



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

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| 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 |
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| 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 |
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| 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 |
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| 35 | Miscellaneous Powers and Functions | | | 29-July-2025 |
| 36 | Procurement Delegation | Issued by the General Manager | N/A | 20-August-2025 |

Archives Act 1983

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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 | Description | Function or Power | Nature | Given by | Given To | Conditions or Restrictions | Decision | Evidence of Authorisation / Delegation | |
|-----|-------------------------|---|-------------------|--|----------|----------|--|----------|--|-------------------------------|
| | | | | | | | | | Council | General Manager |
| | | | | Appointment, Delegation or Authorisation | | | | | General Manager | Director - Corporate Services |
| 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 | | | | |
| 2 | S.11 | Transfer of State records to Archives office: Council is to transfer state records to archives office. | | Delegation | X | X | | | | |
| 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 | Approve or refuse access to restricted information subject to compliance with the provisions of the Archives Act 1983 and the Right to Information Act 2009. | | 21-Oct-24 | Minute 211/24 |

Building Act 2016

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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).

| No. | Provision | 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 | | | | | | |
| 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 | 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 | X | X | | | 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 | 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 | 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 |

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|-----|-----------|--|------------|----------|----------|----------------------------|-----------|--|
| | | | | | | | | Appointment, Delegation or Authorisation |
| No. | Provision | Description | Nature | Given by | Given to | Conditions or restrictions | Decision | Evidence of Authorisation / Delegation |
| | | | | | | | | Appointment, Delegation or Authorisation |
| 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 | X | X | | 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 | X | | | 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 | X | | | 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 | X | | | 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

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(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).

| No. | Provision | Description | Function or power | Nature | Given by | Given to | Conditions or restrictions | Decision | Evidence of Authorisation / Delegation |
|-----|------------|--|-------------------|--|------------|----------|----------------------------|----------|--|
| | | | | | | | | | Council General Manager 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. | | Appointment, Delegation or Authorisation | 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. | | Appointment, Delegation or Authorisation | 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 1993</i> . | | Appointment, Delegation or Authorisation | Delegation | X | X | | 20-Nov-23 Minute 196/23 |
| 4 | r.53 | Riverine inundation: Assessment of land as having a reasonable probability of flooding. | | Appointment, Delegation or Authorisation | 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 1993</i> . | | Appointment, Delegation or Authorisation | Delegation | X | X | | 20-Nov-23 Minute 196/23 |

Burial and Cremation Act 2019

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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 | Description | 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 | | | |
| | | | | | | | | | | Notes | Date(s) of Delegation / Authorisation | Resolution Number |
| 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. | | Appointment, Delegation or Authorisation | 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 interment 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 interment 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 | Description | Nature | Given by | Given to | | | Conditions or restrictions | Decision | Evidence of Authorisation / Delegation |
|-------|-----------|---|------------|----------|----------|-----------------|---------------------------------|----------------------------|-----------|--|
| | | | | | Council | General Manager | Director - Development Services | | | |
| Notes | | | | | | | | | | |
| 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 |
|-----|-----------|--|--|----------|----------|-----------------|---------------------------------|----------------------------|---------------------------------------|--|
| | | | | | Council | General Manager | Director - Development Services | | | |
| | | Description | Appointment, Delegation or Authorisation | | | | | Notes | Date(s) of Delegation / Authorisation | Resolution Number |
| 18 | 41(2) | Exclusive right of burial: Grant an exclusive right of burial. Note: The cemetery manager must issue a certificate of exclusive right under the <i>Burial and Cremation Regulations 2015</i> R37. | Delegation | X | X | | | | 20-Jul-20 | Minute 109/20 |
| 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 give 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 | Description | Nature | Given by | Given to | | | Conditions or restrictions | Decision | Evidence of Authorisation / Delegation |
|-----|-----------|---|------------|----------|----------|-----------------|---------------------------------|----------------------------|---------------------------------------|--|
| | | | | | Council | General Manager | Director - Development Services | | | |
| | | | | | | | | Notes | Date(s) of Delegation / Authorisation | Resolution Number |
| 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

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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 |
|-----|-----------|--|--|----------|----------|---|-----------|---|
| | | | | | | | | Council General Manager General Manager Notes Date(s) of Delegation / Authorisation Resolution Number |
| 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. | Appointment, Delegation or Authorisation | 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

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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 | Description | Function or power | Nature | Given by | Given to | Conditions or restrictions | Decision | Evidence of Authorisation / Delegation |
|-----|------------|--|-------------------|--|----------|----------|---|----------|--|
| | | | | | | | | | Council General Manager Director - Development Services Notes Date(s) of Delegation / Authorisation Resolution Number |
| 1 | <u>8A</u> | 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). | | Appointment, Delegation or Authorisation | | | | | |
| 2 | <u>16B</u> | 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 | <u>16C</u> | 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 | <u>16D</u> | 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 | <u>19</u> | 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 |

| No. | Provision | Description | Function or power | Nature | Given by | Given to | Conditions or restrictions | Decision | Evidence of Authorisation / Delegation | | | | |
|-----|-----------|--|-------------------|--|----------|----------|----------------------------|----------|--|-----------------|---------------------------------|---------------|---------------------------------------|
| | | | | | | | | | Council | General Manager | Director - Development Services | Notes | Date(s) of Delegation / Authorisation |
| 6 | 20 | 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). | | Appointment, Delegation or Authorisation | | | | | | | | | |
| 7 | 21 | 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 | 21A | 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 | 31 | 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

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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.

| No. | Provision | Function or power | Nature | Given by | Given to | Conditions or restrictions | Decision | Evidence of Authorisation / Delegation | | | |
|-----|---------------|--|------------|----------|----------|---|----------|--|-----------------|-------------------------------|---------------------------------------|
| | | | | | | | | Council | General Manager | Director - Corporate Services | Date(s) of Delegation / Authorisation |
| | | Description | | | | Notes | | | | | |
| 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. | | | X | "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 | | |

| No. | Provision | Description | Function or power | | Nature | Given by | Given to | Conditions or restrictions | | Decision | Evidence of Authorisation / Delegation |
|-----|------------|---|--|---------|--------|----------|----------|--|-------|-----------|--|
| | | | Appointment, Delegation or Authorisation | Council | | | | Director - Corporate Services | Notes | | |
| 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: <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 | | 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 |

