 17-May-21	Minute 128/18 Minute 109/20 Minute 80/21
61	S.65G	Cancellation of permits: A planning authority may cancel a permit in relation to land in the municipal area of the authority by issuing and serving a notice	Delegation	X								16-Jul-18 20-Jul-20 17-May-21	Minute 128/18 Minute 109/20 Minute 80/21

No.	Provision	Function or Power	Nature	Given By	Given To				Conditions or Restrictions	Decision	Evidence of Authorisation / Delegation		
		Description	Appointment, Delegation or Authorisation	Council (as the Planning Authority)	Council	General Manager	General Manager	Director - Development Services	Town Planner	Director - Infrastructure		Date(s) of Delegation / Authorisation	Resolution Number
Notes													
62	S. 65l(2)	Authorised officers: A general manager of a council may authorise a person to be, for the purposes of this Act, an authorised officer in respect of the municipal area of the council.	Delegation	X							16-Jul-18 20-Jul-20 17-May-21	Minute 128/18 Minute 109/20 Minute 80/21	
63	Part 4 Generally	Enforcement of planning control: Authority to represent the planning authority or to appoint a person to represent the planning authority and to give evidence, on a planning appeal or other action, including any mediation, before the Resource Management and Planning Appeals Tribunal or any other body of competent jurisdiction.	Delegation		X							16-Jul-18 20-Jul-20 17-May-21	Minute 128/18 Minute 109/20 Minute 80/21
PART 5		AGREEMENTS											
64	S.71	Planning authority may enter into agreements	Delegation	X		X	X	X				16-Jul-18 20-Jul-20 17-May-21	Minute 128/18 Minute 109/20 Minute 80/21
65	S.74(3)	Duration of agreement: An agreement may be ended by the planning authority with the approval of the Commission or by agreement between the authority and all persons who are bound by any covenant in the agreement.	Delegation		X		X					16-Jul-18 20-Jul-20 17-May-21	Minute 128/18 Minute 109/20 Minute 80/21
66	S.75	Amendment of agreements	Delegation	X		X	X	X				16-Jul-18 20-Jul-20 17-May-21	Minute 128/18 Minute 109/20 Minute 80/21
67	S.76	Agreement to be lodged with Commission	Delegation		X		X	X	X			16-Jul-18 20-Jul-20 17-May-21	Minute 128/18 Minute 109/20 Minute 80/21
68	S.78	Registration of agreements, &c.	Delegation	X		X	X	X				16-Jul-18 20-Jul-20 17-May-21	Minute 128/18 Minute 109/20 Minute 80/21
69	S.80	Application to Appeal Tribunal: An owner of land may apply to the Appeal Tribunal for an amendment to a proposed agreement if (a) under a planning scheme, use or development for specified purposes is conditional upon an agreement being entered into and (b) the owner objects to any provision of the agreement.	Delegation		X		X	X	X			16-Jul-18 20-Jul-20 17-May-21	Minute 128/18 Minute 109/20 Minute 80/21

Land Use Planning and Approvals Regulations 2024

[Back to CONTENTS](#)

Legislation Version: 24 December 2024

This register is maintained in compliance with section 22 (4) of the *Local Government Act 1993* (Tas).

Notes on Delegation

- (1)** A council, in writing, may delegate with or without conditions to the general manager, any of its functions or powers under any Act: s.22 *Local Government Act 1993* (Tas) (subject to restrictions).
- (2)** The general manager, in writing, may delegate to an employee of the council (a) any functions or powers under any Act, other than this power of delegation; and (b) any functions or powers delegated by the council which the council authorised the general manager to delegate: s.64 *Local Government Act 1993* (Tas).
- (3)** If an Act confers a power on a person to delegate a function or power, the person may, in accordance with the Act, delegate the function or power to (a) a person by name; or (b) the holder of a particular office or position by reference to the title of the office or position concerned, whether or not the office or position is vacant at the time of the delegation: s.23AA(1) *Acts Interpretation Act 1931* (Tas).
- (4)** If a function or power is delegated to a particular officer or the holder of a particular office or position (a) the delegation does not cease to have effect merely because the person who was the particular officer or the holder of the particular office or position when the function or power was delegated ceases to be that officer or the holder of that office or position; and (b) the function or power may be performed or exercised by the person for the time being occupying or acting in the office or position concerned: s.23AA(5) *Acts Interpretation Act 1931* (Tas).
- (5)** A function or power that has been delegated may, notwithstanding the delegation, be exercised by the delegator: s.23AA(6) *Acts Interpretation Act 1931* (Tas).
- (6)** A delegation by a Council acting as the planning authority pursuant to s. 6 of LUPAA should be a separate resolution to the delegation process by the Council under section 22 of the Local Government Act and recorded in the minutes accordingly (refer to Regulation 29 of the Local Government (Meeting Procedures) Regulations 2025).

		Function or Power	Nature	Given by	Given to	Conditions or restrictions	Decision	Evidence of Authorisation / Delegation
				Council (as the Planning Authority)				
No.	Provision	Description	Appointment, Delegation or Authorisation	Council	General Manager	Notes	Date(s) of Delegation / Authorisation	Resolution Number
1	Reg. 4	Notice of approval of Local Provisions Schedule	Delegation	X	X		18-Aug-25	Minute 159/2025
2	Reg. 5	Advertisement of exhibition of draft amendment, &c (to a planning scheme)	Delegation	X	X		18-Aug-25	Minute 159/2025
3	Reg. 6	Notice of approval of draft amendment	Delegation	X	X		18-Aug-25	Minute 159/2025
4	Reg. 7	Notice of approval of Local Provisions Schedule	Delegation	X	X		18-Aug-25	Minute 159/2025
5	Reg. 8	Notice of application for permit	Delegation	X	X		18-Aug-25	Minute 159/2025

This register is maintained in compliance with section 22 (4) of the *Local Government Act 1993* (Tas).

Notes on Delegation

- (1) A council, in writing, may delegate with or without conditions to the general manager, any of its functions or powers under any Act: s.22 *Local Government Act 1993* (Tas) (subject to restrictions).
- (2) The general manager, in writing, may delegate to an employee of the council (a) any functions or powers under any Act, other than this power of delegation; and (b) any functions or powers delegated by the council which the council authorised the general manager to delegate: s.64 *Local Government Act 1993* (Tas).
- (3) If an Act confers a power on a person to delegate a function or power, the person may, in accordance with the Act, delegate the function or power to (a) a person by name; or (b) the holder of a particular office or position by reference to the title of the office or position concerned, whether or not the office or position is vacant at the time of the delegation: s.23AA(1) *Acts Interpretation Act 1931* (Tas).
- (4) If a function or power is delegated to a particular officer or the holder of a particular office or position (a) the delegation does not cease to have effect merely because the person who was the particular officer or the holder of the particular office or position when the function or power was delegated ceases to be that officer or the holder of that office or position; and (b) the function or power may be performed or exercised by the person for the time being occupying or acting in the office or position concerned: s.23AA(5) *Acts Interpretation Act 1931* (Tas).
- (5) A function or power that has been delegated may, notwithstanding the delegation, be exercised by the delegator: s.23AA(6) *Acts Interpretation Act 1931* (Tas).

No.	Provision	Function or Power	Nature	Given by	Given To				Conditions or Restrictions	Decision	Evidence of Authorisation / Delegation
		Description	Appointment, Delegation or Authorisation	Council	General Manager	General Manager	Peter Carey	Robert Masterman	Chris Wicks	Notes	Date(s) of Delegation / Authorisation
1	S 8	Power of councils to appoint employees as authorised officers: The general manager of a council may appoint an employee of the council to be an authorised officer for the purposes of this Act.	Authorisation	X		X	X	X	This is an authorisation by the general manager to appoint an authorised officer.	21-Oct-24	Minute 211/24
2	S 38	Recovery of costs arising from litter abatement notices	Delegation	X	X					22-Oct-24	Minute 211/25

This delegations register does not address the keeping and use of the common seal or the execution of documents - see s.19.

DELEGATIONS & AUTHORISATIONS

- *

A council, in writing, may delegate with or without conditions to the general manager, any of its functions or powers under any Act: s.22 Local Government Act 1993 (subject to restrictions).
- *

The general manager, in writing, may delegate to an employee of the council (a) any functions or powers under any Act, other than this power of delegation; and (b) any functions or powers delegated by the council which the council authorised the general manager to delegate: s.64 Local Government Act 1993.
- *

If an Act confers a power on a person to delegate a function or power, the person may, in accordance with the Act, delegate the function or power to (a) a person by name; or (b) the holder of a particular office or position by reference to the title of the office or position concerned, whether or not the office or position is vacant at the time of the delegation: s.23AA(1) of the Acts Interpretation Act 1931.
- *

If a function or power is delegated to a particular officer or the holder of a particular office or position (a) the delegation does not cease to have effect merely because the person who was the particular officer or the holder of the particular office or position when the function or power was delegated ceases to be that officer or the holder of that office or position; and (b) the function or power may be performed or exercised by the person for the time being occupying or acting in the office or position concerned: s.23AA(5) of the Acts Interpretation Act 1931.
- *

A function or power that has been delegated may, notwithstanding the delegation, be exercised by the delegator: s.23AA(6) of the Acts Interpretation Act 1931.
- *

The execution of a document sealed by a council is to be attested by such persons as the council determines (s 19(5)).

No.	Provision	Function or Power	Nature	Given by	Given To							Conditions or Restrictions	Decision	Evidence of Authorisation / Delegation
		Description	Appointment, Delegation or Authorisation	Council	General Manager	General Manager	Director - Infrastructure	Director - Development Services	Director - Corporate Services	Finance Manager	Animal Management Officer	Environmental Health Officer	Notes	Date(s) of Delegation / Authorisation
1	s.22	Delegation (of functions or powers) by Council	Delegation	X								Includes powers in s.22(2)(a), (ab), (b), (ba) and (c). Excludes all functions and powers specified in s.22(3). Subject to Council policy.	20-Jul-20	Minute 109/20
2	S.20A	Powers of entry	Authorisation	X			X					Power to authorise persons to enter land. Power to give owner or occupier notice of intention to enter land	20-Jul-20	Minute 109/20
3	S.28D	Documents relating to agendas	Delegation	X	X								20-Jul-20	Minute 109/20
4	S.28JA	Dispute Resolution Policy: The General Manager of a council must ensure that a copy of the councils dispute resolution policy is available (a) on the website of the council and (b) on the request of a person.	Delegation	X									18-Aug-25	Minute 159/2025
5	S.28S	Contents of code of conduct: The General Manager of a council is to make a copy of the code of conduct available (a) for public inspection, free of charge, at the public office of the council during ordinary office hours and on its website, and (b) for purchase at a reasonable charge	Delegation	X									18-Aug-25	Minute 159/2025

No.	Provision	Function or Power	Nature	Given by	Given To							Conditions or Restrictions	Decision	Evidence of Authorisation / Delegation	
		Description	Appointment, Delegation or Authorisation	Council	General Manager	General Manager	Director - Infrastructure	Director - Development Services	Director - Corporate Services	Finance Manager	Animal Management Officer	Environmental Health Officer	Notes	Date(s) of Delegation / Authorisation	Resolution Number
7	S.28Y	Initial assessment of complaint by general manager: On receiving a code of conduct complaint, a general manager is to assess the complaint to determine whether it meets the requirements of section 28V .	Delegation		X									20-Jul-20	Minute 109/20
8	S.28ZK	Notification of determination of code of conduct complaint	Delegation		X									20-Jul-20	Minute 109/20
9	S.55D	Register of pecuniary interests of members of audit panel: The general manager is to keep a register of the interests of members of audit panels. The general manager is to enter into the register the details of an interest of a member of audit panel when notified as specified in section 55C(4) .	Delegation		X									20-Jul-20	Minute 109/20
10	s.56B	Gifts and donations register: The general manager is to keep a register of the gifts and donations referred to in section 56A(1) that have been received by councillors.	Delegation		X									20-Jul-20	Minute 109/20
11	s.63	Employees: Appoint, allocate, control & direct, suspend or dismiss employees of Council			X		X	X					Upon discussion with the General Manager	20-Jul-20 18-Aug-25	Minute 109/20 Minute 159/2025
12	S.72	Providing Annual report: A council must prepare an annual report.	Delegation		X									20-Jul-20	Minute 109/20
13	S.72B	Notice of AGM: (2). A council must publish a notice in a daily newspaper circulating in the municipal area or other prescribed newspaper specifying the date, time and place of the Annual General Meeting.	Delegation		X									20-Jul-20	Minute 109/20
14	S.75	Investments: A council may invest any money.	Delegation		X			X	X				In accordance with Council's investment policies as reviewed from time to time.	20-Jul-20	Minute 109/20
15	S. 76	Writing off bad debts: A council may write off any debts owed to the council if there are no reasonable prospects of recovering the debt; or if the costs of recovery are likely to equal or exceed the amount to be recovered.	Delegation		X								Can only be given to the GM (s 22(2)(ba). Not to exceed \$5,000.	20-Jul-20	Minute 109/20
16	S. 77	Grants and benefits: A council may make a grant or provide a pecuniary benefit or a non-pecuniary benefit that is not a legal entitlement to any person, other than a councillor, for any purpose it considers appropriate.	Delegation		X								Can only be given to the GM (s 22(2)(C). Subject to budget approval and in accordance with Council Policy.	20-Jul-20	Minute 109/20

No.	Provision	Function or Power	Nature	Given by	Given To							Conditions or Restrictions	Decision	Evidence of Authorisation / Delegation
		Description	Appointment, Delegation or Authorisation	Council	General Manager	General Manager	Director - Infrastructure	Director - Development Services	Director - Corporate Services	Finance Manager	Animal Management Officer	Environmental Health Officer	Notes	Date(s) of Delegation / Authorisation
17	S.81					Authorised deposit-taking institution accounts: A council may establish and maintain in its corporate name such authorised deposit-taking institution accounts as it considers necessary	Delegation	X	X			X		
18	S82(6)	Estimates: The general manager authorised to make minor adjustments up to a specified amount to individual items within any estimate, so long as the total amount of the estimate is not altered.	Authorisation	X	X							Authorised up to \$50,000	20/07/2020 23/06/2025	Minute 109/20 Minute 108/2025
19	S.84(1)(3)(4)	Financial Statements: The general manager is to prepare and forward to the Auditor-General a copy of the council's financial statements for each financial year in accordance with the Audit Act 2008 .	Delegation	X									20-Jul-20	Minute 109/20
20	S.92(2)(3)	Adjustment of amount payable: The general manager is to issue a supplementary notice in accordance with section 122 in respect of any amount payable as a result of an adjustment under this section. The general manager may refund or give credit for any amount paid in respect of a rate in excess of the amount payable as a result of an adjustment under this section.	Delegation	X								In accordance with Rates and Charges Policy.	20-Jul-20	Minute 109/20
21	S.109	Objections to variations	Delegation	X	X				X			Delegated authority for the General Manager to make a decision in respect of an objection to a variation in rate received	20-Jul-20 26-Jun-23 18-Aug-25	Minute 109/20 Minute 91/2 Minute 159/2025
22	S.110	Record of Rates	Delegation	X					X			Nil	20-Jul-20 18-Aug-25	Minute 109/20 Minute 159/2025
23	S.111	Ownership: If the general manager is of the opinion that a person may or may not be the owner of land, the general manager may require that person to make a statutory declaration in respect of his or her interest in that land.	Delegation	X					X			Nil	20-Jul-20 18-Aug-25	Minute 109/20 Minute 159/2025
24	S.124	Instalment payments: A Council may permit a ratepayer to pay in instalments. The Council may decide that any rates are payable by instalments.	Delegation	X	X								20-Jul-20	Minute 109/20
25	S.126	Conditions of postponement: A council may grant a postponement of the payment of rates for a specified period if satisfied that such payment would cause hardship.	Delegation	X	X								20-Jul-20	Minute 109/20

No.	Provision	Function or Power	Nature	Given by	Given To							Conditions or Restrictions	Decision	Evidence of Authorisation / Delegation
		Description	Appointment, Delegation or Authorisation	Council	General Manager	General Manager	Director - Infrastructure	Director - Development Services	Director - Corporate Services	Finance Manager	Animal Management Officer	Environmental Health Officer	Notes	Date(s) of Delegation / Authorisation
26	S.127					Postponement ceases to operate: A council may, at any time, revoke a postponement of payment of rates by giving 60 days notice in writing to the ratepayer of the date on which the postponement ceases to operate.	Delegation	X	X					
27	S.129	Remission of rates: (5) The general manager is to keep a record of the details of any remission granted under this section.	Delegation	X	X							In accordance with Council Policy	20-Jul-20	Minute 109/20
28	S.132(4)	Certificate of liabilities: On receipt of an application, the general manager is to issue a certificate containing the details referred to in subsection (1) .	Delegation	X	X				X			Nil	20-Jul-20 18-Aug-25	Minute 109/20 Minute 159/2025
29	Div 10 S.133-135	Recovery :A Council can recover debts due to unpaid rates.	Delegation	X	X								20-Jul-20	Minute 109/20
30	S. 139A	Register of Money: The general manager is to keep a register of any money remaining after payments and discharges are made under section 139.	Delegation	X	X							In accordance with Council Policy	20-Jul-20	Minute 109/20
31	S.175	Purchase or lease of land: A council may purchase or lease land for any purpose which it considers to be of benefit to the council or the community.	Delegation	X	X							Restricted to leasing of land to Council and for a maximum of three years; and does not include purchase of land.	20-Jul-20	Minute 109/20
32	S.176	Acquisition of land: A council may acquire land for prescribed purposes in accordance with the Land Acquisition Act 1993.	Delegation	X	X							Restricted to the delegated provisions of S.44(d) (e) of the Local Government (General) Regulations 2025.	20-Jul-20 18-Aug-25	Minute 109/20 Minute 159/2025
33	S.182	Fencing land: The general manager, by notice in writing served on the owner or occupier of land, may require the owner or occupier to fence the land	Delegation	X	X							Upon the recommendation from the relevant Council Officer	20-Jul-20	Minute 109/20
34	S.183	Land reinstated: The general manager, by notice in writing, may require the owner or occupier to rehabilitate land from which soil, rock, sand or material has been extracted at any time after the commencement of this Act.	Delegation	X								Upon the recommendation from the relevant Council Officer	20-Jul-20	Minute 109/20
35	S.185	Compliance with notice: A person served with a notice under this Division must undertake any work required to be done under the notice in accordance with the terms of the notice and within the period specified in the notice.	Delegation	X	X							Nil	20-Jul-20	Minute 109/20