Dog Control Act 2000

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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 | Description | Function or power | | Nature | Given by | Given to | Conditions or restrictions | Decision | Evidence of Authorisation / Delegation |
|-----|-----------|--|--|---|--------|----------|----------|----------------------------|-----------|--|
| | | | Appointment, Delegation or Authorisation | | | | | | | |
| 1 | 7 | 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 | Description | Nature | Given by | Given to | Conditions or restrictions | Decision | Evidence of Authorisation / Delegation |
|-----|-----------|---|------------|----------|----------|----------------------------|-----------|--|
| | | | | | | | | Council General Manager Director - Development Services Animal Management Officer Notes Date(s) of Delegation / Authorisation Resolution Number |
| 3 | 10(1) | Registration disc: On the registration of a dog, the general manager is to – (a) allocate a registration number to the dog; and (b) issue to the owner a disc or tag clearly and durably marked with - (i) the name of the council; and (ii) the registration number of the dog; and (iii) the expiry date of registration | Delegation | X | X X | | 20-Jul-20 | Minute 109/20 |
| 4 | 12(2) | Cancellation of registration: Power of cancellation of registration. | Delegation | X | X X | | 20-Jul-20 | Minute 109/20 |
| 5 | 15(1) | Register: A general manager is to keep a register in respect of registered dogs | Delegation | X | X X | | 20-Jul-20 | Minute 109/20 |
| 6 | 15(4) | Register: A general manager may amend or cancel any item in the register in order to maintain the register. | Delegation | X | X X | | 20-Jul-20 | Minute 109/20 |
| 7 | 15A(3) | Implanting of microchips: Implanting of microchips on seized dogs | Delegation | X | X X | | 20-Jul-20 | Minute 109/20 |
| 8 | 19AA(2) | Collection and analysis of a sample from a dog: A general manager who receives a request under subsection 19(1) in relation to a dog may authorise – (a) an approved person to collect a non-intimate sample from the dog; or (b) a veterinary surgeon to collect an intimate or non-intimate sample from the dog. | Delegation | X | | | 20-Jul-20 | Minute 109/20 |
| 9 | 19AA(5) | Collection and analysis of a sample from a dog: A general manager may authorise a qualified person to conduct analysis of a sample that has been collected in accordance with subsection (2) . | Delegation | X | | | 20-Jul-20 | Minute 109/20 |
| 10 | 19A(2) | Subsequent attack by dangerous dog: The general manager may destroy a dog seized and detained under subsection (1) . | Delegation | X | X X | | 20-Jul-20 | Minute 109/20 |
| 11 | 19A(3) | Subsequent attack by dangerous dog: The general manager, by notice in writing served on the owner of the dog, is to notify the owner of the general manager's decision to destroy the dog. | Delegation | X | X X | | 20-Jul-20 | Minute 109/20 |
| 12 | 19AC(3) | Collection and analysis of a sample from a dog: A general manager who receives a request under subsection 19AC(2) in relation to a dog may authorise a veterinary surgeon to collect an intimate or non-intimate sample from the dog. | Delegation | X | | | 20-Jul-20 | Minute 109/20 |
| 13 | 20 | Exercise areas: A council may declare an area to be an area where dogs may be exercised subject to any conditions specified in the declaration. | Delegation | X | | | 20-Jul-20 | Minute 109/20 |
| 14 | 21 | Training areas: A council may declare an area to be an area where dogs may be trained subject to any conditions specified in the declaration | Delegation | X | | | 20-Jul-20 | Minute 109/20 |
| 15 | 22 | Prohibited areas: A council may declare an area containing sensitive habitat for native wildlife to be an area where dogs are prohibited from entering. | Delegation | X | | | 20-Jul-20 | Minute 109/20 |

| No. | Provision | Description | Nature | Given by | Given to | Conditions or restrictions | Decision | Evidence of Authorisation / Delegation |
|-----|---------------|--|------------|----------|----------|----------------------------|-----------|--|
| | | | | | | | | Council General Manager Director - Development Services Animal Management Officer Notes Date(s) of Delegation / Authorisation Resolution Number |
| 16 | <u>23</u> | 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 | <u>24</u> | Public notice of intention to declare areas | Delegation | X | | | 20-Jul-20 | Minute 109/20 |
| 18 | <u>25</u> | Date and period of declaration | Delegation | X | | | 20-Jul-20 | Minute 109/20 |
| 19 | <u>26</u> | Review of declaration | Delegation | X | | | 20-Jul-20 | Minute 109/20 |
| 20 | <u>27</u> | 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 | <u>29</u> | Declaration of particular dangerous dog | Delegation | X | | | 20-Jul-20 | Minute 109/20 |
| 22 | <u>30</u> | 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 | <u>30</u> | 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 | <u>30</u> | 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 | <u>32A(3)</u> | 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 | <u>34</u> | 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 | <u>34A</u> | Application for approval to transfer ownership of dangerous dog or restricted breed dog | Delegation | X | | | 20-Jul-20 | Minute 109/20 |
| 28 | <u>34B</u> | Offence to transfer ownership of dangerous dog or restricted breed dog without approval | Delegation | X | | | 20-Jul-20 | Minute 109/20 |
| 29 | <u>35(2)</u> | 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 | <u>35(3)</u> | 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 | Description | Nature | Given by | Given to | Conditions or restrictions | Decision | Evidence of Authorisation / Delegation | |
|-----|-----------|---|------------|----------|----------|----------------------------|----------|--|---------------|
| | | | | | | | | Appointment, Delegation or Authorisation | |
| | | | | | | | | Council General Manager | |
| | | | | | | | | Director - Development Services | |
| | | | | | | | | Animal Management Officer | |
| 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 | Description | Nature | Given by | Given to | Conditions or restrictions | Decision | Evidence of Authorisation / Delegation |
|-----|--------------|--|--|----------|-----------------|---------------------------------|---------------------------|--|
| | | | | | | | | |
| | | Function or power | 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 | |
| 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 | |
| 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 | |
| 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 | |
| 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 | | | | |
| 46 | 49A | Abatement notices | Delegation | X | | X | X | |
| 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 | | | | |
| 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 | | | | |
| 49 | 52 | Objections to licence | Delegation | X | | | | |
| 50 | 54 | Refusing application | Delegation | X | | X | X | |
| 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 | |
| 52 | 55(2) | Granting application: The general manager may issue a licence that has been granted specifying certain matters | Delegation | X | | | | |
| 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 | |
| 54 | 58(1) | Cancellation of licence: The general manager may cancel a licence in certain circumstances | Delegation | X | | | | |
| 55 | 58(2) | Cancellation of licence: The general manager must give notice and consider representations prior to cancelling a licence | Delegation | X | | | | |
| 56 | 73(6) | Entering land: Giving of notice of entering of land and seizure of dog. | Delegation | X | | X | X | |
| 57 | 75 | Use of tranquiliser devices | Delegation | X | | X | X | |
| 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 | | | | |
| 59 | 81 | Payment by instalments | Delegation | X | | | | |

| No. | Provision | Description | Function or power | | Nature | Given by | Given to | Conditions or restrictions | Decision | Evidence of Authorisation / Delegation |
|-----|-----------|--|--|-------------------------|--------|----------|----------|----------------------------|---------------------------------------|--|
| | | | Appointment, Delegation or Authorisation | Council General Manager | | | | | | |
| | | | | | | | | | | |
| 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 | | | | Notes | Date(s) of Delegation / Authorisation | Resolution Number |
| | | | | | | | | | 20-Jul-20 | Minute 109/20 |

Emergency Management Act 2006

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Legislation Version: 6 May 2020

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 | Description | Nature | Given by | Given to | | Conditions or Restrictions | Decision | Evidence of Authorisation / Delegation |
|-----|------------------------|--|------------|----------|----------|-----------------|----------------------------|--|---|
| | | | | | Council | General Manager | Municipal Coordinator | | |
| 1 | <u>21(2)</u> | 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 | <u>23(2), (7), (8)</u> | 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 | <u>24G(2)</u> | 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 | <u>46</u> | 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 | <u>47</u> | 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 | <u>48</u> | 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 | <u>49</u> | 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 | <u>50</u> | 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 | <u>Schedule 2</u> | 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 |

Environmental Management and Pollution Control Act 1994

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Legislation Version: 14 December 2022

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 | Description | Function or Power | Nature | Given by | Given To | | | Conditions or Restrictions | Decision | Evidence of Authorisation / Delegation |
|---------------|---|-------------------|--|----------|----------|-----------------|---------------------------------|----------------------------|-----------|--|
| | | | | | Council | General Manager | Director - Development Services | | | |
| 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. | | Appointment, Delegation or Authorisation | 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 | | | | 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 | | 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 | | | | Nil | 20-Jul-20 | Minute 109/20 |

| No. | Provision | Description | 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 | | |
| 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. | Appointment, Delegation or Authorisation | 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 | Description | 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 | | |
| Notes | Date(s) of Delegation / Authorisation | Resolution Number | | | | | | | | | |
| 18 | Sec 47 (3) (4) | Action on non-compliance with environment protection notice: The reasonable costs and expenses incurred by the Director or a council in taking action under this section may be recovered by the Director or the council as a debt from the person who failed to comply with the requirements of the environment protection notice. Where an amount is recoverable from a person under this section, the Director or the council may, by notice in writing to the person, fix a period, being not less than 28 days from the date of the notice, within which the amount must be paid by the person. | Appointment, Delegation or Authorisation | Delegation | X | X | X | | Nil | 20-Jul-20 | Minute 109/20 |
| 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 | 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. | Delegation | Delegation | 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. | Delegation | Delegation | 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 | 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 | 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 | Delegation | X | | X | X | | 20-Jul-20 | Minute 109/20 |

| No. | Provision | Description | Function or Power | Nature | Given by | Given To | | | Conditions or Restrictions | Decision | Evidence of Authorisation / Delegation | |
|-----|-------------------------|---|-------------------|--------|----------|--|-------------------------|-----------------|---------------------------------|------------------------------|--|-------------------|
| | | | | | | Appointment, Delegation or Authorisation | Council General Manager | General Manager | Director - Development Services | Environmental Health Officer | | |
| | | | | | | | | | | | | |
| 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 | | | | Notes | Date(s) of Delegation / Authorisation | Resolution Number |
| | | | | | | | | | | | 20-Jul-20 | Minute 109/20 |

Food Act 2003

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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 | Description | Nature | Given by | Given To | | Conditions or Restrictions | Decision | Evidence of Authorisation / Delegation |
|-----|------------------|---|-------------|----------|----------|-----------------|---------------------------------|-------------------------------|--|
| | | | | | Council | General Manager | Director - Development Services | Environmental Health Officer | |
| 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 | |
|-----|------------------------|---|------------|----------|----------|-----------------|---------------------------------|------------------------------|--|-------------------|
| | | | | | 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 its 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 | Description | Nature | Given by | Given To | | Conditions or Restrictions | Decision | Evidence of Authorisation / Delegation | | |
|-----|-------------|--|------------|--|----------|-----------------|---------------------------------|------------------------------|--|---------------------------------------|-------------------|
| | | | | | Council | General Manager | Director - Development Services | Environmental Health Officer | | | |
| 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 | Appointment, Delegation or Authorisation | X | X | X | Nil | Notes | Date(s) of Delegation / Authorisation | Resolution Number |

Heavy Vehicle National Law (Tasmania) Act 2013

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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 | Description | Nature | Given by | Given to | Conditions or restrictions | Decision | Evidence of Authorisation / Delegation | | |
|-----|-----------|--|------------|----------|----------|--|----------|--|---------------------------------------|-------------------|
| | | | | | | | | Notes | Date(s) of Delegation / Authorisation | Resolution Number |
| 1 | 16(b) | ROAD MANAGER | | | | | | | 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 | 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 | 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 | | | | 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 | 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 | | | | 20-Jul-20 | Minute 109/20 |

| No. | Provision | Function or power | Nature | Given by | Given to | Conditions or restrictions | Decision | Evidence of Authorisation / Delegation | |
|----------------------|--|-------------------|--------|----------|----------|---|-----------|--|-------------------|
| | | | | | | | | Date(s) of Delegation / Authorisation | Resolution Number |
| Description | Appointment, Delegation or Authorisation | | | | | Notes | | | |
| 13 <u>161(2)</u> | 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 | |
| 14 <u>162(2)</u> | Requesting specified vehicle condition(s) be imposed on the mass or dimension authority | Delegation | X | X | X | | 20-Jul-20 | Minute 109/20 | |
| 15 <u>167(2)(b)</u> | 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 | X | | 20-Jul-20 | Minute 109/20 | |
| 16 <u>169</u> | Giving consent to the grant of a mass or dimension authority for a trial period or no more than 3 months | Delegation | X | X | X | | 20-Jul-20 | Minute 109/20 | |
| 17 <u>170</u> | Provide the Regulator with a written objection to a renewal of a mass or dimension authority | Delegation | X | X | | | 20-Jul-20 | Minute 109/20 | |
| 18 <u>174(2)</u> | 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 | X | | 20-Jul-20 | Minute 109/20 | |
| 19 <u>176 (4)(c)</u> | Provide consent to an amendment of a permit for a mass or dimension authority | Delegation | X | X | | | 20-Jul-20 | Minute 109/20 | |
| 20 <u>178(2)</u> | 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 | X | | 20-Jul-20 | Minute 109/20 | |
| 21 <u>645</u> | Decide a review of a reviewable decision under the Act | Delegation | X | X | | | 20-Jul-20 | Minute 109/20 | |

Land Acquisition Act 1993

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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

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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 | Description | Function or Power | Nature | Given by | Given To | | | Conditions or Restrictions | Decision | Evidence of Authorisation / Delegation | |
|-----|------------------------|---|--|------------|----------|----------|-----------------|---------------------------------|-------------------------------|----------------------------|--|-------------------|
| | | | | | | Council | 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. | Appointment, Delegation or Authorisation | 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. | Appointment, Delegation or Authorisation | Delegation | X | X | X | | | | 20-Nov-23 | Minute 196/23 |

Land Use Planning and Approvals Act 1993

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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 | |
|-------------|-------------------|---|--|------------------------------------|-----------------|----------------------------|-------------------------------------|--|--|
| | | | | | | | | Council (as the Planning Authority) | |
| Description | | | | | | | | General Manager | |
| 4 | Part 3A Generally | In accordance with a decision of the planning authority (or a requirement of the Minister) to - a) prepare a draft LPS under s35; b) indicate its views and opinions in relation to each representation received on a draft LPS; c) indicate its satisfaction that a draft LPS meets the criteria in s34; d) make recommendations in relation to how a draft LPS should be determined in accordance with s35F; and e) conduct and respond on a review of the LPS | Appointment, Delegation or Authorisation | Delegation & authority to delegate | X | General Manager | Notes | 16-Jul-18 20-Jul-20 17-May-21 | Minute 128/18 Minute 109/20 Minute 80/21 |
| | Continued | The following functions and powers of the planning authority are delegated – a) prepare the required documentation for a draft LPS; b) submit the draft LPS to the Tasmanian Planning Commission (TPC) under s35(1); c) make any modifications to the draft LPS which may be instructed by the TPC under s35(5)(b); d) give notice under s35C of the exhibition of a draft LPS, including for any instruction issued by the TPC under s35B; e) undertake exhibition of the draft LPS in accordance with s35D. | | | | | | 16-Jul-18 20-Jul-20 17-May-21 | Minute 128/18 Minute 109/20 Minute 80/21 |
| | Continued | f) provide a report to the TPC pursuant to s35F; g) prepare and submit any modifications required by the TPC to a draft LPS in accordance with s35K; h) give notice in accordance with s35M(2) of the approval of the LPS; i) provide a report to the TPC on the outcomes of a review of the LPS conducted by the planning authority in accordance with s35O, including provide notice of the review and receive comments from the public pursuant to s35P | | | | | | 16-Jul-18 20-Jul-20 17-May-21 | Minute 128/18 Minute 109/20 Minute 80/21 |
| 5 | Division 7 | Special local provisions schedules | 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 3B | | AMENDMENT OF THE LPS | | | | | | | |
| | General | In accordance with a decision of the planning authority in relation to – a) preparation of a draft amendment to the LPS under s38 or 40D; b) preparation of a draft amendment under s38 and a draft permit under s40Y; and c) its views and opinions in relation to each representation received on a draft LPS and on any draft permit; d) its satisfaction that the draft LPS meets the criteria in s34; and e) recommendations in relation to how the draft LPS should be determined in accordance with s35F. | Delegation & authority to delegate | X | General Manager | Notes | 16-Jul-18 20-Jul-20 17-May-21 | Minute 128/18 Minute 109/20 Minute 80/21 | |
| | Continued | The following functions and powers of the planning authority are delegated – a) give notice in accordance with s38(3) of a decision in relation to a request to initiate a draft amendment to the LPS; b) give notice in accordance with s40W of a decision under 40Y in relation to a request to consider a permit in combination with a request to initiate a draft amendment to the LPS; c) request additional information under s40 and s40U; d) provide any material requested by the TPC in accordance with s40A, 40B, or 40V; e) prepare the draft LPS amendment documents; f) certify a draft amendment to the LPS in accordance with s40F; | | | | | 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 | | |
|---|------------------|---|--|----------|-----------------|-----------------|---------------------------------|----------------------------|---------------------------|--|--|---|
| | | | | | Council | General Manager | Notes | | | | | |
| 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; | Appointment, Delegation or Authorisation Delegation & authority to delegate | X | General Manager | General Manager | Director - Development Services | Town Planner | Director - Infrastructure | Notes | Date(s) of Delegation / Authorisation 16-Jul-18 20-Jul-20 17-May-21 | Resolution Number Minute 128/18 Minute 109/20 Minute 80/21 |
| | | | | | | | | | | | | |
| 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.35E | 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 | | | |
|-----|-------------------------|---|--|----------|-----------------|---------------------------------|--------------|--|---|--|---|
| | | | | | | | | Council (as the Planning Authority) | | | |
| | | Description | Appointment, Delegation or Authorisation | Council | 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 | | | |
|-----|-----------------|---|--|------------|----------|----------------------------|----------|--|---------------------------------------|--|---------------------------|
| | | | | | | | | Council (as the Planning Authority) | | | |
| | | | | | | | | General Manager | Director - Development Services | Town Planner | Director - Infrastructure |
| | | | | | | | | Notes | Date(s) of Delegation / Authorisation | Resolution Number | |
| 22 | <u>S.43(7)</u> | 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. | Appointment, Delegation or Authorisation | Delegation | X | X | X | | 16-Jul-18 20-Jul-20 17-May-21 | Minute 128/18 Minute 109/20 Minute 80/21 | |
| 23 | <u>S.43(9)</u> | 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. | Appointment, Delegation or Authorisation | Delegation | X | X | X | | 16-Jul-18 20-Jul-20 17-May-21 | Minute 128/18 Minute 109/20 Minute 80/21 | |
| 24 | <u>S.43(10)</u> | 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. | Appointment, Delegation or Authorisation | 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. | Appointment, Delegation or Authorisation | Delegation | X | X | X | | 16-Jul-18 20-Jul-20 17-May-21 | Minute 128/18 Minute 109/20 Minute 80/21 | |
| 26 | <u>S.48A</u> | Notice to remove signs | Appointment, Delegation or Authorisation | Delegation | X | X | X | | 16-Jul-18 20-Jul-20 17-May-21 | Minute 128/18 Minute 109/20 Minute 80/21 | |
| 27 | <u>S.51</u> | 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. | Appointment, Delegation or Authorisation | Delegation | X | X | X | | 16-Jul-18 20-Jul-20 17-May-21 | Minute 128/18 Minute 109/20 Minute 80/21 | |
| 28 | <u>s.51A</u> | 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. | Appointment, Delegation or Authorisation | | 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 | | | | |
|--|-----------------------------|--|--|------------|-----------------|---------------------------------|----------------------------|---|---|-------------------------------------|--|-------------------------------------|--|
| | | | | | General Manager | Director - Development Services | Town Planner | Director - Infrastructure | | | | | |
| Description | | | | | | | | | | | | | |
| 29 | S.52(1B) | What if applicant is not the owner? : If land in respect of which an application for a permit is required is Crown land, is owned by a council or is administered or owned by the Crown or a council and a planning scheme does not provide otherwise, the application must – (a) be signed by the Minister of the Crown responsible for the administration of the land or by the general manager of the council; and (b) be accompanied by the written permission of that Minister or general manager to the making of the application. | Appointment, Delegation or Authorisation | Delegation | X | X | X | X | GM may delegate to a Council employee pursuant to s. 52(1G) | | 16-Jul-18 20-Jul-20 17-May-21 | | |
| 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 | | | 16-Jul-18 20-Jul-20 17-May-21 18-Aug-25 | | |
| 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 | | | 16-Jul-18 20-Jul-20 17-May-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 | | | 16-Jul-18 20-Jul-20 17-May-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 | | | 16-Jul-18 20-Jul-20 17-May-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 | | | | | | | | | 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 | | |