No.	Provision	Function or Power	Nature	Given by	Given To							Conditions or Restrictions	Decision	Evidence of Authorisation / Delegation
		Description	Appointment, Delegation or Authorisation	Council	General Manager	General Manager	Director - Infrastructure	Director - Development Services	Director - Corporate Services	Finance Manager	Animal Management Officer	Environmental Health Officer	Notes	Date(s) of Delegation / Authorisation
36	S.189	Closure of local highways (markets): A council in respect of land or premises under its control or management may allow any person to operate a market subject to any terms and conditions it determines or operate a market itself; and close a local highway or part of a local highway to general traffic for that purpose.	Delegation	X	X							Nil	20-Jul-20	Minute 109/20
37	S.190(3)	Objections: A council is to consider any objection before closing a local highway or part of a local highway.	Delegation	X	X								20-Jul-20	Minute 109/20
38	S 193	Establishment of pounds: A council may establish pounds for the detention of stray animals.	Delegation	X	X								20-Jul-20	Minute 109/20
39	S.194	Impounding of animals: The general manager may impound any animal found straying or at large on any highway; or on any land owned by, or under the control of, the council.	Delegation	X	X	X				X		Nil	20-Jul-20	Minute 109/20
40	S.195	Notice of impounding: If an animal has not been claimed by its owner or a person on behalf of the owner within 48 hours of it being impounded, the general manager is to give notice to the owner of the animal.	Delegation	X	X	X				X		Nil	20-Jul-20	Minute 109/20
41	S.196	Fees, costs and charges: The owner of an impounded animal is liable to pay the fees, costs and charges incurred by the council in respect of the impounding, maintenance and treatment of the animal.	Delegation	X	X	X				X		Nil	20-Jul-20	Minute 109/20
42	S.197	Sale or destruction of unclaimed animals	Delegation	X		X	X			X		Nil	20-Jul-20	Minute 109/20
43	S.198	Destruction of animals: The general manager may arrange for an impounded animal to be destroyed if, in the opinion of a qualified veterinary surgeon, the animal is seriously diseased; or so injured or disabled as to be apparently in continual pain. The owner must be notified within 14 days.	Delegation	X	X	X						Nil	20-Jul-20 18-Aug-25	Minute 109/20 Minute 159/2025

No.	Provision	Function or Power	Nature	Given by	Given To							Conditions or Restrictions	Decision	Evidence of Authorisation / Delegation
		Description	Appointment, Delegation or Authorisation	Council	General Manager	General Manager	Director - Infrastructure	Director - Development Services	Director - Corporate Services	Finance Manager	Animal Management Officer	Environmental Health Officer	Notes	Date(s) of Delegation / Authorisation
44	S.200	Abatement notices: If a council is satisfied that a nuisance exists, the general manager must serve a notice on – (a) any person whose act or default contributes to or causes the nuisance whether or not that act or default occurs wholly or only partly in the municipal area; or (b) if the person cannot be ascertained or found, on the owner or occupier of the land on, or from which, the nuisance arises.	Delegation	X		X	X			X	X	Upon the recommendation from the relevant Council Officer	20-Jul-20	Minute 109/20
45	S.201	General manager may take necessary action: The general manager may take the necessary action to abate a nuisance if – (a) there is an immediate danger to any person or property; or (b) the person causing the nuisance cannot be ascertained or found; or (c) an abatement notice has not been complied with.	Delegation	X		X	X			X	X	Instigate action on nuisance abatement notices	20-Jul-20	Minute 109/20
46	S.204A	Infringement notice for non-compliance with abatement notice: An authorised officer may issue and serve an infringement notice if the officer reasonably believes that the person has committed an offence against s.200(3).	Delegation	X						X	X		20-Jul-20	Minute 109/20
47	S.207	Remission of fees and charges: A council may remit all or part of any fee or charge paid or payable under this Division.	Delegation	X	X							Not to exceed \$2,000	20-Jul-20	Minute 109/20
48	S.207	As above	Delegation	X			X	X				Not to exceed \$2,000	20-Jul-20	Minute 109/20
49	S.240	Appearances in court	Delegation	X								Nil	20-Jul-20	Minute 109/20
50	S. 261(1)	List of electors: The general manager is to – (a) prepare and keep a list of electors from the electoral roll kept under section 258 (1) as at the time of closure referred to in section 260 ; and (b) certify that the list is correct.	Delegation	X								Nil	20-Jul-20	Minute 109/20
51	S.333A	Tender: A council must invite tenders for any contract it intends to enter into for the supply or provision of goods or services valued at or above the prescribed amount.	Delegation	X	X							Acceptance of tenders by the General Manager must be in accordance with Council's Code for Tenders and Contracts Policy.	20-Jul-20	Minute 109/20
52	S.337	Council land information certificate: A person may apply in writing to the general manager for a certificate in respect of information relating to land specified and clearly identified in the application.	Delegation	X			X	X				In accordance with Council's Schedule of Fees and Charges	20-Jul-20	Minute 109/20

No.	Provision	Function or Power	Nature	Given by	Given To							Conditions or Restrictions	Decision	Evidence of Authorisation / Delegation
		Description	Appointment, Delegation or Authorisation	Council	General Manager	General Manager	Director - Infrastructure	Director - Development Services	Director - Corporate Services	Finance Manager	Animal Management Officer	Environmental Health Officer	Notes	Date(s) of Delegation / Authorisation
53	S.339G	Electronic collection or inspection of information, records or documents in an emergency: Subject to subsection (2) and despite any other provision of this Act, if the general manager of a council is satisfied that an emergency exists that makes the collection, or inspection, of any information, record or document in person at a public office impracticable, the general manager may authorise, in writing, for any information, record or document – (a) that is required under a provision of this Act to be collected in person at a public office, to be made available for collection, free of charge, by electronic means; or (b) that is required under a provision of this Act to be inspected in person at a public office, to be made available for inspection – (i) free of charge by electronic means; and (ii) on request, by sending a paper copy to a person by post, free of charge.	Delegation	X									20-Jul-20	Minute 109/20
54	S.344	Rounding off rates, &c.	Delegation	X								Nil	20-Jul-20	Minute 109/20

DELEGATIONS & AUTHORISATIONS

- *

A council, in writing, may delegate with or without conditions to the general manager, any of its functions or powers under any Act: s.22 Local Government Act 1993 (subject to restrictions).
- *

The general manager, in writing, may delegate to an employee of the council (a) any functions or powers under any Act, other than this power of delegation; and (b) any functions or powers delegated by the council which the council authorised the general manager to delegate: s.64 Local Government Act 1993.
- *

If an Act confers a power on a person to delegate a function or power, the person may, in accordance with the Act, delegate the function or power to (a) a person by name; or (b) the holder of a particular office or position by reference to the title of the office or position concerned, whether or not the office or position is vacant at the time of the delegation: s.23AA(1) of the Acts Interpretation Act 1931.
- If a function or power is delegated to a particular officer or the holder of a particular office or position (a) the delegation does not cease to have effect merely because the person who was the particular officer or the
- *

holder of the particular office or position when the function or power was delegated ceases to be that officer or the holder of that office or position; and (b) the function or power may be performed or exercised by the person for the time being occupying or acting in the office or position concerned: s.23AA(5) of the Acts Interpretation Act 1931.
- *

A function or power that has been delegated may, notwithstanding the delegation, be exercised by the delegator: s.23AA(6) of the Acts Interpretation Act 1931.

No.	Provision	Function or Power	Nature	Given by	Given To			Conditions or Restrictions	Decision	Evidence of Authorisation / Delegation
		Description	Appointment, Delegation or Authorisation	Council	General Manager	Director - Development Services	Town Planner	Notes	Date(s) of Delegation / Authorisation	Resolution Number
1	S.83	Approval of plan of subdivision	Delegation	X	X	X		Only where no representations have been received objecting to the proposal.	20-Jul-20	Minute 109/20
2	S.84	Council not to approve subdivision: If – (a) any proposed lot has not the qualities of a minimum lot; or (b) it includes any lot or other block of land smaller than is required or permitted by a finally approved planning scheme; or (c) the subdivision includes any road or other works whereby drainage will be concentrated and discharged into any drain or culvert on or under any State highway	Delegation		X	X		Nil	20-Jul-20	Minute 109/20
3	S.85	Refusal of application for subdivision: The council may refuse to approve a plan of subdivision if it is of the opinion the roads will not sui public convenience or the drainage of the roads will not be satisfactorily carried off amongst other things.	Delegation		X	X		Nil	20-Jul-20	Minute 109/20

No.	Provision	Function or Power	Nature	Given by	Given To			Conditions or Restrictions	Decision	Evidence of Authorisation / Delegation
		Description	Appointment, Delegation or Authorisation	Council	General Manager	General Manager	Director - Development Services	Town Planner	Notes	Date(s) of Delegation / Authorisation
4	S.86	Security for payment: Before approving a plan of subdivision, the council may (a) require security for payments and the execution of works; and (b) refuse to approve the application until such security is given.	Delegation	X	X	X		To accept a guarantee as security for subdivision work from any organisation that meets the requirements of this section. To authorise the total or partial release of bonds, guarantees and security deposits, where the appropriate departmental manager has certified that the work or thing to which the bond, guarantee or security deposit relates has been satisfied in whole or in part. To call on any bonds, guarantees or security deposits for building estates and subdivisions to carryout uncompleted works as certified by Council's engineer.	20-Jul-20	Minute 109/20
5	S.89	Approval of final plans: The Council has 20 (business) days from the lodgement of final plans to make a determination on whether they comply.	Delegation	X	X	X	X	Only where the plan complies with conditions of approval.	20-Jul-20	Minute 109/20
6	S.90	Determination of applicability of provisions	Delegation	X	X	X	X	Upon recommendation of the Town Planner or the Director - Development Services	20-Jul-20	Minute 109/20
7	S.91 (3)	Corrections to final plans: The council or owner may object to the making of any correction within 7 days of receiving a notice under subsection (2).	Delegation	X	X	X	X	Nil	20-Jul-20	Minute 109/20
8	S.92	Amendments to final plans: If the Recorder of Titles under section 89 (5) requires an amendment to a final plan, the council if it considers that the amendment should not be approved, is to withdraw the plan and return it to the owner; or in any other case, notify the Recorder and the owner that it does not oppose the amendment.	Delegation	X	X	X	X	Upon recommendation of the Town Planner or the Director - Development Services	20-Jul-20	Minute 109/20
9	S.93	Cancellation of final plans: The council is to cancel its seal on a final plan if the plan is withdrawn from the Recorder of Titles; or the plan is rejected by the Recorder of Titles. The council is to return a plan cancelled under subsection (1) to the owner.	Delegation	X	X			Nil	20-Jul-20	Minute 109/20
10	S.96	Dedication as highway: If a sealed plan shows provision for widening or deviating a way on, or adjoining, land comprised in the plan, an obligation runs with that land to dedicate it as a highway if required to do so by the highway authority.	Delegation	X	X			Nil	20-Jul-20	Minute 109/20
11	S.103	Amendment of sealed plans: When a plan has taken effect, it may be amended by the council of its own motion.	Delegation	X	X	X	X	Upon recommendation of the Town Planner or the Director - Development Services and only where no person affected by the proposed amendment has asked to be heard in support or opposition.	20-Jul-20	Minute 109/20

No.	Provision	Function or Power	Nature	Given by	Given To			Conditions or Restrictions	Decision	Evidence of Authorisation / Delegation
		Description	Appointment, Delegation or Authorisation	Council	General Manager	Director - Development Services	Town Planner	Notes	Date(s) of Delegation / Authorisation	Resolution Number
12	S.104 (1)	Hearing in respect of amendment of plans	Delegation	X	X	X	X	Upon recommendation of the Town Planner or the Director - Development Services	20-Jul-20	Minute 109/20
13	S.105(2)	Compensation in respect of amendments: If compensation is payable under subsection (1) , the council may recover against the petitioner and any person heard or asking to be heard in support of the amendment to the extent to which they benefited by the amendment.	Delegation	X	X			Nil	20-Jul-20	Minute 109/20
14	S.107	Access orders: If the council considers that work of a substantial nature is needed to provide access for vehicles from a highway onto the block, it may refuse to seal the final plan under which the block is created until the owner has carried out the work specified in the order within the specified period or given the council security for carrying out that work if called upon by it to do so.	Delegation	X	X			Upon recommendation of the Town Planner or the Director - Development Services	20-Jul-20	Minute 109/20
15	S.109 (6)	Minimum lots: If land may be used only as a place of business the restriction on its use – (a) is to be set out above the council's seal on the final plan of the subdivision; and (b) is enforceable by the council	Delegation	X	X			Nil	20-Jul-20	Minute 109/20
16	S.110	Adhesion orders: The council may make an adhesion order if a block (a) has the qualities of a minimum lot; and (b) comprises 2 parcels or more that may, without the approval of any plan by the council, lawfully be sold separately so as to create a block which (i) would not have the qualities of a minimum lot; and (ii) is, or in the opinion of the council is likely to be, built on or bought for building.	Delegation	X	X	X	X	Upon recommendation of the Town Planner or the Director - Development Services	20-Jul-20	Minute 109/20
17	S.112	Purposes for which plan approved: The council is to state on the plan one of the following purposes for which the plan is approved: (i) for the purpose of enabling the approved lot to form a single parcel; (ii) for the purpose of enabling a purchaser to acquire all the sub-minimum lots which together form the minimum lot shown on the plan; (iii) for the purpose of enabling the portions of the approved lot to form a single parcel or for enabling a purchaser to acquire all the sub-minimum lots which together are to form the minimum lot, as well as for the purpose of giving effect to the subdivision	Delegation	X	X			Nil	20-Jul-20	Minute 109/20

No.	Provision	Function or Power	Nature	Given by	Given To			Conditions or Restrictions	Decision	Evidence of Authorisation / Delegation
		Description	Appointment, Delegation or Authorisation	Council	General Manager	Director - Development Services	Town Planner	Notes	Date(s) of Delegation / Authorisation	Resolution Number
18	S.113(4)	Bringing land under Land Titles Act 1980: If a plan of subdivision approved by the council and lodged in the office of the Recorder of Titles includes any adjoining land to be added that is not under the provisions of the Land Titles Act 1980 , the Recorder is not to take any further action upon the plan until applications to bring the land under those provisions have been made under section 11 of that Act	Delegation	X	X			Nil	20-Jul-20	Minute 109/20
19	S.115	Exemption: Council may exempt a subdivision from the operation of this Part.	Delegation	X	X	X	X	Upon recommendation of the Town Planner or the Director - Development Services	20-Jul-20	Minute 109/20
20	S.116	Limitation on requirement for public open space: If the council requires an owner to increase the area for public open space so that the value of the total area approved for open space in the final plan exceeds the value of the area provided for open space in the plan of subdivision; or having failed to approve a plan for subdivision on a ground that the layout should be altered to include or omit public open space, subsequently approves a fresh plan in which the value of the total area of land reserved for public open space exceeds the value of all such land in the original plan – and the value of the area reserved for open space in the plan also exceeds the value of one-twentieth of the whole area comprised in the plan of subdivision, the council must purchase the excess as provided in this section.	Delegation	X	X	X		Upon recommendation of the Town Planner or the Director - Development Services	20-Jul-20	Minute 109/20
21	S.117	Payment instead of increasing public open space: Instead of requiring an owner to increase the area for public open space, the council, before approving a plan of subdivision may require security for the payment of an amount.	Delegation	X	X	X		Upon recommendation of the Town Planner or the Director - Development Services	20-Jul-20	Minute 109/20
22	S.118	Council schemes: Before the council disposes of lands in circumstances in which, if the disposition were that of a private person the plan would require approval under this Part, it is to prepare a plan of subdivision that it would approve if it were a private person's plan.	Delegation	X	X			Nil	20-Jul-20	Minute 109/20
23	Part 7	Long Service Leave and Employees Assurance Scheme	Delegation	X	X			Nil	20-Jul-20	Minute 109/20

No.	Provision	Function or Power	Nature	Given by	Given To			Conditions or Restrictions	Decision	Evidence of Authorisation / Delegation
		Description	Appointment, Delegation or Authorisation	Council	General Manager	Director - Development Services	Town Planner	Notes	Date(s) of Delegation / Authorisation	Resolution Number
24	241(1)	Preservation orders: A council, on the recommendation of the National Trust of Australia (Tasmania) may by order – (a) prohibit the demolition of a building that is by itself or with others of historical or architectural interest or of special beauty; and (b) prohibit the alteration of or adding to the building except as the council may approve; and (c) require the owner to keep the building in good and tenantable repair.	Delegation	X	X			Nil	20-Jul-20	Minute 109/20
25	243	Preservation order is enforceable: A preservation order – (a) operates as a covenant between the owner and the council that the owner, executors, administrators and assigns will comply with the order; and (b) runs with the land in equity; and (c) is enforceable by the council as if it were owner of all other lands in the municipal area and the tenants were natural persons holding of the council for life	Delegation	X	X			Nil	20-Jul-20	Minute 109/20
26	S.244	Registering preservation order: On receipt of a sealed copy and certificate under subsection (1) the Recorder of Titles is to – (a) register the preservation order by entering a memorial on the folio of the Register identified by the certificate; and (b) endorse the memorial on the folio of the Register, under the Land Titles Act 1980 , for the land.	Delegation	X	X	X		Nil	20-Jul-20	Minute 109/20
27	S.246	Advertising hoardings: A person must not, within a municipal area, erect, put up, place or use or permit to be erected, put up, placed or used, any hoarding or similar structure for advertising purposes without a licence from the council.	Delegation	X	X			Nil	20-Jul-20	Minute 109/20
28	S.247	Removal of advertising hoardings: Council may issue or refuse a licence to any person.	Delegation	X	X			Nil	20-Jul-20	Minute 109/20

DELEGATIONS & AUTHORISATIONS

- * A council, in writing, may delegate with or without conditions to the general manager, any of its functions or powers under any Act: s.22 Local Government Act 1993 (subject to restrictions).
- * The general manager, in writing, may delegate to an employee of the council (a) any functions or powers under any Act, other than this power of delegation; and (b) any functions or powers delegated by the council which the council authorised the general manager to delegate: s.64 Local Government Act 1993.
- * If an Act confers a power on a person to delegate a function or power, the person may, in accordance with the Act, delegate the function or power to (a) a person by name; or (b) the holder of a particular office or position by reference to the title of the office or position concerned, whether or not the office or position is vacant at the time of the delegation: s.23AA(1) of the Acts Interpretation Act 1931.
- * If a function or power is delegated to a particular officer or the holder of a particular office or position (a) the delegation does not cease to have effect merely because the person who was the particular officer or the holder of the particular office or position when the function or power was delegated ceases to be that officer or the holder of that office or position; and (b) the function or power may be performed or exercised by the person for the time being occupying or acting in the office or position concerned: s.23AA(5) of the Acts Interpretation Act 1931.
- * A function or power that has been delegated may, notwithstanding the delegation, be exercised by the delegator: s.23AA(6) of the Acts Interpretation Act 1931.