| No. | Provision | Function or Power | Nature | Given By | Given To | Conditions or Restrictions | Decision | Evidence of Authorisation / Delegation | | | | |
|-------------|---------------|---|------------|-----------------|-----------------|---------------------------------|--------------|--|--|--|--|---|
| | | | | | | | | Council (as the Planning Authority) | | | | |
| Description | | Appointment, Delegation or Authorisation | Council | General Manager | 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 | | | | 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 | | | | 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 | | | 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 | | | | 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 |
|-----|-------------|---|------------|-----------------|---------------------------------|----------------------------|---|--|
| | | | | | | | | |
| | | | | General Manager | Director - Development Services | Town Planner | Director - Infrastructure | Notes |
| | | | | | | | | Date(s) of Delegation / Authorisation |
| | | | | | | | | Resolution Number |
| 41 | S.57A | Mediation | Delegation | X | X | X | | 16-Jul-18 20-Jul-20 17-May-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 | X | 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 |
| 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 | X | X | | 16-Jul-18 20-Jul-20 17-May-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 |
| 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 |
| 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 |
| 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 |
| 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 |
| 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 |
| 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 |
| 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 |

| No. | Provision | Function or Power | Nature | Given By | Given To | Conditions or Restrictions | Decision | Evidence of Authorisation / Delegation |
|-------------|------------------------------|---|--|------------|----------|----------------------------|---|--|
| | | | | | | | | Date(s) of Delegation / Authorisation |
| Description | | | | | | | | 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. | Appointment, Delegation or Authorisation | Delegation | X | | | 16-Jul-18 20-Jul-20 17-May-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 |
| 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 |
| 55 | S.61 | Appeals against planning decisions | Delegation | X | X | X | | 16-Jul-18 20-Jul-20 17-May-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 |
| 57 | S.63A | Enforcing compliance with planning schemes | Delegation | X | | | | 16-Jul-18 20-Jul-20 17-May-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 | | 16-Jul-18 20-Jul-20 17-May-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 | Council to be advised at the next Ordinary Council Meeting. | 16-Jul-18 20-Jul-20 17-May-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 |
| 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 |

| No. | Provision | Function or Power | Nature | Given By | Given To | Conditions or Restrictions | Decision | Evidence of Authorisation / Delegation |
|--------------------------|---------------------|---|--|---------------------------------------|----------|----------------------------|-------------------------------------|--|
| | | | | | | | | |
| Description | | Notes | | Date(s) of Delegation / Authorisation | | Resolution Number | | |
| 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. | Appointment, Delegation or Authorisation | 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 | | | | | |
| 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 |
| 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 | X | 16-Jul-18 20-Jul-20 17-May-21 |
| 66 | S.75 | Amendment of agreements | Delegation | X | X | X | X | 16-Jul-18 20-Jul-20 17-May-21 |
| 67 | S.76 | Agreement to be lodged with Commission | Delegation | | X | X | X | 16-Jul-18 20-Jul-20 17-May-21 |
| 68 | S.78 | Registration of agreements, &c. | Delegation | X | X | X | X | 16-Jul-18 20-Jul-20 17-May-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 | 16-Jul-18 20-Jul-20 17-May-21 |

Land Use Planning and Approvals Regulations 2024

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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).

| No. | Provision | Description | Function or Power | Nature | Given by | Given to | Conditions or restrictions | Decision | Evidence of Authorisation / Delegation |
|-----|-----------|---|--|-------------------------------------|----------|-----------------|----------------------------|---------------------------------------|--|
| | | | Appointment, Delegation or Authorisation | Council (as the Planning Authority) | 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 |

Litter Act 2007

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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 |
|-------------|--|---|---------------|----------|----------|-----------------|-------------|------------------|---|---------------------------------------|--|
| | | | | | Council | General Manager | Peter Carey | Robert Masterman | Chris Wicks | | |
| Description | Appointment, Delegation or Authorisation | | | | | | | | Notes | Date(s) of Delegation / Authorisation | Resolution Number |
| 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 |

Local Government Act 1993

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Legislation Version: 1 July 2025