No.	Provision	Function or Power	Nature	Given by	Given To		Conditions or Restrictions	Decision	Evidence of Authorisation / Delegation
		Description	Appointment, Delegation or Authorisation	Council General Manager	General Manager	Director - Infrastructure	Notes	Date(s) of Delegation / Authorisation	Resolution Number
1	R.24 (2)(3)(4)(5)	Public tenders: A council, through a public tender process, may establish a standing contract in which a single tenderer or multiple tenderers may be contracted for a specified period to provide specified goods or services during that period without the need for a further tender process.	Delegation	X	X			18-Aug-25	Minute 159/2025
2	R.25	Open tenders: The general manager is to ensure that prospective tenderers are provided with the following in order to make a tender: (a) details of the goods or services required; (b) details of the duration of the contract, including any extensions that are specified in the contract; (c) the criteria for evaluating tenders; (d) the method of evaluating tenders against the evaluation criteria; (e) any mandatory tender specifications and contract conditions; (f) a reference to the council's code relating to tenders and contracts.	Delegation	X	X			18-Aug-25	Minute 159/2025
3	R.26	Multiple use register: A council may establish a multiple-use register of suppliers who meet criteria established by the council in respect of the supply of particular categories of goods or services.	Delegation	X	X			18-Aug-25	Minute 159/2025
4	R.27 (1)	Multi stage tender: A multiple-stage tender process is a process by which suppliers are evaluated through stages against criteria determined by the council.	Delegation	X	X			18-Aug-25	Minute 159/2025
5	R.46	Plan of boundaries of towns: A council is to lodge a plan with the Central Plan Register established under the Survey Co-ordination Act 1944 of the boundaries of any town or proposed town.	Delegation	X				18-Aug-25	Minute 159/2025

Local Government (Highways) Act 1982

Back to CONTENTS

Legislation Version: 1 July 2025

APPOINTMENTS & AUTHORITIES

Council should make the following appointments:

- 1. Engineer, either as an employee or approved for the purposes of the Act
- 2. Parking attendants, employed by Council: s.94(1). A certificate of employment should be provided: s.107(1).

Council should grant the following authorisations:

- 3. Authorised officer for the purposes of section 41 (an officer of the corporation authorised either generally or in a particular case to give a consent or report under this section) (unless the Corporation's engineer will prepare the necessary reports).
- 4. Authorised officer for the purposes of section 99 (closure of parking spaces in certain cases).

Once it has done so, those persons will have the powers and functions associated with those positions as set out in the Act.

DELEGATIONS

S. 124 Delegation of powers, &c., by corporations

- (1) The corporation may, by special resolution, delegate to one or more officers of the corporation or to a committee consisting of members of the council the exercise or performance of such of its powers or functions under this Act (except this power of delegation) as are specified in the resolution and may, by resolution, revoke wholly or in part any such delegation.
- (2) A resolution for the purposes of subsection (1), other than a resolution revoking a delegation, shall be passed by a majority of at least two-thirds of the members of the council present at the meeting at which it is moved.
- (3) A power or function, the exercise or performance of which has been delegated under this section, may, while the delegation remains unrevoked, be exercised or performed from time to time in accordance with the terms of the delegation.
- (4) A delegation under this section may be made subject to such conditions or limitations as to the exercise or performance of any of the powers or functions delegated, or as to time or circumstance, as are specified in the resolution.
- (5) Notwithstanding any delegation under this section, the corporation may continue to exercise or perform all or any of the powers or functions delegated.
- (6) Any act or thing done by or to a delegate while acting in the exercise of a delegation under this section shall have the same force and effect as if the act or thing had been done by or to the corporation and shall be deemed to have been done by or to the corporation.
- (7) An instrument purporting to be signed by a delegate of the corporation in his capacity as such a delegate shall in all courts and before all persons acting judicially be received in evidence as if it were an instrument executed by the corporation under seal and, until the contrary is proved, shall be deemed to be an instrument signed by a delegate of the corporation under this section.

NB: this Act addresses the power to delegate in detail and therefore the general provisions of the Acts Interpretation Act 1931 will not apply. The restrictions imposed on delegations contained in s.22(3) of the Local Government Act 1993 will still apply.

		Function or Power	Nature	Given by	Given To		Conditions or Restrictions	Decision	Evidence of Authorisation / Delegation
				Council General Manager	General Manager	Director - Infrastructure			
No.	Provision	Description	Appointment, Delegation or Authorisation				Notes	Date(s) of Delegation / Authorisation	Resolution Number
1	S.6	Making, widening, &c., of highways by corporations	Delegation		X	X	Nil	20-Jul-20	Minute 109/20
2	S.7	Limitation on opening of highways in cities and towns by private persons	Delegation		X	X	Nil	20-Jul-20	Minute 109/20
3	S.8	Maintenance of highways opened outside cities or towns by private persons	Delegation		X	X	Nil	20-Jul-20	Minute 109/20
4	S.10	Obligations on landowners opening highways	Delegation		X	X	Nil	20-Jul-20	Minute 109/20
5	S.11	Enforcement of obligations of landowners opening highways	Delegation		X	X	Nil	20-Jul-20	Minute 109/20
6	S.14	Closure and diversion of highways	Delegation		X	X	Nil	20-Jul-20	Minute 109/20
7	S.15	Dealing with sites of closed highways	Delegation		X	X	Nil	20-Jul-20	Minute 109/20
8	S.17	Definition of boundaries of highway	Delegation		X	X	Nil	20-Jul-20	Minute 109/20
9	S.19	Closure of local highways for public functions, &c.	Delegation		X	X	In consultation with Commissioner of Police. Delegation excludes 19(1)(c)	20-Jul-20	Minute 109/20

No.	Provision	Function or Power	Nature	Given by	Given To		Conditions or Restrictions	Decision	Evidence of Authorisation / Delegation
		Description	Appointment, Delegation or Authorisation	Council	General Manager	Director - Infrastructure	Notes	Date(s) of Delegation / Authorisation	Resolution Number
10	S.20	Closure of parts of local highways for sale of goods, &c.	Delegation	X	X	X	In consultation with Commissioner of Police & Transport Commission	20-Jul-20	Minute 109/20
11	S.21	General responsibility of corporations: The corporation of a municipality is charged with the duty of maintaining the local highways in the municipality that are maintainable by the corporation as shown on its municipal map, and, in any particular case, it shall discharge that duty in such manner as, having regard to all the circumstances of the case, it considers practicable and appropriate.	Delegation	X	X	X	Nil	20-Jul-20	Minute 109/20
12	S.24	Highways on boundaries of municipalities: Where 2 corporations would, apart from this subsection, each be liable to repair one side of a local highway that forms or follows the common boundary of the municipal districts of those corporations, they are jointly liable to repair the whole width of that highway.	Delegation	X	X	X	Nil	20-Jul-20	Minute 109/20
13	S.25	General supplementary provisions as to carrying out of highway works	Delegation	X	X	X	Nil	20-Jul-20	Minute 109/20
14	S.26(4)	Obtaining of materials for highway works: The corporation may enter land to obtain/remove material required for highway work, provided they gave 7 days written notice.	Delegation	X	X	X	Nil	20-Jul-20	Minute 109/20
15	S.27	Use of adjoining lands in carrying out highway works	Delegation	X	X	X	Nil	20-Jul-20	Minute 109/20
16	S.28	Shifting of apparatus, &c., in roads	Delegation	X	X	X	Nil	20-Jul-20	Minute 109/20
17	S.30	Improvement, &c., of highways	Delegation	X	X	X	Nil	20-Jul-20	Minute 109/20
18	S.31	Obstructions for prohibition or restriction of vehicular traffic	Delegation	X	X	X	S. 31(1) requires approval from Transport Commission	20-Jul-20	Minute 109/20
19	S.32	Lighting (of a local highway or public place)	Delegation	X	X	X	Nil	20-Jul-20	Minute 109/20
20	S.33	Lighting of private ways and courts	Delegation	X	X	X	Nil	20-Jul-20	Minute 109/20
21	S.34	Drainage works	Delegation	X	X	X	Nil	20-Jul-20	Minute 109/20
22	S.35	Crossings over footpaths, table-drains, and gutters: Where the corporation is of the opinion that works are necessary to be carried out in a highway under local management for the construction or repair of a vehicular crossing over a table-drain, gutter, or footpath at or opposite the entrance to land adjoining the highway, it may serve a written notice on the owner of the land requiring him to carry out those works within the time specified	Delegation	X	X	X	Upon recommendation from Director - Infrastructure	20-Jul-20	Minute 109/20
23	S.36	Fencing of streets in towns	Delegation	X	X	X	Upon recommendation from Director - Infrastructure	20-Jul-20	Minute 109/20
24	S.37	Alterations, &c., of entrances to highways	Delegation	X	X	X	Upon recommendation from Director - Infrastructure	20-Jul-20	Minute 109/20
25	S.38	Removal of trees near highways	Delegation	X	X	X	Nil	20-Jul-20	Minute 109/20
26	S.39	Obligation of occupiers to cut back vegetation, &c.	Delegation	X	X	X	Nil	20-Jul-20	Minute 109/20
27	S.40	Animal barriers on highways	Delegation	X	X	X	Upon recommendation from Director - Infrastructure	20-Jul-20	Minute 109/20
28	S.41	Prohibition of traffic likely to cause damage to highways	Delegation	X	X	X	Upon report from Council's Engineer	20-Jul-20	Minute 109/20
29	S.42	Closure of dangerous highways	Delegation	X	X	X	Upon report from Council's Engineer	20-Jul-20	Minute 109/20
30	S.43	Recovery of cost of repairs caused by excessive weight, &c	Delegation	X	X	X		20-Jul-20	Minute 109/20
31	S.44	Protection of bridges from excessive loading	Delegation	X	X	X	Nil	20-Jul-20	Minute 109/20

No.	Provision	Function or Power	Nature	Given by	Given To		Conditions or Restrictions	Decision	Evidence of Authorisation / Delegation
		Description	Appointment, Delegation or Authorisation	Council	General Manager	Director - Infrastructure	Notes	Date(s) of Delegation / Authorisation	Resolution Number
32	S.45(4)	Removal and disposal of abandoned articles: Where it appears to the corporation that an article has, without lawful authority, been abandoned on a highway under local management, it may remove the article from the highway.	Delegation	X	X	X		20-Jul-20	Minute 109/20
33	S. 45(5)(6)(7)(8)(9)(10)(12)	Removal and disposal of abandoned articles: Where an article has been removed from a highway under this section, the corporation may, subject to this section, dispose of it in such manner as it thinks fit	Delegation	X	X	X		20-Jul-20	Minute 109/20
34	S.46(2)	Permission to carry out various works in relation to highways: Subject to any directions given by the corporation, its powers to grant a permission may be exercised on its behalf by its mayor or by some other person authorized by it for that purpose.	Authorisation	X	X	X	Nil	20-Jul-20	Minute 109/20
35	S.46	Permission to carry out various works in relation to highways: A corporation may, in accordance with its by-laws, grant a person written permission to do any one or more of the following things: (a) open or break up the soil or pavement of a local highway; (b) make a drain leading to a local highway; (c) put or place a pipe or make a drain leading into a sewer or drain or other work of the corporation in or under a local highway; (d) make an excavation, vault or cellar in or under a local highway; (e) install, under a local highway, pipelines, pipe systems or other infrastructure required for the transmission, distribution or supply of natural gas or other gaseous fuels; (f) erect a hoarding or scaffolding for building or any other purpose in or on a local highway.	Delegation	X	X	X	Delegation excludes S. 46(2C)	20-Jul-20	Minute 109/20
36	S.50	Management of local highways not maintainable by the corporation	Delegation	X	X	X	Nil	20-Jul-20	Minute 109/20
37	S.51	Making good of back roads, lanes, &c., at frontages' expense	Delegation	X	X	X	Nil	20-Jul-20	Minute 109/20
38	S.52	Projections on to highways, &c.: At such time as is agreed with the occupier of a building, or after giving at least 30 days' notice of its intention to do so, the corporation may remove or alter an obstruction to which this section applies that has been erected or placed against or in front of the building.	Delegation	X	X	X	Nil	20-Jul-20	Minute 109/20
39	S.53	Low-lying land near highways	Delegation	X	X	X	Nil	20-Jul-20	Minute 109/20
40	S.54	Names of highways, &c.	Delegation	X	X	X	Nil	20-Jul-20	Minute 109/20
41	S.55	Numbering of buildings, &c.	Delegation	X	X	X	Nil	20-Jul-20	Minute 109/20
42	S.59	Development of land in connection with highway improvements	Delegation	X	X	X	Nil	20-Jul-20	Minute 109/20
43	S.60 (3)	Restrictive covenants for benefit of highway: A corporation may, at any time, by agreement with the person against whom there is enforceable a covenant, discharge the covenant or may agree to a variation of the covenant.	Delegation	X	X	X	Nil	20-Jul-20	Minute 109/20

No.	Provision	Function or Power	Nature	Given by	Given To		Conditions or Restrictions	Decision	Evidence of Authorisation / Delegation
		Description	Appointment, Delegation or Authorisation	Council	General Manager	Director - Infrastructure	Notes	Date(s) of Delegation / Authorisation	Resolution Number
44	S.61	Grant of private rights over lands held for highway purposes	Delegation	X	X	X		20-Jul-20	Minute 109/20
45	S.62	Special provisions as to acquisition for widening or other alteration: A corporation may take land for the widening or other alteration of a highway. Land shall not be taken under this section, unless (a) every part of it is within 3 metres of the boundary of an existing highway; and (b) no building is situated wholly or partly on the land or within 3 metres of its boundary	Delegation	X	X	X	Nil	20-Jul-20	Minute 109/20
46	S.63	Letting of highways not presently used: Where the corporation has acquired highway rights over any land, it may, if the land is not presently required to be opened as a highway, let that land to the owner of any adjoining land.	Delegation	X	X	X	Upon report from Council's Engineer.	20-Jul-20	Minute 109/20
47	S.66	Proof that street is subject to Part V: The carriage-way of a street shall be deemed to have been well and sufficiently made only if it was made well enough to be an all-weather road for light or heavy traffic or both according to the standards accepted at the time of its making.	Delegation	X	X	X	Nil	20-Jul-20	Minute 109/20
48	S.67 (2)	Street works in streets not previously made up: Where a street has not at any time been well and sufficiently made, the corporation may, in accordance with a scheme under this Part, carry out such street works as it considers necessary to put that street in a proper condition in substantial conformity with the standard requirements, recovering the cost of the works in the manner provided in this Part.	Delegation	X	X	X	Nil	20-Jul-20	Minute 109/20
49	S.68	Scheme of street construction: Where the corporation intends to carry out street works in a street, it shall cause to be prepared a scheme for the carrying out of those works.	Delegation	X	X	X	Nil	20-Jul-20	Minute 109/20
50	S.71	Notice of preparation of scheme	Delegation	X	X	X	Nil	20-Jul-20	Minute 109/20
51	S.72	Objection by owners (to the scheme)	Delegation	X	X	X	Nil	20-Jul-20	Minute 109/20
52	S.74	Execution of scheme: Where a scheme comes into effect, the corporation may carry out, in accordance with the scheme, the street works specified in it.	Delegation	X	X	X	Nil	20-Jul-20	Minute 109/20
53	S.76	Payments by frontages (under the scheme): When a scheme comes into effect, the corporation shall serve on each frontage written notice stating the sum for which he is liable under the scheme (exclusive of any additional costs and expenses charged to him under the scheme with his consent) and, subject to this section, the owner becomes liable to pay that sum to the corporation.	Delegation	X	X	X	Nil	20-Jul-20	Minute 109/20

No.	Provision	Function or Power	Nature	Given by	Given To		Conditions or Restrictions	Decision	Evidence of Authorisation / Delegation
		Description	Appointment, Delegation or Authorisation	Council	General Manager	Director - Infrastructure	Notes	Date(s) of Delegation / Authorisation	Resolution Number
54	S.77	State contribution: Where a corporation has prepared a scheme for the carrying out of street works that comprise or include the construction of a carriage-way, the Minister for State Highways may, on the application of the corporation, undertake to make a contribution to the corporation of an amount equal to one-third of the cost of the construction of the carriage-way.	Delegation	X	X	X	Nil	20-Jul-20	Minute 109/20
55	S.79	Urgent works: If it considers it urgently necessary to do so, a corporation may, without a scheme, carry out in a street any part of the works referred to in section 67 , and the cost of carrying out those works may be included in a scheme subsequently made by the corporation in respect of the remainder of those works carried out in that street, and, with any necessary modifications, this Part applies to the scheme as if the part of the works previously carried out were part of the works to be authorized by the scheme.	Delegation	X	X	X	Nil	20-Jul-20	Minute 109/20
56	S.81	Record of charges: The corporation of a municipality shall keep such record or register that its officers can, within a reasonable time, inform a person who wishes to know the contributions that have been paid or are required to be paid by a frontage under this Part.	Delegation	X	X	X	Nil	20-Jul-20	Minute 109/20
57	S.95	Establishment of controlled parking (a parking meter or voucher machine)	Delegation	X	X	X	Nil	20-Jul-20	Minute 109/20
58	S.96	Hours of operation of controlled parking	Delegation	X	X	X	Nil	20-Jul-20	Minute 109/20
59	S.99	Closure of parking spaces in certain cases	Delegation	X	X	X	Authorised Officer: S.99(7) allows General Manager to issue authorisations; Council delegation also covers this	20-Jul-20	Minute 109/20
60	S.100(1A)	Infringement notices (in respect of an offence relating to a vehicle): A council clerk may serve an infringement notice on a person referred to in section 94A(5A) in respect of an offence relating to a vehicle or other thing if of the opinion that the vehicle or other thing has been used in the commission of an offence under section 97 , 98 or 99.	Delegation	X		X	Nil	20-Jul-20	Minute 109/20
61	S.102	Removal of vehicles in certain cases from parking spaces	Delegation	X	X	X	Prescribed authority - defined S.102(2)	20-Jul-20	Minute 109/20
62	S.104	Permits for use of parking spaces without operation of meters or use of parking vouchers	Delegation	X	X	X	S.104(2) must be in accordance with Annual Schedule of Fees and Charges	20-Jul-20	Minute 109/20
63	S.109	Lighting of certain State highways: Contributions by corporations to lighting of certain State highways	Delegation	X	X	X	Nil	20-Jul-20	Minute 109/20
64	S.110	Powers and duties of corporations in relation to State highways: A corporation may exercise the powers conferred by section 30 in respect of a State highway in the municipality and, in relation to the exercise of those powers in respect of that highway, this Act has effect as if it were a local highway maintainable by the corporation.	Delegation	X	X	X	Nil	20-Jul-20	Minute 109/20

		Function or Power	Nature	Given by	Given To		Conditions or Restrictions	Decision	Evidence of Authorisation / Delegation
				Council General Manager	General Manager	Director - Infrastructure			
No.	Provision	Description	Appointment, Delegation or Authorisation				Notes	Date(s) of Delegation / Authorisation	Resolution Number
65	S.112	Liability of corporation to maintain road works carried out by the Crown	Delegation		X	X	Nil	20-Jul-20	Minute 109/20
66	S.114	Right of private persons opening new streets to obtain contributions	Delegation		X	X	Delegation excludes S114(8)	20-Jul-20	Minute 109/20
67	S.115	Retention of petrol-pumps in highways	Delegation		X	X	Nil	20-Jul-20	Minute 109/20
68	S.116	Tramways along or across highways: The Governor may authorize the laying down, construction, and maintenance of a tramway or railway along or across a local highway, subject to such terms and conditions as may be recommended by the corporation.	Delegation		X	X	Nil	20-Jul-20	Minute 109/20
69	S.119	Determination of compensation: Where a corporation or other person is entitled to be paid compensation under this Act, that compensation shall, unless provision is otherwise made for its determination, be determined by agreement between the parties or, in default of agreement, by action in a court of competent jurisdiction.	Delegation		X	X	Nil	20-Jul-20	Minute 109/20

Local Government (Meeting Procedures) Regulations 2025

[Back to CONTENTS](#)

Legislation Version: 24 June 2025

DELEGATIONS & AUTHORISATIONS

- * A council, in writing, may delegate with or without conditions to the general manager, any of its functions or powers under any Act: s.22 Local Government Act 1993 (subject to restrictions).
- * The general manager, in writing, may delegate to an employee of the council (a) any functions or powers under any Act, other than this power of delegation; and (b) any functions or powers delegated by the council which the council authorised the general manager to delegate: s.64 Local Government Act 1993.
- * If an Act confers a power on a person to delegate a function or power, the person may, in accordance with the Act, delegate the function or power to (a) a person by name; or (b) the holder of a particular office or position by reference to the title of the office or position concerned, whether or not the office or position is vacant at the time of the delegation: s.23AA(1) of the Acts Interpretation Act 1931.
- * If a function or power is delegated to a particular officer or the holder of a particular office or position (a) the delegation does not cease to have effect merely because the person who was the particular officer or the holder of the particular office or position when the function or power was delegated ceases to be that officer or the holder of that office or position; and (b) the function or power may be performed or exercised by the person for the time being occupying or acting in the office or position concerned: s.23AA(5) of the Acts Interpretation Act 1931.
- * A function or power that has been delegated may, notwithstanding the delegation, be exercised by the delegator: s.23AA(6) of the Acts Interpretation Act 1931.

		Function or Power	Nature	Given by	Given To	Conditions or Restrictions	Decision	Evidence of Authorisation / Delegation
No.	Provision	Description	Appointment, Delegation or Authorisation	Council	General Manager	Notes	Date(s) of Delegation / Authorisation	Resolution Number
1	R.9	Notice of meetings	Delegation	X			18-Aug-25	Minute 159/2025
2	R.10(2), (4)	Agenda: The general manager is to – (a) prepare an agenda for each council meeting and council committee meeting; and (b) in the case of a council meeting, provide each councillor with the agenda and any associated reports and documents; and (c) in the case of a council committee meeting, provide each member of the committee with the agenda and associated reports and documents at least 4 days before the council committee meeting.	Delegation	X			18-Aug-25	Minute 159/2025
3	R.11	Public access to documents: As far as practicable, the general manager is to make available for inspection by members of the public a copy of the agenda of a meeting and any associated reports and documents	Delegation	X			18-Aug-25	Minute 159/2025

Monetary Penalties Enforcement Act 2005

[Back to CONTENTS](#)

Legislation Version: 13 June 2023

This register is maintained in compliance with section 22 (4) of the *Local Government Act 1993* (Tas).

Notes on Delegation

- (1) A council, in writing, may delegate with or without conditions to the general manager, any of its functions or powers under any Act: s.22 *Local Government Act 1993* (Tas) (subject to restrictions).
- (2) The general manager, in writing, may delegate to an employee of the council (a) any functions or powers under any Act, other than this power of delegation; and (b) any functions or powers delegated by the council which the council authorised the general manager to delegate: s.64 *Local Government Act 1993* (Tas).
- (3) If an Act confers a power on a person to delegate a function or power, the person may, in accordance with the Act, delegate the function or power to (a) a person by name; or (b) the holder of a particular office or position by reference to the title of the office or position concerned, whether or not the office or position is vacant at the time of the delegation: s.23AA(1) *Acts Interpretation Act 1931* (Tas).
- (4) If a function or power is delegated to a particular officer or the holder of a particular office or position (a) the delegation does not cease to have effect merely because the person who was the particular officer or the holder of the particular office or position when the function or power was delegated ceases to be that officer or the holder of that office or position; and (b) the function or power may be performed or exercised by the person for the time being occupying or acting in the office or position concerned: s.23AA(5) *Acts Interpretation Act 1931* (Tas).
- (5) A function or power that has been delegated may, notwithstanding the delegation, be exercised by the delegator: s.23AA(6) *Acts Interpretation Act 1931*(Tas).

No.	Provision	Function or power	Nature	Given by	Given to		Conditions or restrictions	Decision	Evidence of Authorisation / Delegation
		Description	Appointment, Delegation or Authorisation	Council	General Manager	Director - Development Services	Notes	Date(s) of Delegation / Authorisation	Resolution Number
1	17(2)	Options for dealing with infringement notice issued by fee-paying public sector body: Council may approve or refuse to approve an application under s 17 and must notify the alleged offender of that approval or refusal.		X	X			20-Jul-20	Minute 109/20
2	18(1)	Referral to Director of infringement notice issued by fee-paying public sector body: Council may refer an infringement notice served by it to the Director for enforcement.		X	X	X		20-Jul-20	Minute 109/20
3	23	Withdrawal of infringement notice		X	X	X		20-Jul-20	Minute 109/20
4	28(3)-(4)	Application to fee-paying public sector body for variation of payment conditions: Council must take the applicant's representations into account before determining the period within which the amount is to be paid. If the applicant fails to comply, it can be referred to the Director for enforcement.		X	X			20-Jul-20	Minute 109/20
5	39(1)	Hearing of offence by court - commencement of proceedings: If, an alleged offender elects to have any of the offences set out in an infringement notice heard and determined by a court, within the required time, Council may commence proceedings for all of the offences in that notice.		X	X			20-Jul-20	Minute 109/20
6	40(3)	Application to court to set aside conviction: Council may consent to an application to set aside the conviction.		X	X			20-Jul-20	Minute 109/20

Occupational Licensing Act 2005

[Back to CONTENTS](#)

Legislation Version: 1 July 2025

DELEGATIONS & AUTHORISATIONS

- * A council, in writing, may delegate with or without conditions to the general manager, any of its functions or powers under any Act: s.22 Local Government Act 1993 (subject to restrictions).
- * The general manager, in writing, may delegate to an employee of the council (a) any functions or powers under any Act, other than this power of delegation; and (b) any functions or powers delegated by the council which the council authorised the general manager to delegate: s.64 Local Government Act 1993.
- * If an Act confers a power on a person to delegate a function or power, the person may, in accordance with the Act, delegate the function or power to (a) a person by name; or (b) the holder of a particular office or position by reference to the title of the office or position concerned, whether or not the office or position is vacant at the time of the delegation: s.23AA(1) of the Acts Interpretation Act 1931.
- * If a function or power is delegated to a particular officer or the holder of a particular office or position (a) the delegation does not cease to have effect merely because the person who was the particular officer or the holder of the particular office or position when the function or power was delegated ceases to be that officer or the holder of that office or position; and (b) the function or power may be performed or exercised by the person for the time being occupying or acting in the office or position concerned: s.23AA(5) of the Acts Interpretation Act 1931.
- * A function or power that has been delegated may, notwithstanding the delegation, be exercised by the delegator: s.23AA(6) of the Acts Interpretation Act 1931.

No.	Provision	Function or Power	Nature	Given by	Given To		Conditions or Restrictions	Decision	Evidence of Authorisation / Delegation
		Description	Appointment, Delegation or Authorisation	Council General Manager	General Manager	Madison Loosmore	Notes	Date(s) of Delegation / Authorisation	Resolution Number
1	37C	Certain Organisations May Apply for a Building Services Licence: A Council may apply for a building services licence and under s 37C(1)(c) and nominate a person to be the licenced person of the licenced entity s37C(2)(c).	Delegation	X	X	X	Nominated and duly qualified person	18-Aug-25	Minute 159/2025
2	37D	Continuation of building services licence held by certain organisations: The Council, as a Licenced Entity, must notify the Administration in writing as soon as practicable after becoming aware that a "relevant event" (as defined in s 37(C)(5) has occurred or is to occur in respect of the Licenced Entity.	Delegation	X	X			18-Aug-25	Minute 159/2025

This register is maintained in compliance with section 22 (4) of the *Local Government Act 1993* (Tas).

Notes on Delegation

- (1) A council, in writing, may delegate with or without conditions to the general manager, any of its functions or powers under any Act: s.22 *Local Government Act 1993* (Tas) (subject to restrictions).
- (2) The general manager, in writing, may delegate to an employee of the council (a) any functions or powers under any Act, other than this power of delegation; and (b) any functions or powers delegated by the council which the council authorised the general manager to delegate: s.64 *Local Government Act 1993* (Tas).
- (3) If an Act confers a power on a person to delegate a function or power, the person may, in accordance with the Act, delegate the function or power to (a) a person by name; or (b) the holder of a particular office or position by reference to the title of the office or position concerned, whether or not the office or position is vacant at the time of the delegation: s.23AA(1) *Acts Interpretation Act 1931* (Tas).
- (4) If a function or power is delegated to a particular officer or the holder of a particular office or position (a) the delegation does not cease to have effect merely because the person who was the particular officer or the holder of the particular office or position when the function or power was delegated ceases to be that officer or the holder of that office or position; and (b) the function or power may be performed or exercised by the person for the time being occupying or acting in the office or position concerned: s.23AA(5) *Acts Interpretation Act 1931* (Tas).
- (5) A function or power that has been delegated may, notwithstanding the delegation, be exercised by the delegator: s.23AA(6) *Acts Interpretation Act 1931*(Tas).

No.	Provision	Function or power	Nature	Given by	Given to		Conditions or restrictions	Decision	Evidence of Authorisation / Delegation
		Description	Appointment, Delegation or Authorisation	Council	General Manager	General Manager	Notes	Date(s) of Delegation / Authorisation	Resolution Number
1	S. 11(2)	Naming of roads, streets, &c.: As a responsible authority the council has a responsibility to name, alter or revoke a name of a place.	Delegation	X	X	X	Restricted to the naming of roads and / or streets approved under new subdivisions of land.	20-Nov-23	Minute 196/23
2	S. 11(3)	Naming of roads, streets, &c.: The responsible authority for a place referred to in section 4(1)(c) must ensure that any naming action, performed in respect of the place, complies with – (a) the relevant provisions of the guidelines; and (b) this Act and any other applicable Act; and (c) the relevant procedures of the responsible authority.	Delegation	X				20-Nov-23	Minute 196/23
3	S. 11(4)	Naming of roads, streets, &c.: As soon as practicable after performing a naming action in respect of a place, the responsible authority for the place is to submit details of the action to the Registrar for recording in the register.	Delegation	X				20-Nov-23	Minute 196/23

APPOINTMENTS

- * The following appointments must be made to particular persons (not to a the holder of a particular office or position by reference to the title of the office or position concerned) and once those appointments are made, they will have the corresponding powers and functions pursuant to the Public Health Act:
- Medical officers of health** - persons who are medical practitioners, appointed by the general manager or the Director pursuant to s.11
- Environmental health officers** - persons with approved qualifications, appointed by the general manager or the Director pursuant to s.11
- * Once appointed, the medical officers of health and environmental health officers will also have the powers and functions corresponding to the following positions:
- Authorised officer** means ... (b) a medical officer of health or (c) an environmental health officer (s.3)
- Health officer** means (a) an environmental health officer or (b) a medical officer of health (s.3)
- Nominated officer** means ...(b) a health officer;... (s.3)
- * There is no requirement for a certificate to be issued to a medical officer of health or an environmental health officer. However, note s.31 which requires council to issue a certificate authority to an authorised officer or a nominated officer authorised under section 30A.

DELEGATIONS & AUTHORISATIONS

- * A council, in writing, may delegate with or without conditions to the general manager, any of its functions or powers under any Act: s.22 Local Government Act 1993 (subject to restrictions).
 - * The general manager, in writing, may delegate to an employee of the council (a) any functions or powers under any Act, other than this power of delegation; and (b) any functions or powers delegated by the council which the council authorised the general manager to delegate: s.64 Local Government Act 1993.
 - * If an Act confers a power on a person to delegate a function or power, the person may, in accordance with the Act, delegate the function or power to (a) a person by name; or (b) the holder of a particular office or position by reference to the title of the office or position concerned, whether or not the office or position is vacant at the time of the delegation: s.23AA(1) of the Acts Interpretation Act 1931.
- If a function or power is delegated to a particular officer or the holder of a particular office or position (a) the delegation does not cease to have effect merely because the person who was the particular officer or the holder of the particular office or position when the function or power was delegated ceases to be that officer or the holder of that office or position; and (b) the function or power may be performed or exercised by the person for the time being occupying or acting in the office or position concerned: s.23AA(5) of the Acts Interpretation Act 1931.
- * A function or power that has been delegated may, notwithstanding the delegation, be exercised by the delegator: s.23AA(6) of the Acts Interpretation Act 1931.