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 | Description | Nature | Given by | Given To | | | | | | | Conditions or Restrictions | Decision | Evidence of Authorisation / Delegation | | |
|-----|------------------------|---|---------------|----------|----------|-----------------|-----------------|---------------------------|---------------------------------|-------------------------------|-----------------|----------------------------|------------------------------|--|-----------|-----------------|
| | | | | | Council | General Manager | General Manager | Director - Infrastructure | Director - Development Services | Director - Corporate Services | Finance Manager | Animal Management Officer | Environmental Health Officer | | | |
| 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 | Description | Nature | Given by | Given To | | | | | | | Conditions or Restrictions | Decision | Evidence of Authorisation / Delegation | | |
|-------|-----------|---|------------|----------|----------|-----------------|-----------------|---------------------------|---------------------------------|-------------------------------|-----------------|----------------------------|--|--|----------------------------------|---------------|
| | | | | | 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 | 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 | 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 | X | | | | | | | | | | 20-Jul-20 | Minute 109/20 |
| 14 | S.75 | Investments: A council may invest any money. | Delegation | X | 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 | 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 | 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 | |
|-----|---------------|--|---------------|----------|----------|-----------------|---------------------------|---------------------------------|-------------------------------|-----------------|---------------------------|----------------------------|---|--|--|
| | | | | | Council | General Manager | Director - Infrastructure | Director - Development Services | Director - Corporate Services | Finance Manager | Animal Management Officer | | | | |
| | | | | | | | | | | | | | | | |
| 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 | X | | | | Authorise any operation of Council's bank accounts, including the power to determine signatories for the release of funds by way of cheque, electronic funds transfer, etc. | 20-Jul-20 18-Aug-25 | Minute 109/20 Minute 159/2025 |
| 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 | | |
|-----|---------------------|---|------------|----------|----------|-----------------|---------------------------|---------------------------------|-------------------------------|-----------------|----------------------------|------------------------------|--|---------------------------------------|----------------------------------|
| | | | | | Council | General Manager | Director - Infrastructure | Director - Development Services | Director - Corporate Services | Finance Manager | Animal Management Officer | Environmental Health Officer | | | |
| | | | | | | | | | | | | | | | |
| 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 | | | | | | | | Notes | Date(s) of Delegation / Authorisation | Resolution Number |
| 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 | | | | | | | | | 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 | | | | | 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 | | | | | | | | | 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 | | | | | | | | 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 | | | | | | | | | 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 | | | | | | | | 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 | | | | | | | | | 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 | | | | | | | | | 20-Jul-20 | Minute 109/20 |

| No. | Provision | Description | Nature | Given by | Given To | | | | | | Conditions or Restrictions | Decision | Evidence of Authorisation / Delegation | | |
|-----|-----------|---|------------|----------|----------|-----------------|---------------------------|---------------------------------|-------------------------------|-----------------|----------------------------|------------------------------|--|------------------------|----------------------------------|
| | | | | | Council | General Manager | Director - Infrastructure | Director - Development Services | Director - Corporate Services | Finance Manager | Animal Management Officer | Environmental Health Officer | | | |
| 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 | Description | Nature | Given by | Given To | | | | | | Conditions or Restrictions | Decision | Evidence of Authorisation / Delegation | |
|-----|-----------|---|------------|----------|-----------------|---------------------------|---------------------------------|---------------------------------|-------------------------------|---------------------------|------------------------------|--|--|-------------------|
| | | | | | Council | General Manager | Director - Infrastructure | Director - Development Services | Director - Corporate Services | Finance Manager | Animal Management Officer | Environmental Health Officer | | |
| No. | Provision | Function or Power | Nature | Given by | 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 |
| 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 | Description | Nature | Given by | Given To | | | | | | | Conditions or Restrictions | Decision | Evidence of Authorisation / Delegation | |
|-----|---------------|--|------------|----------|----------|-----------------|---------------------------|---------------------------------|-------------------------------|-----------------|---------------------------|------------------------------|----------|--|---------------|
| | | | | | Council | General Manager | Director - Infrastructure | Director - Development Services | Director - Corporate Services | Finance Manager | Animal Management Officer | Environmental Health Officer | | | |
| 53 | <u>S.339G</u> | 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 | <u>S.344</u> | Rounding off rates, &c. | Delegation | X | | | | | | | | | Nil | 20-Jul-20 | Minute 109/20 |

Local Government (Building and Miscellaneous Provisions) Act 1993

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Legislation Version: 1 December 2022

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 | Description | Nature | Given by | Given To | | Conditions or Restrictions | Decision | Evidence of Authorisation / Delegation | |
|-----|----------------------|--|------------|----------|----------|-----------------|---------------------------------|---|--|---------------|
| | | | | | Council | General Manager | Director - Development Services | Town Planner | | |
| 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 | 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 | X | | Nil | 20-Jul-20 | Minute 109/20 |

| No. | Provision | Description | Nature | Given by | Given To | | | Conditions or Restrictions | Decision | Evidence of Authorisation / Delegation |
|-----|-----------|---|--|----------|----------|-----------------|---------------------------------|--|---------------------------------------|--|
| | | | | | Council | General Manager | Director - Development Services | | | |
| | | | Appointment, Delegation or Authorisation | | | | | Notes | Date(s) of Delegation / Authorisation | Resolution Number |
| 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 | 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 |
|-----|-----------|--|--|----------|----------|-----------------|---------------------------------|--|---------------------------------------|--|
| | | | | | Council | General Manager | Director - Development Services | | | |
| | | Description | Appointment, Delegation or Authorisation | | | | | 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 |
|-----|-----------|---|--|----------|----------|-----------------|---------------------------------|--|---------------------------------------|--|
| | | | | | Council | General Manager | Director - Development Services | | | |
| | | Description | Appointment, Delegation or Authorisation | | | | | 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 | | 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 |
|-----|---------------|--|--|----------|----------|-----------------|---------------------------------|----------------------------|---------------------------------------|--|
| | | | | | Council | General Manager | Director - Development Services | | | |
| | | Description | Appointment, Delegation or Authorisation | | | | | Notes | Date(s) of Delegation / Authorisation | Resolution Number |
| 24 | <u>241(1)</u> | 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 | <u>243</u> | 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 | <u>S.244</u> | 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 | <u>S.246</u> | 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 | <u>S.247</u> | Removal of advertising hoardings: Council may issue or refuse a licence to any person. | Delegation | X | X | | | Nil | 20-Jul-20 | Minute 109/20 |

Local Government (General) Regulations 2025

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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.

| No. | Provision | Description | Function or Power | Nature | Given by | Given To | | Conditions or Restrictions | Decision | Evidence of Authorisation / Delegation |
|-----|-------------------|---|--|------------|----------|----------|-----------------|----------------------------|-----------|--|
| | | | | | | Council | General Manager | Director - Infrastructure | | |
| | | | | | | | | | | |
| 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. | Appointment, Delegation or Authorisation | 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. | Appointment, Delegation or Authorisation | 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. | Appointment, Delegation or Authorisation | 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. | Appointment, Delegation or Authorisation | 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. | Appointment, Delegation or Authorisation | Delegation | X | | | | 18-Aug-25 | Minute 159/2025 |

Local Government (Highways) Act 1982

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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.

| No. | Provision | Function or Power | Nature | Given by | Given To | Conditions or Restrictions | | | Decision | Evidence of Authorisation / Delegation |
|-----|-----------|---|------------|----------|----------|---|-----------------|---------------------------|-----------|--|
| | | | | | | Council | General Manager | Director - Infrastructure | | |
| 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 | | | |
|-----|-----------|--|--|----------|----------|----------------------------|--|--|-----------------|---------------------------|---------------------------------------|
| | | | | | | | | Council | General Manager | Director - Infrastructure | Date(s) of Delegation / Authorisation |
| | | Description | Appointment, Delegation or Authorisation | | | Notes | | | | | |
| 10 | S.20 | Closure of parts of local highways for sale of goods, &c. | Delegation | | 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 |
|-------------|-------------------------------|--|---------------|----------|----------|----------------------------|-------------------------------|---------------------------|-----------|--|
| | | | | | | Council | General Manager | Director - Infrastructure | | |
| Description | | Appointment, Delegation or Authorisation | | | | | | | | Date(s) of Delegation / Authorisation |
| No. | Provision | Description | Nature | Given by | Given To | | | | | 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 | |
|-------------|-----------|---|------------|----------|----------|--------------------------------------|----------|--|-------------------|
| | | | | | | | | Date(s) of Delegation / Authorisation | Resolution Number |
| Description | | Notes | | | | | | | |
| | | | | | | | | | |
| 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 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 |
|-------------|-----------|--|------------|----------|----------|----------------------------|---|---------------------------|-----------|--|
| | | | | | | Council | General Manager | Director - Infrastructure | | |
| Description | | Appointment, Delegation or Authorisation | | | | | | | | Date(s) of Delegation / Authorisation |
| No. | Provision | Description | Nature | Given by | Given To | Notes | | | | 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 | 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 |

| No. | Provision | Function or Power | Nature | Given by | Given To | Conditions or Restrictions | | | Decision | Evidence of Authorisation / Delegation | |
|-----|-----------|--|--|----------|----------|----------------------------|-----------------|---------------------------|-----------------------------|--|-------------------|
| | | | | | | Council | 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 | 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 | X | X | | Delegation excludes S114(8) | 20-Jul-20 | Minute 109/20 |
| 67 | S.115 | Retention of petrol-pumps in highways | Delegation | X | X | 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 | 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 | X | X | | Nil | 20-Jul-20 | Minute 109/20 |