No.	Provision	Function or Power	Nature	Given by	Given To			Conditions or Restrictions	Decision	Evidence of Authorisation / Delegation	
		Description	Appointment, Delegation or Authorisation	Council	General Manager	General Manager	Director - Development Services	Environmental Health Officer	Notes	Date(s) of Delegation / Authorisation	Resolution Number
1	Sec 22 LGA	Delegation (of functions or powers) by Council	Delegation	X	General Manager	X			Except s.185(1)	20-Jul-20	Minute 109/20
2	Sec 64 LGA	Delegation (of functions or powers) by general manager	Authorisation	X		X			Except s.185(1)	20-Jul-20	Minute 109/20
3	Sec 11 (1) (2)	Appointment of officers	Delegation	X				X	Nil	20-Jul-20	Minute 109/20
4	S. 32 (1) (2)	Production of records	Delegation	X				X		20-Jul-20	Minute 109/20

No.	Provision	Function or Power	Nature	Given by	Given To			Conditions or Restrictions	Decision	Evidence of Authorisation / Delegation	
		Description	Appointment, Delegation or Authorisation	Council General Manager	General Manager	Director - Development Services	Environmental Health Officer	Notes	Date(s) of Delegation / Authorisation	Resolution Number	
5	Sec 33 (a) (b)	Production of things: A council or an authorised officer may require a person to produce for inspection any thing in the person's possession if – (a) the council or the officer reasonably believes that it may disclose evidence of the commission of an offence under this Act; or (b) it is otherwise necessary for the purposes of this Act.	Delegation		X	X		Nil	20-Jul-20	Minute 109/20	
6	Sec 34 (a) (b)	Production of licence: A council or an authorised officer may – (a) require a person to produce for inspection any licence the person holds or should hold; and (b) examine, remove and take photographs or copies of, or extracts or notes from, any licence.	Delegation		X	X		Nil	20-Jul-20	Minute 109/20	
7	Sec 35	Photographs, sketches, measurements and recordings : For the purposes of this Act, a council or an authorised officer may: (a) take any photograph, film or video recording; and (b) take any copy of, or extract from, any record; and (c) take any measurements; and (d) make any sketches or drawing; and (e) make any other recording by any other means.	Delegation		X	X		Nil	20-Jul-20	Minute 109/20	
8	Sec 36 (1) (2)	Information requirements: A council or an authorised officer may require a person to – (a) give his or her full name and residential address; (b) give details of any licence, permit or exemption under this Act; (c) provide any information relating to public health reasonably required for the purposes of this Act. A council or an authorised officer may require any person to give information about that person's or another person's activities in respect of any matter under this Act.	Delegation		X	X		Nil	20-Jul-20	Minute 109/20	
9	Sec 57	Council immunisation programs: A council must develop and implement an approved program for immunisation in its municipal area.	Delegation		X	X		X	Nil	20-Jul-20	Minute 109/20
10	Sec 77 (1) (3)	Grant or refusal of licence (for a place of assembly)	Delegation		X	X		X	Nil	20-Jul-20	Minute 109/20
11	Sec 78	Issue of licence (for a place of assembly)	Delegation		X	X		X	Nil	20-Jul-20	Minute 109/20
12	Sec 81(4)	Renewal of licence (for a place of assembly): A council may grant the application subject to any conditions; or refuse to grant the application.	Delegation		X	X		X	Nil	20-Jul-20	Minute 109/20
13	Sec 82	Variation of licence (for a place of assembly): A council, on its own volition or on application, may vary a place of assembly licence by omitting, adding, substituting or amending any condition of the licence.	Delegation	X	X		X	Nil	20-Jul-20	Minute 109/20	
14	Sec 83	Cancellation of licence (for a place of assembly): A council may cancel a place of assembly licence	Delegation	X	X		X	Nil	20-Jul-20	Minute 109/20	

No.	Provision	Function or Power	Nature	Given by	Given To			Conditions or Restrictions	Decision	Evidence of Authorisation / Delegation
		Description	Appointment, Delegation or Authorisation	Council	General Manager	General Manager	Director - Development Services	Environmental Health Officer	Date(s) of Delegation / Authorisation	Resolution Number
15	Sec 84 (2)	Overcrowding: A council, an authorised officer, a police officer, a person authorised by the Commissioner for Licensing or a person authorised by the State Fire Commissioner may – (a) cause the doors of a place of assembly to be closed; (b) evacuate the place of assembly; or (c) cause any event occurring at that place of assembly to be cancelled in circumstances referred to in paragraph (b) .	Delegation	X	X			Nil	20-Jul-20	Minute 109/20
16	Sec 87	Closure order	Delegation	X	X		X	Nil	20-Jul-20	Minute 109/20
17	Sec 88	Service of closure order	Authorisation	X	X		X	Nil	20-Jul-20	Minute 109/20
18	Sec 89	Revocation of closure order	Delegation	X	X		X	Nil	20-Jul-20	Minute 109/20
19	Sec 92 (1) (4) (6)	Rectification notice: A council, on the advice of an environmental health officer or building surveyor, is to serve a rectification notice in an approved form. If a person fails to comply with a notice, the council may cause any necessary work to be carried out at that person's expense. A council, upon the certificate of an environmental health officer or building surveyor that the condition of the premises is no longer, or is not likely to become, offensive, injurious or prejudicial to health, is to revoke a rectification notice.	Delegation	X	X		X	Nil	20-Jul-20	Minute 109/20
20	Sec 97	Grant or refusal of registration of premises	Delegation	X	X		X	Nil	20-Jul-20	Minute 109/20
21	Sec 98	Issue of certificate of registration of premises	Delegation	X	X		X	Nil	20-Jul-20	Minute 109/20
22	Sec 101	Renewal of registration of premises	Delegation	X	X		X	Nil	20-Jul-20	Minute 109/20
23	Sec 102	Variation of registration of premises	Delegation	X	X		X	Nil	20-Jul-20	Minute 109/20
24	Sec 103	Cancellation of registration of premises	Delegation	X	X		X	Nil	20-Jul-20	Minute 109/20
25	Sec 106	Grant or refusal of licence (to carry out any public health risk activity)	Delegation	X	X		X	Nil	20-Jul-20	Minute 109/20
26	Sec 107	Issue of licence (to carry out any public health risk activity)	Delegation	X	X		X	Nil	20-Jul-20	Minute 109/20
27	Sec 110	Renewal of licence (to carry out any public health risk activity)	Delegation	X	X		X	Nil	20-Jul-20	Minute 109/20
28	Sec 111	Variation of licence (to carry out any public health risk activity)	Delegation	X	X		X	Nil	20-Jul-20	Minute 109/20
29	Sec 112	Cancellation of licence (to carry out any public health risk activity)	Delegation	X	X		X	Nil	20-Jul-20	Minute 109/20
30	Sec 115	Grant or refusal of registration of regulated system	Delegation	X	X		X	Nil	20-Jul-20	Minute 109/20
31	Sec 116	Issue of certificate of registration (of a regulated system)	Delegation	X	X		X	Nil	20-Jul-20	Minute 109/20
32	Sec 119 (1) (3)	Notice to comply with direction	Delegation	X	X		X	Nil	20-Jul-20	Minute 109/20
33	Sec 121	Renewal of registration (of any regulated system)	Delegation	X	X		X	Nil	20-Jul-20	Minute 109/20
34	Sec 122	Variation of registration (of any regulated system)	Delegation	X	X		X	Nil	20-Jul-20	Minute 109/20
35	Sec 123	Cancellation of registration (of any regulated system)	Delegation	X	X		X	Nil	20-Jul-20	Minute 109/20
36	Sec 128	Notification of quality of water	Delegation	X	X		X	Nil	20-Jul-20	Minute 109/20
37	Sec 129 (1)	Orders relating to water quality	Delegation	X	X		X	Nil	20-Jul-20	Minute 109/20
38	Sec 130 (1) (3)	Monitoring and review (of the quality of water within the municipal area)	Delegation	X	X		X	Nil	20-Jul-20	Minute 109/20

		Function or Power	Nature	Given by	Given To			Conditions or Restrictions	Decision	Evidence of Authorisation / Delegation
No.	Provision	Description	Appointment, Delegation or Authorisation	Council	General Manager	Director - Development Services	Environmental Health Officer	Notes	Date(s) of Delegation / Authorisation	Resolution Number
39	Sec 131	Samples: An authorised officer or a council may take a sample from any water. Any sample taken under this section is to be analysed and tested in accordance with the requirements of the Director.	Delegation	X	X		X	Nil	20-Jul-20	Minute 109/20
40	Sec 135	Grant or refusal of registration (as a supplier of water)	Delegation	X	X		X	Nil	20-Jul-20	Minute 109/20
41	Sec 136	Issue of certificate of registration (as a supplier of water)	Delegation	X	X		X	Nil	20-Jul-20	Minute 109/20
42	Sec 136AA	Renewal of Registration (as a supplier of water)	Delegation	X	X		X		20-Jul-20	Minute 109/20
43	Sec 136B	Variation of registration (as a supplier of water)	Delegation	X	X		X	Nil	20-Jul-20	Minute 109/20
44	Sec 136C	Cancellation of registration (as a supplier of water)	Delegation	X	X		X	Nil	20-Jul-20	Minute 109/20
45	136H	Issue of certificate of registration (as a water carrier)	Delegation	X	X		X		20-Jul-20	Minute 109/20
46	136I	Renewal of registration (of water carrier)	Delegation	X	X		X		20-Jul-20	Minute 109/20
47	136K	Variation of registration (of water carrier)	Delegation	X	X		X		20-Jul-20	Minute 109/20
48	136L	Cancellation of registration (of water carrier)	Delegation	X	X		X		20-Jul-20	Minute 109/20
49	Sec 144	Registers kept by Councils: A council is to keep – (a) a register of registered regulated systems; and (b) a register of registered users and suppliers of water from private water sources; and (c) a register of registered premises used for public health risk activities.	Delegation	X	X		X	Nil	20-Jul-20	Minute 109/20
50	Sec 148 (1)	Requirement for information: The Director, any council or an authorised officer may require a person to provide information relating to public health which is reasonably needed for the purposes of this Act.	Delegation	X	X			Nil	20-Jul-20	Minute 109/20
51	Sec 152 (1)	Costs incurred in exercising power: Council may exercise a power or perform a function under this Act that a person or public authority fails to do - at the expense of that person or body.	Delegation	X	X		X	Nil	20-Jul-20	Minute 109/20
52	Sec 158 (1)	Proceedings: Proceedings for an offence under this Act may only be instituted by – (a) the Minister or a person authorised by the Minister; or (b) an authorised officer; or (c) a nominated officer in relation to proceedings for an offence under Part 4 ; or (d) a police officer; or (e) a council.	Delegation	X	X			Nil	20-Jul-20	Minute 109/20
53	Sec 169 (1)	Infringement notices: An authorised officer or a council may serve an infringement notice on a person if of the opinion that the person has committed a prescribed offence.	Delegation	X	X	X		Nil	20-Jul-20	Minute 109/20
54	Sec 190 (1) (3) (4)	Sale or disposal of forfeited things: A council may sell, destroy or otherwise dispose of any thing forfeited if an application is not made to have the item back or the application is refused. The council can grant or refuse an application. If the application is granted, council is to sell the forfeited thing to the applicant for an amount equal to its estimated market value.	Delegation	X	X			Nil	20-Jul-20	Minute 109/20
55	Sec 191 (3)	Return of and access to seized things: Council may grant an application or refuse it under this section.	Delegation	X	X			Nil	20-Jul-20	Minute 109/20

No.	Provision	Function or Power	Nature	Given by	Given To			Conditions or Restrictions	Decision	Evidence of Authorisation / Delegation
		Description	Appointment, Delegation or Authorisation	Council General Manager	General Manager	Director - Development Services	Environmental Health Officer	Notes	Date(s) of Delegation / Authorisation	Resolution Number
56	Sec 192 (1)	Sale or disposal of seized things: Council may sell or otherwise dispose of any thing seized under this Act if there is no appeal made under s 160, the seizure is upheld or the thing poses an immediate health threat.	Delegation	X	X			Nil	20-Jul-20	Minute 109/20

This register is maintained in compliance with section 22 (4) of the *Local Government Act 1993* (Tas).

Section 62B - Delegation by principal officer

- (1) The principal officer may by instrument in writing delegate to a public interest disclosure officer specified in the instrument the performance or exercise of such of his or her functions or powers under this Act (other than this power of delegation) as are specified in the instrument, and may, by instrument in writing, revoke wholly or in part any such delegation.
- (2) Notwithstanding any delegation under this section, the principal officer may continue to perform or exercise all or any of the functions or powers delegated.
- (3) Any act or thing done by or to a delegate while acting in the exercise of a delegation under this section has the same force and effect as if the act or thing had been done by or to the principal officer, and is taken to have been done by or to the principal officer.

Notes on Delegation

- (1) A council, in writing, may delegate with or without conditions to the general manager, any of its functions or powers under any Act: s.22 *Local Government Act 1993* (Tas) (subject to restrictions).
- (2) The general manager, in writing, may delegate to an employee of the council (a) any functions or powers under any Act, other than this power of delegation; and (b) any functions or powers delegated by the council which the council authorised the general manager to delegate: s.64 *Local Government Act 1993* (Tas).
- (3) If an Act confers a power on a person to delegate a function or power, the person may, in accordance with the Act, delegate the function or power to (a) a person by name; or (b) the holder of a particular office or position by reference to the title of the office or position concerned, whether or not the office or position is vacant at the time of the delegation: s.23AA(1) *Acts Interpretation Act 1931* (Tas).
- (4) If a function or power is delegated to a particular officer or the holder of a particular office or position (a) the delegation does not cease to have effect merely because the person who was the particular officer or the holder of the particular office or position when the function or power was delegated ceases to be that officer or the holder of that office or position; and (b) the function or power may be performed or exercised by the person for the time being occupying or acting in the office or position concerned: s.23AA(5) *Acts Interpretation Act 1931* (Tas).
- (5) A function or power that has been delegated may, notwithstanding the delegation, be exercised by the delegator: s.23AA(6) *Acts Interpretation Act 1931* (Tas).

No.	Provision	Function or Power	Nature	Given by	Given to		Conditions or Restrictions	Decision	Evidence of Authorisation / Delegation
		Description	Appointment, Delegation or Authorisation	Council / Public Body General Manager / Principal Officer	General Manager	Director - Corporate Services	Notes	Date(s) of Delegation / Authorisation	Resolution Number
1	S 29B	Referral of disclosure to Integrity Commission: Where a public body believes a disclosure relates to misconduct defined in the Integrity Commission Act 2009, the public body may refer the disclosure to the Integrity Commission.	Delegation	X	X	X		21-Oct-24	Minute 211/24
2	S 29D(1)	Notice of referral: If public body refers a disclosure to the Integrity Commission, they must notify the person who made that disclosure of the referral.	Delegation	X	X	X		21-Oct-24	Minute 211/24
3	S 33(1)	Determination by public body of disclosure as to public interest disclosure: Public body to determine whether disclosure is a public interest disclosure within 45 days.	Delegation	X	X	X		21-Oct-24	Minute 211/24

No.	Provision	Function or Power	Nature	Given by	Given to		Conditions or Restrictions	Decision	Evidence of Authorisation / Delegation
		Description	Appointment, Delegation or Authorisation	Council / Public Body	General Manager	Director - Corporate Services	Notes	Date(s) of Delegation / Authorisation	Resolution Number
4	S 34(1)	Procedure where public body determines disclosure to be public interest disclosure: Notifications where disclosure is determined a public interest disclosure.	Delegation	X	X	X		21-Oct-24	Minute 211/24
5	S 35(1)	Procedure where public body determines disclosure not to be public interest disclosure: Notifications where disclosure is deemed not to be public interest disclosure.	Delegation	X	X	X		21-Oct-24	Minute 211/24
6	S 62A (1)	Role of principal officer: Responsibilities of the principal officer	Delegation	X		X		21-Oct-24	Minute 211/24
7	S 62A (2)	Role of principal officer: Appointment of public interest disclosure officers	Appointment	X		X		21-Oct-24	Minute 211/24
8	S 64	Matters that do not have to be investigated: A public body may decide not to investigate a disclosure.	Delegation	X	X	X		21-Oct-24	Minute 211/24
9	S 65(1)	Decisions by public body not to investigate: Notification of decision not to investigate.	Delegation	X	X	X		21-Oct-24	Minute 211/24
10	S 68	Referral to Ombudsman by public body: A public body may refer the investigation of a disclosed matter to the Ombudsman if the public body considers that its own investigation is being obstructed or that it is otherwise not within the capacity of the public body to complete the investigation.	Delegation	X	X	X		21-Oct-24	Minute 211/24
11	S 70	Provision of information to Ombudsman: Public body must give the Ombudsman in writing any information it has in respect to a disclosed matter.	Delegation	X	X	X		21-Oct-24	Minute 211/24
12	S 72(1)	Notice of referral: Notice to be given where public body refers an investigation to the Ombudsman.	Delegation	X	X	X		21-Oct-24	Minute 211/24
13	S 74	Information about progress of investigation: Public body must at the request of the person who made the disclosure or the Ombudsman, give all reasonable information about the investigation with 28 days.	Delegation	X	X	X		21-Oct-24	Minute 211/24
14	S 76(1)	Report on investigation: Public body must notify the Ombudsman and the relevant person on completing an investigation of a disclosed matter.	Delegation	X	X	X		21-Oct-24	Minute 211/24
15	S 77(1)	Report to person making disclosure: Public body must inform the person who made the disclosure of the findings.	Delegation	X	X	X		21-Oct-24	Minute 211/24
16	S 77A(2)	Investigations to be completed within 6 months: A public body may apply to the Ombudsman for an extension of up to 6 months in which to complete the investigation.	Delegation	X	X	X		21-Oct-24	Minute 211/24
17	S 77A(4)	Investigations to be completed within 6 months: If investigation is not complete within time specified in 77A(1), public body must refer the disclosure to the Ombudsman.	Delegation	X	X	X		21-Oct-24	Minute 211/24

Right to Information Act 2009

[Back to CONTENTS](#)

Legislation Version: 6 November 2024

DECISIONS

S.21 Decision to be made on behalf of public authority by authorised person

- (1) A decision in respect of an application for information made to a public authority is to be made by -
- (a) the responsible Minister; or
 - (b) the principal officer of the public authority; or
 - (c) a delegated officer.

S.5 Interpretation

Delegated Officer means a person specified in an instrument of delegation in accordance with section 24.

Principal Officer means ... (c) in relation to a council, the general manager of that council

Public authority means ... (c) a council...or ... (h) a council-owned company; ...

Council owned company means a company incorporated under the Corporations Act that is controlled by one or more councils or another company that is so controlled

DELEGATIONS AND AUTHORISATIONS

A council, in writing, may delegate with or without conditions to the general manager, any of its functions or powers under any Act: s.22 Local Government Act 1993 (subject to restrictions).

S.24 Principal officer or Minister may delegate his or her functions

- (1) The principal officer of a public authority or a Minister may by instrument in writing delegate **to a person specified** in the instrument the performance or exercise of such of his or her functions or powers under this Act (other than this power of delegation) as are specified in the instrument, and may, by instrument in writing, revoke wholly or in part any such delegation.
- (2) A delegation may be for a period not exceeding 3 years.
- (3) The principal officer of a public authority or a Minister must not delegate to a person the performance or exercise of his or her functions or powers under this Act **unless the principal officer or Minister is satisfied that the person has the skills and knowledge necessary to perform or exercise those functions or powers.**
- (4) Notwithstanding any delegation under this section, the principal officer of a public authority or a Minister may continue to perform or exercise all or any of the functions or powers delegated.
- (5) Any act or thing done by or to a delegate while acting in the exercise of a delegation under this section has the same force and effect as if the act or thing had been done by or to the principal officer of a public authority or a Minister and is taken to have been done by or to the principal officer or Minister.
- NB:** this Act addresses the power to delegate in detail and therefore the general provisions of the Acts Interpretation Act 1931 will not apply.

APPOINTMENT

S.23(2) The principal officer of a public authority may appoint an officer to assist him or her with the functions specified in s.23(1).

No.	Provision	Function or Power	Nature	Given by	Given To		Conditions or Restrictions	Decision	Evidence of Authorisation / Delegation
		Description	Appointment, Delegation or Authorisation	Council / Public Authority	General Manager / Principal Officer	General Manager	Notes	Date(s) of Delegation / Authorisation	Resolution Number
						Lauren Tolputt			

No.	Provision	Function or Power	Nature	Given by	Given To		Conditions or Restrictions	Decision	Evidence of Authorisation / Delegation
		Description	Appointment, Delegation or Authorisation	Council / Public Authority General Manager / Principal Officer	General Manager	Lauren Tolpuitt	Notes	Date(s) of Delegation / Authorisation	Resolution Number
1	S.10	Electronic information: If information is stored in an electronic form, a Minister or public authority may refuse an application if – (a) the information cannot be produced using the normal computer hardware and software and technical expertise of the public authority; and (b) producing it would substantially and unreasonably divert the resources of the public authority from its usual operations	Delegation	X	X	X	A delegation may be for a period not exceeding 3 years (s. 24(1)). GM must be satisfied that the person has the skills and knowledge necessary to perform or exercise the function or power. Delegated period of three (3) years (period 23 October 2023 to 22 October 2026)	20-Jul-20	Minute 109/20
2	S.12	Information to be provided apart from Act.: This Act does not prevent and is not intended to discourage a public authority or a Minister from publishing or providing information, otherwise than as required by this Act.	Delegation	X	X	X	A delegation may be for a period not exceeding 3 years (s. 24(1)). GM must be satisfied that the person has the skills and knowledge necessary to perform or exercise the function or power. Delegated period of three (3) years (period 23 October 2023 to 22 October 2026)	20-Jul-20	Minute 109/20
3	S.13 (5) (6) (7) (8)	Application for assessed disclosure of information: Provision of information to applicant for assessed disclosures of information. Negotiation with the applicant to redirect the application. If requested to do so or if it is appropriate, the public authority must make available general information.	Delegation	X	X	X	A delegation may be for a period not exceeding 3 years (s. 24(1)). GM must be satisfied that the person has the skills and knowledge necessary to perform or exercise the function or power. Delegated period of three (3) years (period 23 October 2023 to 22 October 2026)	20-Jul-20	Minute 109/20
4	S.14 (1)	Transfer of applications (for assessed disclosure of information): Transfer an application for disclosure of information to the more appropriate public authority along with any information they may need.	Delegation	X	X	X	A delegation may be for a period not exceeding 3 years (s. 24(1)). GM must be satisfied that the person has the skills and knowledge necessary to perform or exercise the function or power. Delegated period of three (3) years (period 23 October 2023 to 22 October 2026)	20-Jul-20	Minute 109/20
5	S.15	Time within which applications for assessed disclosure of information are to be decided: (4) Negotiate extension of time.	Delegation	X	X	X	A delegation may be for a period not exceeding 3 years (s. 24(1)). GM must be satisfied that the person has the skills and knowledge necessary to perform or exercise the function or power. Delegated period of three (3) years (period 23 October 2023 to 22 October 2026)	20-Jul-20	Minute 109/20
6	S.16	Charges for information: All applications for assessed disclosure of information must be accompanied by an application fee of 25 fee units. The application fee may be waived if – (a) the applicant is impecunious; or (b) the applicant is a Member of Parliament acting in connection with his or her official duty; or (ba) the applicant is a journalist acting in connection with their professional duties; or (c) the applicant is able to show that he or she intends to use the information for a purpose that is of general public interest or benefit.	Delegation	X	X	X	A delegation may be for a period not exceeding 3 years (s. 24(1)). GM must be satisfied that the person has the skills and knowledge necessary to perform or exercise the function or power. Delegated period of three (3) years (period 23 October 2023 to 22 October 2026)	20-Jul-20	Minute 109/20
7	S.17	Deferment of provision of information	Delegation	X	X	X	A delegation may be for a period not exceeding 3 years (s. 24(1)). GM must be satisfied that the person has the skills and knowledge necessary to perform or exercise the function or power. Delegated period of three (3) years (period 23 October 2023 to 22 October 2026)	20-Jul-20	Minute 109/20
8	S.18	Provision of information	Delegation	X	X	X	A delegation may be for a period not exceeding 3 years (s. 24(1)). GM must be satisfied that the person has the skills and knowledge necessary to perform or exercise the function or power. Delegated period of three (3) years (period 23 October 2023 to 22 October 2026)	20-Jul-20	Minute 109/20

		Function or Power	Nature	Given by	Given To		Conditions or Restrictions	Decision	Evidence of Authorisation / Delegation
				Council / Public Authority General Manager / Principal Officer	General Manager	Lauren Tolpuitt			
No.	Provision	Description	Appointment, Delegation or Authorisation				Notes	Date(s) of Delegation / Authorisation	Resolution Number
9	S.19	Requests may be refused if resources unreasonably diverted	Delegation	X	X	X	A delegation may be for a period not exceeding 3 years (s. 24(1)). GM must be satisfied that the person has the skills and knowledge necessary to perform or exercise the function or power. Delegated period of three (3) years (period 23 October 2023 to 22 October 2026)	20-Jul-20	Minute 109/20
10	S.20	Repeat or vexatious applications may be refused	Delegation	X	X	X	A delegation may be for a period not exceeding 3 years (s. 24(1)). GM must be satisfied that the person has the skills and knowledge necessary to perform or exercise the function or power. Delegated period of three (3) years (period 23 October 2023 to 22 October 2026)	20-Jul-20	Minute 109/20
11	S.21 (1)	Decision to be made on behalf of public authority by authorised person: A decision in respect of an application for information made to a public authority is to be made by – (a) the responsible Minister; or (b) the principal officer of the public authority; or (c) a delegated officer.	Delegation	X		X	A delegation may be for a period not exceeding 3 years (s. 24(1)). GM must be satisfied that the person has the skills and knowledge necessary to perform or exercise the function or power. Delegated period of three (3) years (period 23 October 2023 to 22 October 2026)	20-Jul-20	Minute 109/20
12	S.21 (2)	Decision to be made on behalf of public authority by authorised person: A person who makes a decision in accordance with this Act is to act impartially in making that decision.	Delegation	X	X	X	A delegation may be for a period not exceeding 3 years (s. 24(1)). GM must be satisfied that the person has the skills and knowledge necessary to perform or exercise the function or power. Delegated period of three (3) years (period 23 October 2023 to 22 October 2026)	20-Jul-20	Minute 109/20
13	S.22	Reasons to be given (when a decision in relation to an application for information is made)	Delegation	X	X	X	A delegation may be for a period not exceeding 3 years (s. 24(1)). GM must be satisfied that the person has the skills and knowledge necessary to perform or exercise the function or power. Delegated period of three (3) years (period 23 October 2023 to 22 October 2026)	20-Jul-20	Minute 109/20
14	S.23	Other responsibilities of principal officer	Delegation	X	X	X	A delegation may be for a period not exceeding 3 years (s. 24(1)). GM must be satisfied that the person has the skills and knowledge necessary to perform or exercise the function or power. Delegated period of three (3) years (period 23 October 2023 to 22 October 2026)	20-Jul-20	Minute 109/20
15	S.33	Public Interest Test: In this Division, information is exempt information if the principal officer of the public authority or Minister considers, after taking into account all relevant matters, that it is contrary to the public interest to disclose the information.	Delegation	X		X	A delegation may be for a period not exceeding 3 years (s. 24(1)). GM must be satisfied that the person has the skills and knowledge necessary to perform or exercise the function or power. Delegated period of three (3) years (period 23 October 2023 to 22 October 2026)	20-Jul-20	Minute 109/20

No.	Provision	Function or Power	Nature	Given by	Given To		Conditions or Restrictions	Decision	Evidence of Authorisation / Delegation
		Description	Appointment, Delegation or Authorisation	Council / Public Authority General Manager / Principal Officer	General Manager	Lauren Tolpuitt	Notes	Date(s) of Delegation / Authorisation	Resolution Number
16	S.36 (2)	Personal information of person: If (a) an application is made for information under this Act; and (b) the information was provided to a public authority or Minister by a third party; and (c) the principal officer or Minister decides that disclosure of the information concerned may be reasonably expected to be of concern to the third party – the principal officer or Minister is to, by notice in writing to the third party – (d) notify that person that the public authority or Minister has received an application for the information; and (e) state the nature of the information that has been applied for; and (f) request that, within 15 working days from the date of the notice, the person provide his or her view as to whether the information should be provided.	Delegation	X		X	A delegation may be for a period not exceeding 3 years (s. 24(1)). GM must be satisfied that the person has the skills and knowledge necessary to perform or exercise the function or power. Delegated period of three (3) years (period 23 October 2023 to 22 October 2026)	20-Jul-20	Minute 109/20
17	S.36 (3) (5)	Personal information of person: If a public authority or Minister, after receipt of a person's view, decides to provide the information, the public authority or Minister must, by notice in writing given to that person, notify that person of the decision. See subsection 5 for caveats.	Delegation	X	X	X	A delegation may be for a period not exceeding 3 years (s. 24(1)). GM must be satisfied that the person has the skills and knowledge necessary to perform or exercise the function or power. Delegated period of three (3) years (period 23 October 2023 to 22 October 2026)	20-Jul-20	Minute 109/20
18	S.37 (2)	Information relating to business affairs of third party: If – (a) an application is made for information under this Act; and (b) the information was provided to a public authority or Minister by a third party; and (c) the principal officer or Minister decides that disclosure of the information concerned may be reasonably expected to be of substantial concern to the third party – the principal officer or Minister must, before deciding whether the disclosure of the information under this Act would be likely to expose the third party that provided the information to substantial harm to the third party's competitive position, by notice in writing given to the third party – (d) notify the third party that the public authority or Minister has received an application for the information; and (e) state the nature of the information applied for; and (f) request that, within 15 working days from the date of the notice, the third party provide the third party's view as to whether the information should be provided.	Delegation	X		X	A delegation may be for a period not exceeding 3 years (s. 24(1)). GM must be satisfied that the person has the skills and knowledge necessary to perform or exercise the function or power. Delegated period of three (3) years (period 23 October 2023 to 22 October 2026)	20-Jul-20	Minute 109/20
19	S.37 (3) (5)	Information relating to business affairs of third party: If a public authority or Minister, after receipt of a third party's view, decides to disclose the information, the public authority or Minister must, by notice in writing given to the third party, notify the third party of the decision. See subsection 5 for caveats.	Delegation	X	X	X	A delegation may be for a period not exceeding 3 years (s. 24(1)). GM must be satisfied that the person has the skills and knowledge necessary to perform or exercise the function or power. Delegated period of three (3) years (period 23 October 2023 to 22 October 2026)	20-Jul-20	Minute 109/20
20	S.43 (4) (5)	Internal review (of a decision in respect of an application)	Delegation	X	X	X	A delegation may be for a period not exceeding 3 years (s. 24(1)). GM must be satisfied that the person has the skills and knowledge necessary to perform or exercise the function or power. Delegated period of three (3) years (period 23 October 2023 to 22 October 2026)	20-Jul-20	Minute 109/20

Roads and Jetties Act 1935

[Back to CONTENTS](#)

Legislation Version: 1 July 2025

DELEGATIONS & AUTHORISATIONS

- * A council, in writing, may delegate with or without conditions to the general manager, any of its functions or powers under any Act: s.22 Local Government Act 1993 (subject to restrictions).
 - * The general manager, in writing, may delegate to an employee of the council (a) any functions or powers under any Act, other than this power of delegation; and (b) any functions or powers delegated by the council which the council authorised the general manager to delegate: s.64 Local Government Act 1993.
 - * If an Act confers a power on a person to delegate a function or power, the person may, in accordance with the Act, delegate the function or power to (a) a person by name; or (b) the holder of a particular office or position by reference to the title of the office or position concerned, whether or not the office or position is vacant at the time of the delegation: s.23AA(1) of the Acts Interpretation Act 1931.
- If a function or power is delegated to a particular officer or the holder of a particular office or position (a) the delegation does not cease to have effect merely because the person who was the particular officer or the holder of the particular office or position when the function or power was delegated ceases to be that officer or the holder of that office or position; and (b) the function or power may be performed or exercised by the person for the time being occupying or acting in the office or position concerned: s.23AA(5) of the Acts Interpretation Act 1931.
- * A function or power that has been delegated may, notwithstanding the delegation, be exercised by the delegator: s.23AA(6) of the Acts Interpretation Act 1931.

No.	Provision	Function or Power	Nature	Given by	Given To		Conditions or Restrictions	Decision	Evidence of Authorisation / Delegation
		Description	Appointment, Delegation or Authorisation	Council Local Authority Road Authority General Manager	General Manager	Director - Infrastructure	Notes	Date(s) of Delegation / Authorisation	Resolution Number
1	S11	Maintenance of State highways, &c. in cities, &c.: (1)(b) the remainder of the State highway or subsidiary road, including drainage and shoulders but not culverts and bridges, shall be maintained and reconstructed by the local authority.	Delegation	X	X	X		20-Jul-20	Minute 109/20
2	S11(2)	To agree with the Minister for the maintenance or reconstruction of a State highway or a subsidiary road otherwise than in accordance with s.11(1)	Delegation	X	X	X		20-Jul-20	Minute 109/20
3	S28	Acquisition of land for quarry, &c.: Any road authority may purchase or take land required by it for the purposes of a quarry or gravel-pit in the same manner and subject to the like conditions as it may acquire land for constructing, widening, or altering a road.	Delegation	X	X	X		20-Jul-20	Minute 109/20
4	S29	Intention to acquire land may be abandoned if compensation excessive: Where a road authority has given notice of its intention to take land for any of the purposes hereinbefore set forth, and the compensation in respect thereof is determined, if the road authority deems it inexpedient to pay the amount thereof, it may, within 21 days after receiving notice of the amount of compensation so determined, withdraw the notice of intention to take the land on payment of the costs of the reference and determination.	Delegation	X	X	X		20-Jul-20	Minute 109/20

No.	Provision	Function or Power	Nature	Given by	Given To		Conditions or Restrictions	Decision	Evidence of Authorisation / Delegation
		Description	Appointment, Delegation or Authorisation	Council Local Authority Road Authority General Manager	General Manager	Director - Infrastructure	Notes	Date(s) of Delegation / Authorisation	Resolution Number
5	S32	Entry by council upon land and staking out of same: Whenever a road authority intends to take any land for the purposes of this Act, it shall be lawful for the road authority, after having given 7 days' notice in writing to the occupier thereof, to enter upon such land and to stake out the same in such manner as it thinks necessary or expedient	Delegation	X	X	X		20-Jul-20	Minute 109/20
6	S33	Rental of land (for the purpose of obtaining materials therefrom for the construction or maintenance of any road or street)	Delegation	X	X	X		20-Jul-20	Minute 109/20
7	S34	Use of uncultivated land for temporary road: Any road authority may make use of any uncultivated land for the purpose of constructing a temporary road whilst any road is being reconstructed, widened, diverted, altered, improved, or repaired without making compensation for the same.	Delegation	X	X	X		20-Jul-20	Minute 109/20
8	S35	Taking of timber, &c., from land (for making, repairing, or fencing any road, or for any other purposes of this Act)	Delegation	X	X	X		20-Jul-20	Minute 109/20
9	S36	Quarries, &c. to be fenced and filled up or otherwise secured: The road authority shall cause all quarries and pits which have been opened up or used upon any land by it to be fenced or otherwise secured and kept so fenced or secured so long as the same shall continue open and in use; and upon ceasing to use the same shall, if required by the owner or occupier of such land, cause the same to be filled up, sloped down, or otherwise secured.	Delegation	X	X	X		20-Jul-20	Minute 109/20
10	S37	Fences to be restored: Where in the exercise of any of the powers conferred upon a road authority by this Part any fence has been temporarily taken down, the same shall, upon completion of the work necessitating such taking down, be well and sufficiently restored by the road authority.	Delegation	X	X	X		20-Jul-20	Minute 109/20
11	S38	Deviations to be fenced: Where any road has been diverted, the road authority shall, if required by the owner or occupier of any land through which such road passes, cause such road to be well and sufficiently fenced where it so passes.	Delegation	X	X	X		20-Jul-20	Minute 109/20
12	S39	Entry upon adjoining lands for road maintenance or reconstruction: Any road authority may enter upon any land adjoining any road of which it has the care, control, or management, for the purpose of maintaining or reconstructing such road.	Delegation	X	X	X		20-Jul-20	Minute 109/20