Local Government (Meeting Procedures) Regulations 2025

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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.

| No. | Provision | Description | Function or Power | Nature | Given by | Given To | Conditions or Restrictions | Decision | Evidence of Authorisation / Delegation | | | | |
|-----|--------------|--|-------------------|------------|----------|----------|----------------------------|----------|--|-------------------------|-------|---------------------------------------|-------------------|
| | | | | | | | | | 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

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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 | Description | Function or power | Nature | Given by | Given to | Conditions or restrictions | Decision | Evidence of Authorisation / Delegation | | |
|-----|-----------|---|-------------------|--|----------|----------|----------------------------|----------|--|-----------------|---------------|
| | | | | | | | | | Council | General Manager | |
| | | | | Appointment, Delegation or Authorisation | | | | | Director - Development Services | | |
| 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

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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 | Description | Function or Power | Nature | Given by | Given To | | Conditions or Restrictions | Decision | Evidence of Authorisation / Delegation | |
|-----|-----------|---|--|------------|----------|----------|-----------------|----------------------------|-------------------------------------|--|-----------------|
| | | | | | | Council | General Manager | General Manager | | | |
| | | | | | | | | | 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). | Appointment, Delegation or Authorisation | Delegation | X | X | X | Madison Loosmore | 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 Licensed Entity, must notify the Administration in writing as soon as practicable after becoming aware that a "relevant event" (as defined in s 37C(5) has occurred or is to occur in respect of the Licensed Entity. | Delegation | Delegation | X | X | | | | 18-Aug-25 | Minute 159/2025 |

Place Names Act 2020

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Legislation Version: 1 July 2020

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 | Description | Function or power | Nature | Given by | Given to | Conditions or restrictions | | | Evidence of Authorisation / Delegation |
|-----|--------------------------|---|--|------------|----------|----------|---|-----------------|---------------------------------|--|
| | | | | | | | Council | General Manager | Director - Development Services | |
| No. | Provision | Description | Function or power | Nature | Given by | Given to | Conditions or restrictions | | | Evidence of Authorisation / Delegation |
| 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. | Appointment, Delegation or Authorisation | Delegation | 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. | Appointment, Delegation or Authorisation | 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. | Appointment, Delegation or Authorisation | Delegation | X | | | | 20-Nov-23 | Minute 196/23 |

Public Health Act 1997

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Legislation Version: 1 July 2025

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 | Description | Nature | Given by | Given To | | | Conditions or Restrictions | Decision | Evidence of Authorisation / Delegation |
|-----|----------------|--|---------------|----------|----------|-----------------|---------------------------------|----------------------------|-----------|--|
| | | | | | Council | General Manager | Director - Development Services | | | |
| 1 | Sec 22 LGA | Delegation (of functions or powers) by Council | Delegation | X | 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 | Description | Nature | Given by | Given To | | | Conditions or Restrictions | Decision | Evidence of Authorisation / Delegation |
|-------|----------------|---|------------|----------|----------|-----------------|---------------------------------|----------------------------|-----------|--|
| | | | | | Council | General Manager | Director - Development Services | | | |
| Notes | | | | | | | | | | |
| 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 | Description | Nature | Given by | Given To | | | Conditions or Restrictions | Decision | Evidence of Authorisation / Delegation |
|-------|--------------------|---|---------------|----------|----------|-----------------|---------------------------------|------------------------------|-----------|--|
| | | | | | Council | General Manager | Director - Development Services | Environmental Health Officer | | |
| Notes | | | | | | | | | | |
| 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 |

| No. | Provision | Description | Nature | Given by | Given To | | | Conditions or Restrictions | Decision | Evidence of Authorisation / Delegation |
|-------|----------------------------|---|------------|----------|----------|-----------------|---------------------------------|------------------------------|-----------|--|
| | | | | | Council | General Manager | Director - Development Services | Environmental Health Officer | | |
| Notes | | | | | | | | | | |
| 39 | <u>Sec 131</u> | 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 | <u>Sec 135</u> | Grant or refusal of registration (as a supplier of water) | Delegation | X | X | X | | Nil | 20-Jul-20 | Minute 109/20 |
| 41 | <u>Sec 136</u> | Issue of certificate of registration (as a supplier of water) | Delegation | X | X | X | | Nil | 20-Jul-20 | Minute 109/20 |
| 42 | <u>Sec 136AA</u> | Renewal of Registration (as a supplier of water) | Delegation | X | X | X | | | 20-Jul-20 | Minute 109/20 |
| 43 | <u>Sec 136B</u> | Variation of registration (as a supplier of water) | Delegation | X | X | X | | Nil | 20-Jul-20 | Minute 109/20 |
| 44 | <u>Sec 136C</u> | Cancellation of registration (as a supplier of water) | Delegation | X | X | X | | Nil | 20-Jul-20 | Minute 109/20 |
| 45 | <u>136H</u> | Issue of certificate of registration (as a water carrier) | Delegation | X | X | X | | | 20-Jul-20 | Minute 109/20 |
| 46 | <u>136I</u> | Renewal of registration (of water carrier) | Delegation | X | X | X | | | 20-Jul-20 | Minute 109/20 |
| 47 | <u>136K</u> | Variation of registration (of water carrier) | Delegation | X | X | X | | | 20-Jul-20 | Minute 109/20 |
| 48 | <u>136L</u> | Cancellation of registration (of water carrier) | Delegation | X | X | X | | | 20-Jul-20 | Minute 109/20 |
| 49 | <u>Sec 144</u> | 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 | <u>Sec 148 (1)</u> | 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 | <u>Sec 152 (1)</u> | 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 | <u>Sec 158 (1)</u> | 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 | <u>Sec 169 (1)</u> | 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 | <u>Sec 190 (1) (3) (4)</u> | 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 | <u>Sec 191 (3)</u> | 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 | Description | Nature | Given by | Given To | | | Conditions or Restrictions | Decision | Evidence of Authorisation / Delegation | |
|-----|-------------|---|------------|--|----------|-----------------|---------------------------------|----------------------------|----------|--|-------------------|
| | | | | | Council | General Manager | Director - Development Services | | | | |
| 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 | Appointment, Delegation or Authorisation | X | X | | Nil | Notes | Date(s) of Delegation / Authorisation | Resolution Number |

Public Interest Disclosures Act 2002

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Legislation Version: 31 August 2023