No.	Provision	Function or Power	Nature	Given by	Given To		Conditions or Restrictions	Decision	Evidence of Authorisation / Delegation
		Description	Appointment, Delegation or Authorisation	Council Local Authority Road Authority General Manager	General Manager	Director - Infrastructure	Notes	Date(s) of Delegation / Authorisation	Resolution Number
13	S40	Power to make drains on adjoining lands: The road authority may make, cleanse, and keep open all drains or watercourses which it may deem necessary in and through any land adjoining or near to any road of which it has the construction or maintenance.	Delegation	X	X	X		20-Jul-20	Minute 109/20
14	S41	Timber growing near roads may be cut down: Consent of owner required in certain cases: The road authority may cut down and remove any indigenous timber growing or standing within 23 metres of the centre of any road of which it has the care, control, or management, making good all damage or injury to the fences, hedges, ditches, walls, or any other thing upon the land on which such timber may be growing or standing.	Delegation	X	X	X		20-Jul-20	Minute 109/20
15	S42	Hedges, &c., obstructing view of traffic to be cut or trimmed: Where the road authority is of opinion that it is necessary, for the prevention of danger arising from obstruction to the view of persons using such road, that any fence, construction, hedge, tree, or vegetation erected, constructed, growing, or planted on land adjoining such road, or any road intersecting or junctioning with such road, should be reduced in height or otherwise cut or trimmed, the road authority may give to the owner or occupier of such land 21 days' notice in writing to reduce the height of or cut or trim such fence, construction, hedge, tree, or vegetation to such an extent or in such a manner as the road authority shall think necessary for the purpose aforesaid and shall specify in such notice.	Delegation	X	X	X		20-Jul-20	Minute 109/20
16	S44	Culverts to be constructed by owners at entrances to lands adjoining roads: The road authority may give to the owner of any land adjoining any road a notice in writing requiring such owner, within a time to be specified in the notice, to construct to the satisfaction of the road authority across the table-drain or gutter of such road, at or opposite to any entrance to such land which is used or intended to be used for vehicular traffic to or from such land, a culvert of such a nature and of such dimensions as shall be specified in the notice, and as will allow the free passage through such culvert of any water which may reasonably be expected to flow along such table-drain or gutter and into such culvert when so constructed.	Delegation	X	X	X		20-Jul-20	Minute 109/20

No.	Provision	Function or Power	Nature	Given by	Given To		Conditions or Restrictions	Decision	Evidence of Authorisation / Delegation
		Description	Appointment, Delegation or Authorisation	Council Local Authority Road Authority General Manager	General Manager	Director - Infrastructure	Notes	Date(s) of Delegation / Authorisation	Resolution Number
17	S45	Power of Minister in certain cases to erect gates across roads: If and when such road shall thereafter come under the care, control, or management of a council, the council shall continue to maintain such gate, or such gate and cattle-guard, as the case may be.	Delegation	X	X	X		20-Jul-20	Minute 109/20
18	S46	Damage caused by overweight vehicles: Any person from whom such expenses are or may be recoverable under this section may enter into an agreement with the road authority for the payment to it of compensation in respect of such expenses, and, upon such person paying such compensation, he shall not be liable to any proceedings under this section.	Delegation	X	X	X		20-Jul-20	Minute 109/20
19	S47	Road metal, &c., may be placed on side of road: The road authority may cause road metal or other materials, or any vehicle or plant used for the purpose of or in connection with the construction or maintenance of any road, to be stacked, deposited, or left upon such road at a distance from the centre thereof of not less than 3 metres in the case of a State highway, and not less than 2.5 metres in the case of a country road.	Delegation	X	X	X		20-Jul-20	Minute 109/20
20	S47A	Warning gantries for bridges with overhead members: Subject to subsection (2) , a road authority may erect on a part of a road under its control that forms an approach to a bridge with overhead members such warning gantries and crash-beam gantries as the authority considers necessary for the protection of that bridge.	Delegation	X	X	X		20-Jul-20	Minute 109/20
21	S48	Power of road authority, with the consent of the Governor, to permit tramway or railway along or across road: The road authority may, with the consent of the Governor, grant authority to any person to lay down, construct, and maintain a tramway or railway along or across any road under its control subject to such terms and conditions as may be recommended by the council and approved by the Governor.	Delegation	X	X	X		20-Jul-20	Minute 109/20
22	S48A	Removal and disposal of abandoned articles: Where it appears to the road authority that an article has, without lawful authority, been abandoned on a State highway or subsidiary road, the road authority may remove the article from that highway or road.	Delegation	X	X	X		20-Jul-20	Minute 109/20
23	S48B	Power to remove vehicles causing obstruction or danger: A road authority may move, keep or impound any vehicle (and anything in, on or attached to the vehicle)	Delegation	X	X	X		20-Jul-20	Minute 109/20

No.	Provision	Function or Power	Nature	Given by	Given To		Conditions or Restrictions	Decision	Evidence of Authorisation / Delegation
		Description	Appointment, Delegation or Authorisation	Council Local Authority Road Authority General Manager	General Manager	Director - Infrastructure	Notes	Date(s) of Delegation / Authorisation	Resolution Number
24	S49	Obstructing roads: Notice to remove obstructions: The road authority may give to any person making or erecting any building or fence, or causing or permitting any obstruction or encroachment, or making any drain, sink, or watercourse in contravention of any of the provisions of subsections (1) or (2) in respect of any road under its care, control, or management, 21 days' notice in writing to take down the above.	Delegation	X	X	X		20-Jul-20	Minute 109/20
25	S50B	Excavations: A person must not make any excavation, vault or cellar beneath a street in a town without the consent of the appropriate council.	Delegation	X	X	X		20-Jul-20	Minute 109/20
26	S51	Laying down timber, &c., on roads: unless he be authorised by the road authority having the care, control, or management of such road so to do.	Delegation	X	X	X		20-Jul-20	Minute 109/20

This register is maintained in compliance with section 22 (4) of the *Local Government Act 1993* (Tas).

Notes on Delegation

- (1) A council, in writing, may delegate with or without conditions to the general manager, any of its functions or powers under any Act: s.22 *Local Government Act 1993* (Tas) (subject to restrictions).
- (2) The general manager, in writing, may delegate to an employee of the council (a) any functions or powers under any Act, other than this power of delegation; and (b) any functions or powers delegated by the council which the council authorised the general manager to delegate: s.64 *Local Government Act 1993* (Tas).
- (3) If an Act confers a power on a person to delegate a function or power, the person may, in accordance with the Act, delegate the function or power to (a) a person by name; or (b) the holder of a particular office or position by reference to the title of the office or position concerned, whether or not the office or position is vacant at the time of the delegation: s.23AA(1) *Acts Interpretation Act 1931* (Tas).
- (4) If a function or power is delegated to a particular officer or the holder of a particular office or position (a) the delegation does not cease to have effect merely because the person who was the particular officer or the holder of the particular office or position when the function or power was delegated ceases to be that officer or the holder of that office or position; and (b) the function or power may be performed or exercised by the person for the time being occupying or acting in the office or position concerned: s.23AA(5) *Acts Interpretation Act 1931* (Tas).
- (5) A function or power that has been delegated may, notwithstanding the delegation, be exercised by the delegator: s.23AA(6) *Acts Interpretation Act 1931* (Tas).

No.	Provision	Function or power	Nature	Given by	Given to			Conditions or restrictions	Decision	Evidence of Authorisation / Delegation
		Description	Appointment, Delegation or Authorisation	Council	General Manager	Director - Development Services	Town Planner	Notes	Date(s) of Delegation / Authorisation	Resolution Number
1	S 31(2A)	Application for, and grant of, certificate of approval: The Council must within 30 days of receiving an application issue or refuse to issue a certificate of approval	Delegation	X	X	X	X		20-Jul-20	Minute 109/20
2	S 31(2B)	Application for, and grant of, certificate of approval: The Council may give the applicant notice requiring further information in order to determine the application	Delegation	X	X	X	X		20-Jul-20	Minute 109/20
3	31(3)	Application for, and grant of, certificate of approval: The Council may issue a certificate of approval for a strata plan after satisfying itself of certain matters	Delegation	X	X	X	X		20-Jul-20	Minute 109/20
4	31(4)	Application for, and grant of, certificate of approval: The Council must return sketches, plans and models if it refuses to issue a certificate of approval	Delegation	X	X	X	X		20-Jul-20	Minute 109/20
5	31(6)	Application for, and grant of, certificate of approval: The Council must refuse to issue a certificate of approval if it considers the proposal is actually a subdivision	Delegation	X	X	X	X		20-Jul-20	Minute 109/20
6	31AA	Requirement for staged development scheme: Where an application for a certificate of approval is made wholly or partly in respect of vacant land, the council may refuse the application on the ground that an application for a staged development scheme under section 38 should be made.	Delegation	X	X	X	X		20-Jul-20	Minute 109/20
7	36(1)	Application for council approval (in relation to a staged development scheme)	Delegation	X	X	X	X		20-Jul-20	Minute 109/20
8	37(1)(a)	Approval of scheme in principle: Before giving in principle approval for a staged development scheme Council can require specified changes to the scheme	Delegation	X	X	X	X		20-Jul-20	Minute 109/20

No.	Provision	Function or power	Nature	Given by	Given to			Conditions or restrictions	Decision	Evidence of Authorisation / Delegation

No.	Provision	Function or power	Nature	Given by	Given to			Conditions or restrictions	Decision	Evidence of Authorisation / Delegation
		Description	Appointment, Delegation or Authorisation	Council	General Manager	General Manager	Director - Development Services	Town Planner	Notes	Date(s) of Delegation / Authorisation
26	58(2)	Application for variation of scheme: The application is to be made in the first instance to the council for the area in which the site is situated.	Delegation	X	X	X			20-Jul-20	Minute 109/20
27	58(5)	Application for variation of scheme: The Council may dispense with the consent of a present or prospective owners of lots in the community development scheme in relation to a proposed variation if satisfied of certain matters	Delegation	X	X	X			20-Jul-20	Minute 109/20
28	58(6)	Application for variation of scheme: The Council may approve the variation unconditionally, or approve the variation subject to specified conditions or refuse to approve the variation	Delegation	X	X	X			20-Jul-20	Minute 109/20
29	61	Injunction: Council (as an "interested person" under the Act) can apply for a mandatory injunction requiring the developer of a community development scheme to complete the scheme	Delegation	X	X				20-Jul-20	Minute 109/20
30	65(a)	Assignment of interest in land subject to scheme: If the owner of land subject to a registered community development scheme proposes to sell or dispose of land subject to the scheme the owner must give written notice of the proposed transaction to the council for the area in which the site is situated	Delegation	X	X				20-Jul-20	Minute 109/20
31	65(b)(i)	Assignment of interest in land subject to scheme: If the owner of land subject to a registered community development scheme proposes to sell or dispose of land subject to the scheme the person who is to acquire title to the land in consequence of the transaction must give to the council a written undertaking to develop the land in accordance with the registered scheme	Delegation	X	X				20-Jul-20	Minute 109/20
32	65(b)(ii)	Assignment of interest in land subject to scheme: If the owner of land subject to a registered community development scheme proposes to sell or dispose of land subject to the scheme the person who is to acquire title to the land in consequence of the transaction must give the council any security required by the council, within 28 days after notice of the transaction was given to the council, for the development of the land in accordance with the scheme.	Delegation	X	X				20-Jul-20	Minute 109/20
33	142(2)(b)	Recording of certain orders	Delegation	X	X				20-Jul-20	Minute 109/20

This register is maintained in compliance with section 22 (4) of the *Local Government Act 1993* (Tas).

Notes on Delegation

- (1) A council, in writing, may delegate with or without conditions to the general manager, any of its functions or powers under any Act: s.22 *Local Government Act 1993* (Tas) (subject to restrictions).
- (2) The general manager, in writing, may delegate to an employee of the council (a) any functions or powers under any Act, other than this power of delegation; and (b) any functions or powers delegated by the council which the council authorised the general manager to delegate: s.64 *Local Government Act 1993* (Tas).
- (3) If an Act confers a power on a person to delegate a function or power, the person may, in accordance with the Act, delegate the function or power to (a) a person by name; or (b) the holder of a particular office or position by reference to the title of the office or position concerned, whether or not the office or position is vacant at the time of the delegation: s.23AA(1) *Acts Interpretation Act 1931* (Tas).
- (4) If a function or power is delegated to a particular officer or the holder of a particular office or position (a) the delegation does not cease to have effect merely because the person who was the particular officer or the holder of the particular office or position when the function or power was delegated ceases to be that officer or the holder of that office or position; and (b) the function or power may be performed or exercised by the person for the time being occupying or acting in the office or position concerned: s.23AA(5) *Acts Interpretation Act 1931* (Tas).
- (5) A function or power that has been delegated may, notwithstanding the delegation, be exercised by the delegator: s.23AA(6) *Acts Interpretation Act 1931* (Tas).

No.	Provision	Function or Power	Nature	Given by	Given To	Conditions or Restrictions	Decision	Evidence of Authorisation / Delegation
		Description	Appointment, Delegation or Authorisation	Council General Manager	General Manager	Notes	Date(s) of Delegation / Authorisation	Resolution Number
1	S.34	Powers and functions of corridor manager	Appointment and Delegation	X	X	Delegation as corridor manager, and authority to delegate	21-Oct-24	Minute 211/24

Traffic Act 1925

[Back to CONTENTS](#)

Legislation Version: 23 June 2023

This register is maintained in compliance with section 22 (4) of the *Local Government Act 1993* (Tas).

Notes on Legislation s 3(2):

This Act is to be read together with the Vehicle and Traffic Act 1999 as a single Act and accordingly –

(a) words and expressions used in this Act that are defined under the Vehicle and Traffic Act 1999 (and not in this Act) have, unless the contrary intention appears, the same respective meanings; and

(b) a reference to "this Act" extends, unless the contrary intention appears, to both Acts.

Notes on Delegation

(1) A council, in writing, may delegate with or without conditions to the general manager, any of its functions or powers under any Act: s.22 *Local Government Act 1993* (Tas) (subject to restrictions).

(2) The general manager, in writing, may delegate to an employee of the council (a) any functions or powers under any Act, other than this power of delegation; and (b) any functions or powers delegated by the council which the council authorised the general manager to delegate: s.64 *Local Government Act 1993* (Tas).

(3) If an Act confers a power on a person to delegate a function or power, the person may, in accordance with the Act, delegate the function or power to (a) a person by name; or (b) the holder of a particular office or position by reference to the title of the office or position concerned, whether or not the office or position is vacant at the time of the delegation: s.23AA(1) *Acts Interpretation Act 1931* (Tas).

(4) If a function or power is delegated to a particular officer or the holder of a particular office or position (a) the delegation does not cease to have effect merely because the person who was the particular officer or the holder of the particular office or position when the function or power was delegated ceases to be that officer or the holder of that office or position; and (b) the function or power may be performed or exercised by the person for the time being occupying or acting in the office or position concerned: s.23AA(5) *Acts Interpretation Act 1931* (Tas).

(5) A function or power that has been delegated may, notwithstanding the delegation, be exercised by the delegator: s.23AA(6) *Acts Interpretation Act 1931* (Tas).

No.	Provision	Function or Power	Nature	Given by	Given To			Conditions or Restrictions	Decision	Evidence of Authorisation / Delegation
		Description	Appointment, Delegation or Authorisation	Council	General Manager	General Manager	Director - Infrastructure	Issuing Authority	Notes	Date(s) of Delegation / Authorisation
1	S 41CA	Declaration of road for use by personal mobility devices: The road authority for a speed-limited road may, by notice published in the Gazette, declare that road to be a road on which a PMD user may travel, subject to such terms and conditions as are specified in the notice. If a road authority makes a declaration under subsection (2), that road authority is to publish a copy of that declaration on a website of the road authority and is to ensure that a copy of the declaration remains on the website while the declaration remains in force.		X				For s 41CA road authority has the same meaning as in section 41C. Under s 41C road authority means a person, body corporate or body politic responsible for designing, constructing, maintaining or managing roads	20-Nov-23	Minute 196/23
2	S 43(2)	Removal of things obstructing public streets: an authorised person may remove, take and detain articles placed or left in public streets to the obstruction, annoyance or danger of other persons.	Delegation	X		X	X	S 43(1) authorised person means - (b) in the case of a public street in a municipal area, a person who is an employee or agent of the responsible council and has the approval of that council to exercise power under this section within that area.	20-Nov-23	Minute 196/23
3	S 43(3)(4)(5)	Removal of things obstructing public streets: A relevant authority must notify articles owner of removal and/or dispose of articles not removed.	Delegation	X		X	X	s 43(1) relevant authority means - (b) in relation to an authorised person who is an employee or agent of a council, that council.	20-Nov-23	Minute 196/23

Urban Drainage Act 2013

[Back to CONTENTS](#)

Legislation Version: 10 May 2024

This register is maintained in compliance with section 22 (4) of the *Local Government Act 1993* (Tas).

Notes on Legislation

S 3 **A authorised officer** means a person authorised to enter land under section 20A of the Local Government Act 1993. This is a person who has been authorised by the general manager to enter land for a specific or general purpose.