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 | Description | Function or Power | Nature | Given by | Given to | | Conditions or Restrictions | Decision | Evidence of Authorisation / Delegation |
|-----|-----------|--|--|------------|----------|-----------------------|-------------------------------------|----------------------------|-------------------------------|--|
| | | | | | | Council / Public Body | General Manager / Principal Officer | General Manager | Director - Corporate Services | |
| 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. | Appointment, Delegation or Authorisation | Delegation | X | X | X | | | Date(s) of Delegation / Authorisation |
| 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. | Appointment, Delegation or Authorisation | Delegation | X | X | X | | | Resolution Number |
| 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. | Appointment, Delegation or Authorisation | Delegation | X | X | X | | | |
| | | | | | | | | Notes | | |
| | | | | | | | | | 21-Oct-24 | Minute 211/24 |
| | | | | | | | | | 21-Oct-24 | Minute 211/24 |
| | | | | | | | | | 21-Oct-24 | Minute 211/24 |

| No. | Provision | Description | Nature | Given by | Given to | | Conditions or Restrictions | Decision | Evidence of Authorisation / Delegation | |
|-----|-----------|---|-------------|----------|-----------------------|-------------------------------------|----------------------------|---------------------------------------|--|---------------|
| | | | | | Council / Public Body | General Manager / Principal Officer | 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 | | X | | 21-Oct-24 | Minute 211/24 |
| 7 | S 62A (2) | Role of principal officer: Appointment of public interest disclosure officers | Appointment | X | 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

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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 | |
|-----|----------------------|---|--|------------|----------|----------------------------|---|--|-------------------------------------|
| | | | | | | | | Council / Public Authority | General Manager / Principal Officer |
| No. | Provision | Description | Appointment, Delegation or Authorisation | Delegation | X | X | 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 | Appointment, Delegation or Authorisation | Delegation | | | 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. | Appointment, Delegation or Authorisation | Delegation | | | 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. | Appointment, Delegation or Authorisation | Delegation | | | 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. | Appointment, Delegation or Authorisation | Delegation | | | 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. | Appointment, Delegation or Authorisation | Delegation | | | 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. | Appointment, Delegation or Authorisation | Delegation | | | 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 | Appointment, Delegation or Authorisation | Delegation | | | 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 | Appointment, Delegation or Authorisation | Delegation | | | 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 | Description | Nature | Given by | Given To | Conditions or Restrictions | Decision | Evidence of Authorisation / Delegation | |
|-----|-----------|--|------------|----------|----------|---|-----------|--|--|
| | | | | | | | | Appointment, Delegation or Authorisation | Council / Public Authority General Manager / Principal Officer |
| | | | | | | | | General Manager | Lauren Tolputt |
| | | | | | | | | | |
| 9 | S.19 | Requests may be refused if resources unreasonably diverted | 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 | |
| 10 | S.20 | Repeat or vexatious applications may be refused | 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 | |
| 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 | 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 | 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 | 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 | Description | Nature | Given by | Given To | Conditions or Restrictions | Decision | Evidence of Authorisation / Delegation | |
|-----|--------------|--|------------|----------|----------|---|-----------|--|--|
| | | | | | | | | Appointment, Delegation or Authorisation | Council / Public Authority General Manager / Principal Officer |
| | | | | | | | | General Manager | Lauren Tolputt |
| | | | | | | | | | |
| | | | | | | | | | |
| 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 | 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 | 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 | 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

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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 | | | |
|-----|------------------------|--|------------|----------|----------|-----------------|----------------------------|-----------------|--|---------------------------------------|-------------------|---------------|
| | | | | | 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 | | | |
|-------------|---------------------|--|------------|----------|----------|----------------------------|----------|--|-----------------|-----------------|---------------------------|
| | | | | | | | | | Council | Local Authority | Road Authority |
| Description | | Appointment, Delegation or Authorisation | | | | | | | General Manager | General Manager | Director - Infrastructure |
| 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 | | | | |
| 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 | | | | |
| 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 | | | | |
| 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 | | | | |
| 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 | | | | |
| 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 | | | | |
| 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 | | | | |
| 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 | | | | |

| No. | Provision | Function or Power | Nature | Given by | Given To | Conditions or Restrictions | Decision | Evidence of Authorisation / Delegation | |
|-----|-----------|--|--|----------|----------|----------------------------|----------|--|---------------|
| | | | | | | | | | |
| | | Description | Appointment, Delegation or Authorisation | | | | | | |
| 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 | | 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 | | 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 | | 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 | | 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 | | Notes | | | | | | | |
| | | | | Council | Local Authority | Road Authority | General Manager | General Manager | Director - Infrastructure | | |
| 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 | |
|-----|-------------|--|--|----------|----------|----------------------------|----------|--|---------------------------|
| | | | | | | | | General Manager | Director - Infrastructure |
| | | Description | Appointment, Delegation or Authorisation | | | | | Notes | |
| 24 | <u>S49</u> | 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 | | | 20-Jul-20 |
| 25 | <u>S50B</u> | 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 | | | 20-Jul-20 |
| 26 | <u>S51</u> | 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 | | | 20-Jul-20 |

Strata Titles Act 1998

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Legislation Version: 5 November 2021

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 | Description | Function or power | Nature | Given by | Given to | | | Conditions or restrictions | Decision | Evidence of Authorisation / Delegation | |
|-----|-----------|--|-------------------|------------|----------|----------|-----------------|---------------------------------|----------------------------|----------------------------|--|--|
| | | | | | | Council | General Manager | Director - Development Services | Town Planner | | | |
| | | | | | | | | | | | Notes | Date(s) of Delegation / Authorisation |
| No. | Provision | Description | Function or power | Nature | Given by | Council | General Manager | Director - Development Services | Town Planner | Conditions or restrictions | Decision | Evidence of Authorisation / Delegation |
| 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 | | | 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 | | | 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 | | | 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 | | | 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 | | | 20-Jul-20 | Minute 109/20 |
| 7 | 36(1) | Application for council approval (in relation to a staged development scheme) | | Delegation | | 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 | | | | 20-Jul-20 | Minute 109/20 |

| No. | Provision | Description | Nature | Given by | Given to | | | Conditions or restrictions | Decision | Evidence of Authorisation / Delegation |
|-----|-----------|---|------------|----------|----------|-----------------|---------------------------------|----------------------------|-----------|--|
| | | | | | Council | General Manager | Director - Development Services | Town Planner | | |
| 9 | 37(1)(b) | Approval of scheme in principle: Before giving in principle approval for a staged development scheme Council can require the demolition or alteration of buildings on the site | Delegation | X | X | | | | 20-Jul-20 | Minute 109/20 |
| 10 | 37(2)(a) | Approval of scheme in principle: Council can approve a staged development scheme unconditionally | Delegation | X | X | X | | | 20-Jul-20 | Minute 109/20 |
| 11 | 37(2)(b) | Approval of scheme in principle: Council can approve the staged development scheme subject to specified conditions | Delegation | X | X | X | | | 20-Jul-20 | Minute 109/20 |
| 12 | 37(2)(c) | Approval of scheme in principle: Council can refuse to approve the staged development scheme | Delegation | X | X | X | | | 20-Jul-20 | Minute 109/20 |
| 13 | 37(4) | Approval of scheme in principle: If Council approves the proposed staged development scheme it must issue a certificate of approval | Delegation | X | X | X | | | 20-Jul-20 | Minute 109/20 |
| 14 | 41(2) | Progressive development: The council may refuse to approve a particular stage in a staged development scheme if an earlier stage of the scheme has not been completed as required under the terms of the registered scheme. | Delegation | X | X | | | | 20-Jul-20 | Minute 109/20 |
| 15 | 42(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 |
| 16 | 42(5) | Application for variation of scheme: The Council may dispense with the consent of a present or prospective owners of lots in the staged development scheme in relation to a proposed variation if satisfied of certain matters | Delegation | X | X | X | | | 20-Jul-20 | Minute 109/20 |
| 17 | 42(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 |
| 18 | 45 | Injunction: Council (as an "interested person" under the Act) can apply for a mandatory injunction requiring the developer of a staged development scheme to complete the scheme | Delegation | X | X | | | | 20-Jul-20 | Minute 109/20 |
| 19 | 54(1)(a) | Approval of scheme: Before giving in principle approval for a community development scheme Council can require specified changes to the scheme | Delegation | X | X | X | | | 20-Jul-20 | Minute 109/20 |
| 20 | 54(1)(b) | Approval of scheme: Before giving in principle approval for a community development scheme Council can require the demolition or alteration of buildings on the site | Delegation | X | X | X | | | 20-Jul-20 | Minute 109/20 |
| 21 | 54(2)(a) | Approval of scheme: Council can approve a proposed community development scheme unconditionally | Delegation | X | X | X | | | 20-Jul-20 | Minute 109/20 |
| 22 | 54(2)(b) | Approval of scheme: Council can approve the proposed community development scheme subject to specified conditions | Delegation | X | X | X | | | 20-Jul-20 | Minute 109/20 |
| 23 | 54(2)(c) | Approval of scheme: Council can refuse to approve the proposed community development scheme | Delegation | X | X | X | | | 20-Jul-20 | Minute 109/20 |
| 24 | 54(4) | Approval of scheme: If Council approves the proposed community development scheme it must issue a certificate of approval | Delegation | X | X | X | | | 20-Jul-20 | Minute 109/20 |
| 25 | 57(2) | Progressive development: The Council may refuse to approve a particular stage of a community development scheme in certain circumstances | Delegation | X | X | | | | 20-Jul-20 | Minute 109/20 |

| No. | Provision | Description | Nature | Given by | Given to | | | Conditions or restrictions | Decision | Evidence of Authorisation / Delegation |
|-----|-----------|---|------------|----------|----------|-----------------|---------------------------------|----------------------------|-----------|--|
| | | | | | Council | General Manager | Director - Development Services | Town Planner | | |
| 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 | 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 | 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 | 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 | X | | | 20-Jul-20 | Minute 109/20 |

Strategic Infrastructure Corridors (Strategic and Recreational Use) Act 2016

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Legislation Version: 27 November 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 | 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

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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 | Description | Function or Power | Nature | Given by | Given To | | Conditions or Restrictions | Decision | Evidence of Authorisation / Delegation | |
|-----|-------------------------------|--|-------------------|--|----------|----------|-----------------|----------------------------|--|--|---------------|
| | | | | | | Council | 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. | | Appointment, Delegation or Authorisation | 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

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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 | |
|-------------|-----------|---|--|------------|----------|-----------------|----------------------------|---------------------------------------|--|---------------|
| | | | | | Council | General Manager | Director - Infrastructure | | | |
| Description | | | | | | | 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. | Appointment, Delegation or Authorisation | 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. | Appointment, Delegation or Authorisation | Delegation | X | X | | | 20-Jul-20 | Minute 109/20 |
| 3 | S 7 | Service of notice relating to negotiations for provisions of stormwater services | Appointment, Delegation or Authorisation | 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. | Appointment, Delegation or Authorisation | 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. | Appointment, Delegation or Authorisation | 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. | Appointment, Delegation or Authorisation | Delegation | X | X | | | 20-Jul-20 | Minute 109/20 |
| 7 | S 12 | Council to maintain maps | Appointment, Delegation or Authorisation | 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. | Appointment, Delegation or Authorisation | Delegation | X | | X | | 20-Jul-20 | Minute 109/20 |

| No. | Provision | Description | Nature | Given by | Given To | | Conditions or Restrictions | Decision | Evidence of Authorisation / Delegation |
|-----|------------|---|--|----------|----------|----------------------------|----------------------------|--|--|
| | | | | | Council | General Manager | Director - Infrastructure | | |
| No. | Provision | Function or Power | Nature | Given by | Given To | Conditions or Restrictions | Decision | Evidence of Authorisation / Delegation | |
| 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. | Appointment, Delegation or Authorisation | 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 | Description | Nature | Given by | Given To | | Conditions or Restrictions | Decision | Evidence of Authorisation / Delegation |
|-----|-----------|---|------------|----------|----------|-----------------|----------------------------|---------------------------------------|--|
| | | | | | Council | General Manager | | | |
| 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 | | Notes | Date(s) of Delegation / Authorisation | Resolution Number |

Vehicle & Traffic Act 1999

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Legislation Version: 1 July 2024

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 | Description | Function or Power | Nature | Given by | Given to | | | Conditions or Restrictions | Decision | Evidence of Authorisation / Delegation | |
|-----|-----------------------|--|--|------------|----------|----------|-----------------|-------------------------------|---------------------------------|----------|--|-------------------|
| | | | | | | Council | General Manager | Director - Corporate Services | Director - Development Services | | | |
| 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. | Appointment, Delegation or Authorisation | Delegation | X | | X | X | | Notes | Date(s) of Delegation / Authorisation | Resolution Number |

21-Oct-24
18-Aug-25

Minute 211/24
Minute 159/2025

Miscellaneous Powers and Functions

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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. | Description | Function or Power | Nature | Given by | Given to | | | | | Conditions or Restrictions | Decision | Evidence of Authorisation / Delegation | |
|-----|--|-------------------|--|-------------------------|-----------------|---------------------------------|-------------------------------|---------------------------|-----------------|----------------------------|---------------------|--|---------------|
| | | | | | General Manager | Director - Development Services | Director - Corporate Services | Director - Infrastructure | Finance Manager | Town Planner | Executive Assistant | | |
| 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. | | Appointment, Delegation or Authorisation | Council General Manager | X | | | X | | | | | |
| 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 | Minute 109/20 |
| 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 | | 20-Jul-20 | Minute 109/20 |
| 7 | To sign all contracts, leases and agreements on behalf of Council in accordance with Council policies. | | Delegation | X | X | X | X | | | | | 20-Jul-20 | Minute 109/20 |
| 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 | Minute 109/20 |
| 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 | Minute 109/20 |
| 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 | Minute 109/20 |
| 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 | | | | | | 20-Jul-20 | Minute 109/20 |
| 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. | Description | Function or Power | Nature | Given by | Given to | | | Conditions or Restrictions | | Decision | Evidence of Authorisation / Delegation | |
|-----|---|-------------------|--|----------|-------------------------|---------------------------------|-------------------------------|----------------------------|-----------------|--------------|--|---------------------------------------|
| | | | | | Council General Manager | Director - Development Services | Director - Corporate Services | Director - Infrastructure | Finance Manager | Town Planner | Executive Assistant | |
| 14 | To authorise the total or partial release of bonds, guarantees and security deposits where the relevant Departmental Director has certified that the work or thing to which the bond, guarantee or security deposit relates has been satisfied in whole or in part and to call on any bonds, guarantee or security deposit where the work secured has not been carried out in accordance with Council requirements. | Delegation | Appointment, Delegation or Authorisation | X | X | X | X | | | | | Date(s) of Delegation / Authorisation |
| 15 | To authorise the use of Council's plant and equipment in emergencies at the request of the State Emergency Services, Tasmania Police or the State Fire Authority. | Delegation | | X | | | X | | | | | 20-Jul-20 18-Aug-25 |
| 16 | To make payments and donations in keeping with Council's policy. | Delegation | | X | X | X | | | | | | 20-Jul-20 18-Aug-25 |
| 17 | To approve or disapprove, upon written application, requests to consume intoxicating liquor on Council reserves or premises. | Delegation | | X | X | | | | | | | 20-Jul-20 18-Aug-25 |
| 18 | To lend materials from Council stores stock in emergency circumstances as determined by the General Manager subject to the provision of a written acknowledgement of receipt of an undertaking to replace within a set time. | Delegation | | X | | | X | | | | | 20-Jul-20 |
| 19 | Subject to the provisions of any Act to permit or refuse to permit the disposal of waste or rubbish at a Council tip, refuse disposal site or waste transfer station | Delegation | | X | | | X | | | | | Minute 109/20 |
| 20 | Power to approve the demolition of buildings not classified or recorded by the National Trust or Heritage listed. | Delegation | | X | | | | | | | | 20-Jul-20 |
| 21 | To approve conditionally or otherwise all temporary signs and hoardings. | Delegation | | X | | | | | | | | Minute 109/20 |
| 22 | Authority to appoint "Authorised Officers" or "Council Officers" where such are required to be appointed under the Local Government Act 1993 or any other Act and to issue "Certificates of Authority" to those officers where required. | Delegation | | X | | | | | | | | 20-Jul-20 18-Aug-25 |
| | | | | | | | | | | | | Resolution Number |

Procurement Delegation

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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 | |