S 3 **Stormwater service provider** means the council, or an agent engaged to act on behalf of the council, that operates and maintains the public stormwater system within a municipal area;

Notes on Delegation

- (1) A council, in writing, may delegate with or without conditions to the general manager, any of its functions or powers under any Act: s.22 *Local Government Act 1993* (Tas) (subject to restrictions).
- (2) The general manager, in writing, may delegate to an employee of the council (a) any functions or powers under any Act, other than this power of delegation; and (b) any functions or powers delegated by the council which the council authorised the general manager to delegate: s.64 *Local Government Act 1993* (Tas).
- (3) If an Act confers a power on a person to delegate a function or power, the person may, in accordance with the Act, delegate the function or power to (a) a person by name; or (b) the holder of a particular office or position by reference to the title of the office or position concerned, whether or not the office or position is vacant at the time of the delegation: s.23AA(1) *Acts Interpretation Act 1931* (Tas).
- (4) If a function or power is delegated to a particular officer or the holder of a particular office or position (a) the delegation does not cease to have effect merely because the person who was the particular officer or the holder of the particular office or position when the function or power was delegated ceases to be that officer or the holder of that office or position; and (b) the function or power may be performed or exercised by the person for the time being occupying or acting in the office or position concerned: s.23AA(5) *Acts Interpretation Act 1931* (Tas).
- (5) A function or power that has been delegated may, notwithstanding the delegation, be exercised by the delegator: s.23AA(6) *Acts Interpretation Act 1931* (Tas).

No.	Provision	Function or Power	Nature	Given by	Given To		Conditions or Restrictions	Decision	Evidence of Authorisation / Delegation
		Description	Appointment, Delegation or Authorisation	Council	General Manager	Director - Infrastructure	Notes	Date(s) of Delegation / Authorisation	Resolution Number
1	S 5(6)	Council to provide adequate public storm water system: Council to provide public stormwater system. If found not too, they must comply with the orders in notice of default.	Delegation	X	X			20-Jul-20	Minute 109/20
2	S 5(4)	Council to provide adequate public storm water system: A council may appeal to the Appeal Tribunal against an order under subsection 5(3) within the period specified in the order.	Delegation	X	X			20-Jul-20	Minute 109/20
3	S 7	Service of notice relating to negotiations for provisions of stormwater services	Delegation	X	X			20-Jul-20	Minute 109/20
4	S 11(1)	Power of council to adopt stormwater systems: General manager may agree with a person who has a private storm water system or is proposing to construct stormwater system that if it is constructed in accordance with the terms of the agreement that the council will declare the works to be vested in the council.	Delegation	X		X		20-Jul-20	Minute 109/20
5	S 11(4)	Power of council to adopt stormwater systems: General manager may require person constructing a drain to construct it in a different way.	Delegation	X				20-Jul-20	Minute 109/20
6	S 11(8)	Power of council to adopt stormwater systems: Where a council imposes a requirement under s 11(4) they must pay extra costs incurred by person constructing the drain.	Delegation	X	X			20-Jul-20	Minute 109/20
7	S 12	Council to maintain maps	Delegation	X	X			20-Jul-20	Minute 109/20
8	S 13	Protection of stormwater assets: General manager granting consent as to protection of stormwater assets. Issuing of notices requiring removal where consent has not been granted.	Delegation	X		X		20-Jul-20	Minute 109/20

No.	Provision	Function or Power	Nature	Given by	Given To		Conditions or Restrictions	Decision	Evidence of Authorisation / Delegation
		Description	Appointment, Delegation or Authorisation	Council	General Manager	Director - Infrastructure	Notes	Date(s) of Delegation / Authorisation	Resolution Number
9	S 13(4)	Protection of stormwater assets: If a person fails to carry out the works required in the notice within the specified period, the council may demolish, remove or remedy the building or construction and carry out any works necessary for restoring or reinstating the public stormwater system.	Delegation	X	X			20-Jul-20	Minute 109/20
10	S 13(5)(b)	Protection of stormwater assets: If the council carry works under s 13(4) expenses are recoverable in a court of a competent jurisdiction.	Delegation	X	X			20-Jul-20	Minute 109/20
11	S 14	Interference with public stormwater systems: General manager granting consent as to interference with stormwater systems. Issuing of notices requiring removal where consent has not been granted.	Delegation	X				20-Jul-20	Minute 109/20
12	S 14(4)	Interference with public stormwater systems: If a person fails to comply with the notice issued under 14(2) within the specified period, the council may demolish, remove or remedy the works and carry out any works necessary for restoring or reinstating the infrastructure.	Delegation	X	X	X		20-Jul-20	Minute 109/20
13	S 14(5)(b)	Interference with public stormwater systems: If the council carry works under s 14(4) expenses are recoverable in a court of a competent jurisdiction.	Delegation	X	X			20-Jul-20	Minute 109/20
14	S 15(13)	Power of authorised officers to carry out work on or adject to public land: A council must make good, to the satisfaction of the authority responsible for the land, any damage caused by the exercise of powers under this section as soon as practicable.	Delegation	X	X			20-Jul-20	Minute 109/20
15	S 16(9)	Power of authorised officers to enter private land: The council must make good any damage caused by the exercise of powers under this section as soon as practicable or pay reasonable compensation for the damage.	Delegation	X	X			20-Jul-20	Minute 109/20
16	S 17	Power to undertake construction of public stormwater systems: Without the permission of the relevant general manager, a person must not discharge, or cause or permit to be discharged, stormwater into any system other than the public stormwater system.	Delegation	X	X			20-Jul-20	Minute 109/20
17	S 18(3)	Discharge of matter into public stormwater system: General Manager must give permission to discharge matter into public stormwater systems.	Delegation	X		X		20-Jul-20	Minute 109/20
18	S 20	Limits on connection point: General manager to provide approval in relation to limits on connection points for public and private storm water systems.	Delegation	X		X		20-Jul-20	Minute 109/20
19	S 21(1)	Requirement to connect: General manager may serve notice requiring connection to public storm water systems.	Delegation	X		X		20-Jul-20	Minute 109/20
20	S 21(3)	Requirement to connect: Where notice has been served, council may recover costs if it is not complied with.	Delegation	X	X	X		20-Jul-20	Minute 109/20
21	S 22(1)	Requirement to disconnect : General manager may serve notice to property owner requiring the removal of existing connections between the property and public storm water systems and recover costs where notice is not complied with.	Delegation	X		X		20-Jul-20	Minute 109/20
22	S 22(3)	Requirement to disconnect: Where notice has been served, council may recover costs if it is not complied with.	Delegation	X	X	X		20-Jul-20	Minute 109/20
23	S 23(2)(a)	Property owners not to direct stormwater onto neighbouring properties: General manager to issue notice giving property owner creating nuisance 28 days to stop.	Delegation	X		X		20-Jul-20	Minute 109/20
24	S 23(2)(b)	Property owners not to direct stormwater onto neighbouring properties: If a property owner does not comply with a notice under s 23(2)(a) the council can carry out such works that are necessary to rectify the nuisance.	Delegation	X	X			20-Jul-20	Minute 109/20

No.	Provision	Function or Power	Nature	Given by	Given To		Conditions or Restrictions	Decision	Evidence of Authorisation / Delegation
		Description	Appointment, Delegation or Authorisation	Council General Manager	General Manager	Director - Infrastructure	Notes	Date(s) of Delegation / Authorisation	Resolution Number
25	S 23(3)	Property owners not to direct stormwater onto neighbouring properties: Any costs incurred under 23(2)(b) are recoverable in a court of competent jurisdiction.	Delegation	X	X			20-Jul-20	Minute 109/20

This register is maintained in compliance with section 22 (4) of the *Local Government Act 1993* (Tas).

Notes on Delegations

- (1)** A council, in writing, may delegate with or without conditions to the general manager, any of its functions or powers under any Act: s.22 *Local Government Act 1993* (Tas) (subject to restrictions).
- (2)** The general manager, in writing, may delegate to an employee of the council (a) any functions or powers under any Act, other than this power of delegation; and (b) any functions or powers delegated by the council which the council authorised the general manager to delegate: s.64 *Local Government Act 1993* (Tas).
- (3)** If an Act confers a power on a person to delegate a function or power, the person may, in accordance with the Act, delegate the function or power to (a) a person by name; or (b) the holder of a particular office or position by reference to the title of the office or position concerned, whether or not the office or position is vacant at the time of the delegation: s.23AA(1) *Acts Interpretation Act 1931* (Tas).
- (4)** If a function or power is delegated to a particular officer or the holder of a particular office or position (a) the delegation does not cease to have effect merely because the person who was the particular officer or the holder of the particular office or position when the function or power was delegated ceases to be that officer or the holder of that office or position; and (b) the function or power may be performed or exercised by the person for the time being occupying or acting in the office or position concerned: s.23AA(5) *Acts Interpretation Act 1931* (Tas).
- (5)** A function or power that has been delegated may, notwithstanding the delegation, be exercised by the delegator: s.23AA(6) *Acts Interpretation Act 1931* (Tas).

No.	Provision	Function or Power	Nature	Given by	Given to			Conditions or Restrictions	Decision	Evidence of Authorisation / Delegation
		Description	Appointment, Delegation or Authorisation	Council General Manager	General Manager	Director - Corporate Services	Director - Development Services	Notes	Date(s) of Delegation / Authorisation	Resolution Number
1	S 56C (2) (3) (4) (5)	Certain activities prohibited on public streets (i.e. selling goods, or a business, calling, or employment): Permits for this section may be issued by the general manager of the council in which the public street is located (the "relevant council") and any person may apply in writing for such a permit.	Delegation	X		X	X		21-Oct-24 18-Aug-25	Minute 211/24 Minute 159/2025

Miscellaneous Powers and Functions

[Back to CONTENTS](#)

Version: 29 July 2025

DELEGATIONS & AUTHORISATIONS

- * The general manager, in writing, may delegate to an employee of the council (a) any functions or powers under any Act, other than this power of delegation; and (b) any functions or powers delegated by the council which the council authorised the general manager to delegate: s.64 Local Government Act 1993.
- * If an Act confers a power on a person to delegate a function or power, the person may, in accordance with the Act, delegate the function or power to (a) a person by name; or (b) the holder of a particular office or position by reference to the title of the office or position concerned, whether or not the office or position is vacant at the time of the delegation: s.23AA(1) of the Acts Interpretation Act 1931.
- * If a function or power is delegated to a particular officer or the holder of a particular office or position (a) the delegation does not cease to have effect merely because the person who was the particular officer or the holder of the particular office or position when the function or power was delegated ceases to be that officer or the holder of that office or position; and (b) the function or power may be performed or exercised by the person for the time being occupying or acting in the office or position concerned: s.23AA(5) of the Acts Interpretation Act 1931.
- * A function or power that has been delegated may, notwithstanding the delegation, be exercised by the delegator: s.23AA(6) of the Acts Interpretation Act 1931.

No.	Function or Power	Nature	Given by	Given to							Conditions or Restrictions	Decision	Evidence of Authorisation / Delegation	
	Description	Appointment, Delegation or Authorisation	Council	General Manager	General Manager	Director - Development Services	Director - Corporate Services	Director - Infrastructure	Finance Manager	Town Planner	Executive Assistant	Notes	Date(s) of Delegation / Authorisation	Resolution Number
1	To call for and accept quotations, tenders or auction the disposal of surplus or redundant plant, equipment and materials in accordance with Council policies.	Delegation	X	X			X						20-Jul-20 18-Aug-25	Minute 109/20 Minute 159/2025
2	To approve the taking over by the Council of engineering works involved in the development of a subdivision, subject to the certification by the Council’s Engineer that all items and maintenance have been satisfactorily completed and ‘as constructed’ drawings have been received.	Delegation	X	X			X						20-Jul-20	Minute 109/20
3	To institute, defend, abandon, settle or compromise any proceedings before any tribunal for the recovery of debts due to the Council, or to protect, recover, or secure recompense for damage to or loss of any property of the Council.	Delegation	X	X		X		X					20-Jul-20	Minute 109/20
4	To authorise and to institute proceedings for non-compliance with any order or notice lawfully made or given or on behalf of Council, and where such order or notice is not complied with, to authorise the carrying out of the necessary work where the Council has the power to do so.	Delegation	X	X	X		X						20-Jul-20 18-Aug-25	Minute 109/20 Minute 159/2025
5	To issue or publish or cause to be issued or published statements of fact relating to Council’s activities or policies.	Delegation	X	X									20-Jul-20	Minute 109/20
6	To seek legal advice and to complete affidavits on behalf of Council in accordance with Council policies.	Delegation	X	X	X	X	X				X		20-Jul-20 18-Aug-25	Minute 109/20 Minute 159/2025
7	To sign all contracts, leases and agreements on behalf of Council in accordance with Council policies.	Delegation	X	X	X	X	X						20-Jul-20 18-Aug-25	Minute 109/20 Minute 159/2025
8	To authorise the affixing of the Common Seal to any document, including final plans of survey complying with all relevant statutes.	Delegation	X	X	X					X			20-Jul-20 18-Aug-25	Minute 109/20 Minute 159/2025
9	To negotiate and approve leases of Council property where the annual rental is less than \$15,000 exclusive of GST.	Delegation	X	X		X							20-Jul-20 18-Aug-25	Minute 109/20 Minute 159/2025
10	To authorise the carrying out by Council of private works for other parties in accordance with Council policy.	Delegation	X	X			X						20-Jul-20 18-Aug-25	Minute 109/20 Minute 159/2025
11	To authorise the joining in or the contribution by the Council, to the erection or repair of any fence between land of the Council and adjoining land in accordance with the Boundary Fences Act 1908 and in keeping with Council’s budget estimates.	Delegation	X	X	X		X						20-Jul-20 18-Aug-25	Minute 109/20 Minute 159/2025
12	To determine the use of public roads for walk-a-thons, charitable collections or other like events.	Delegation	X	X			X						20-Jul-20	Minute 109/20
13	To authorise the closure of roads or parts thereof temporarily for repairs or construction.	Delegation	X	X			X						20-Jul-20	Minute 109/20

No.	Function or Power	Nature	Given by	Given to							Conditions or Restrictions	Decision	Evidence of Authorisation / Delegation

Procurement Delegation

[Back to CONTENTS](#)

Version: 20 August 2025

If orders are required for the purchase of goods or services above the delegated limit of the person issuing the order it is to be signed by their Supervisor or Manager who has a delegated limit over the cost of the item prior to the order being placed. All orders must state the purchase price and the job number to which it is to be costed. All figures shown are to be taken as exclusive of Goods and Services Tax.

This delegation is issued to the position and the names are listed only to identify the current occupant of the position. The delegation will also apply to persons acting in any of the positions listed whilst the permanent occupant is absent through leave or for any other reason.

As any purchase over \$250,000 (exclusive of GST) requires the calling of tenders, it therefore requires a contract, which must be ordered over the signature of the General Manager.

Procurement Delegation	Name	Position	Signature
\$250,000	Kerry Sacilotto	Director - Infrastructure	
\$50,000	Lauren Tolputt	Director - Corporate Services	
\$50,000	Jayne Miller	Director - Development Services	
\$50,000	Wayne Williams	Project Development Officer	
\$50,000	Daniel Smythe	Civil Works Supervisor	
\$50,000	Craig Wheeler	Town Maintenance Supervisor	
\$50,000	Allison Saunders	Finance Manager	
\$20,000	Peter Carey	Building & Compliance Officer	
\$20,000	Andrew Holmes	Maintenance Coordinator	
\$20,000	Peter Coleborn	Trail Operations Manager	
\$20,000	Jeff Holmes	Waste Management Coordinator	
\$10,000	Bridget Waterhouse	Program Manager	
\$10,000	Malcolm Beattie	Management Accountant	
\$10,000	Stuart Worker	Civil Works Foreman	
\$5,000	Sarah Forsyth	Executive Assistant	
\$5,000	Jane Kilburn	Scottsdale Aquatic Centre Manager	
\$5,000	Nicholas Arnold	Scottsdale Team Leader	
\$5,000	Susan Woolley	Administration Officer - Depot	
\$5,000	Crystal Bowerman	Bridport Team Leader	
\$5,000	Trevor Styles	Derby Team Leader	
\$5,000	Paul Chirichiello	Town Maintenance (Builder)	
\$5,000	Elizabeth Hadley	Community & Development Administration Officer	
\$5,000	Chloe Carey	Trainee Accountant	
\$5,000	Stephanie Hill	Administration Team Leader	
\$5,000	Phil Coleman	Bridport Seaside Caravan Park Manager	

Procurement Delegation	Name	Position	Signature
\$5,000	Jade Hassell	People and Safety Officer	
\$5,000	Shannon Hill	Facilities and Compliance Officer	
\$1,000	Carly Hall	Project Officer	
\$1,000	Tracey Brown	Administration Officer	
\$1,000	Jane France	Finance Support Officer	
\$1,000	Robert Masterman	Environmental Health Officer	
\$1,000	Chris Wicks	Environmental Health Officer	
\$1,000	Madison Loosmore	Development Administration Officer	
\$1,000	Angela Lowe	Administration Officer	
\$1,000	Jeanette (Lou) Barrett	Works & Infrastructure Administration Assistant	
\$1,000	Coralee Freeman	Finance Administration Officer	
\$1,000	Sophie Mills	Customer Service Officer	
\$1,000	Mandy Walters	Customer Service and Rates Officer	
\$1,000	John Petterwood	Construction Team Leader	
\$1,000	Kimberly McGlashan	Customer Service Officer	
\$1,000	Lauren Summers	Customer Service Officer	
\$1,000	Kamala Roberts	Town Planner	