



Master Delegation Register

This Master Delegation Register was last reviewed in May 2026 and noted by Council at the 22 June 2026 Council Meeting - Minute 123/2026

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/26/6918

No.	Delegations Register Page Shortcut	Links to Legislation	Version (Act)	Last Updated
1	Archives Act 1983	https://www.legislation.tas.gov.au/view/html/inforce/current/act-1983-076	01-July-2025	18-March-2022
2	Building Act 2016	https://www.legislation.tas.gov.au/view/html/inforce/current/act-2016-025	01-October-2024	17-July-2025
3	Building Regulations 2016	https://www.legislation.tas.gov.au/view/html/inforce/current/sr-2016-110	01-October-2024	17-July-2025
4	Burial and Cremation Act 2019	https://www.legislation.tas.gov.au/view/html/inforce/current/act-2019-050	01-July-2025	25-December-2019
5	Burial and Cremation Regulations 2025	https://www.legislation.tas.gov.au/view/html/inforce/current/sr-2025-016	27-May-2025	24-July-2025
6	Cat Management Act 2009	https://www.legislation.tas.gov.au/view/html/asmade/act-2009-089	01-July-2025	01-March-2022
7	Child and Youth Safe Organisations Act 2023	https://www.legislation.tas.gov.au/view/html/inforce/current/act-2023-006	01-July-2025	01-July-2023
8	Dog Control Act 2000	https://www.legislation.tas.gov.au/view/html/inforce/current/act-2000-102	01-July-2025	18-December-2019
9	Emergency Management Act 2006	https://www.legislation.tas.gov.au/view/html/inforce/current/act-2006-012	06-May-2020	24-July-2025
10	Environmental Management and Pollution Control Act 1994	https://www.legislation.tas.gov.au/view/html/inforce/current/act-1994-044	14-December-2022	14-December-2022
11	Food Act 2003	https://www.legislation.tas.gov.au/view/html/inforce/current/act-2003-008	01-July-2025	05-October-2021
12	Heavy Vehicle National Law (Tasmania) Act 2013	https://www.legislation.tas.gov.au/view/whole/html/inforce/current/act-2013-030	01-July-2025	27-November-2020
13	Land Acquisition Act 1993	https://www.legislation.tas.gov.au/view/html/inforce/current/act-1993-023	01-January-2022	01-January-2022
14	Land Titles Act 1980	https://www.legislation.tas.gov.au/view/html/inforce/current/act-1980-019	13-June-2023	13-June-2023
15	Land Use Planning & Approvals Act 1993	https://www.legislation.tas.gov.au/view/html/inforce/current/act-1993-070	16-June-2025	18-August-2026
16	Land Use Planning & Approvals Regulations 2024	https://www.legislation.tas.gov.au/view/html/inforce/current/sr-2024-101	24-December-2024	24-July-2025
17	Litter Act 2007	https://www.legislation.tas.gov.au/view/html/inforce/current/act-2007-038	01-July-2025	12-May-2025
18	Local Government Act 1993	https://www.legislation.tas.gov.au/view/html/inforce/current/act-1993-095	01-July-2025	24-July-2025
19	Local Government (Building and Miscellaneous Provisions) Act 1993	https://www.legislation.tas.gov.au/view/html/inforce/current/act-1993-096	01-December-2022	01-December-2022
20	Local Government (General) Regulations 2025	https://www.legislation.tas.gov.au/view/html/inforce/current/sr-2025-024	24-June-2025	24-July-2025
21	Local Government (Highways) Act 1982	https://www.legislation.tas.gov.au/view/html/inforce/current/act-1982-057	01-July-2025	01-January-2022
22	Local Government (Meeting Procedures) Regulations 2025	https://www.legislation.tas.gov.au/view/html/inforce/current/sr-2025-025	24-June-2025	24-July-2025
23	Monetary Penalties Enforcement Act 2005	https://www.legislation.tas.gov.au/view/html/inforce/current/act-2005-057	13-June-2023	13-June-2023
24	Occupational Licencing Act 2005	https://www.legislation.tas.gov.au/view/html/inforce/current/act-2005-047	01-July-2025	17-July-2025
25	Place Names Act 2020	https://www.legislation.tas.gov.au/view/html/inforce/current/act-2020-001	01-July-2020	01-July-2020
26	Public Health Act 1997	https://www.legislation.tas.gov.au/view/html/inforce/current/act-1997-086	01-July-2025	24-October-2022
27	Public Interest Disclosures Act 2002	https://www.legislation.tas.gov.au/view/html/inforce/current/act-2002-016	31-August-2023	31-August-2023
28	Right to Information Act 2009	https://www.legislation.tas.gov.au/view/html/inforce/current/act-2009-070	06-November-2024	30-August-2024
29	Roads and Jetties Act 1935	https://www.legislation.tas.gov.au/view/html/inforce/current/act-1935-082	01-July-2025	17-May-2023
30	Strata Titles Act 1998	https://www.legislation.tas.gov.au/view/html/inforce/current/act-1998-017	05-November-2021	05-November-2021
31	Strategic Infrastructure Corridors (Strategic and Recreational Use) Act 2016	https://www.legislation.tas.gov.au/view/html/inforce/current/act-2016-050	27-November-2023	27-November-2023
32	Traffic Act 1925	https://www.legislation.tas.gov.au/view/html/inforce/current/act-1925-038	23-June-2023	23-June-2023
33	Urban Drainage Act 2013	https://www.legislation.tas.gov.au/view/html/inforce/current/act-2013-071	10-May-2024	10-May-2024
34	Vehicle and Traffic Act 1999	https://www.legislation.tas.gov.au/view/html/inforce/current/act-1999-070	01-July-2024	01-July-2024
35	Miscellaneous Powers and Functions			29-July-2025
36	Procurement Delegation	Issued by the General Manager	N/A	06-July-2026

This Register is maintained in compliance with sections 22(4) and 64(2) 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, Controlling Authority, a Council Committee or a Special Committee, any of its functions or powers under any Act: s.22 Local Government Act 1993 (Tas) (subject to restrictions), other than the power of delegation (unless authorised by the Council) and the specific powers referred to in subsection 22(3) of the Local Government Act 1993 (Tas).
- (2) The General Manager, in writing, may delegate to an employee of the Council - (a) any functions or powers under any Act, other than the 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 which has been delegated may, notwithstanding the delegation, be exercised by the delegator: s.23AA(6) Acts Interpretation Act 1931 (Tas).
- (6) 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 (hyperlinked to legislation)	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 - Corporate Services	Notes	Date(s) of Delegation / Authorisation	Resolution Number
1	10(1) Preservation of State records	The power to keep proper records of the business of the local authority for which Council is responsible, keep all such records preserved and accessible until dealt with in accordance with this Act and to take legal proceedings for the recovery of such records if Council no longer has legal custody of them.	Delegation	X	X	X		21-Oct-24	Minute 211/24
2	11 - Transfer of State records to Archives Office	The power to transfer state records to Archives Office	Delegation	X	X	X		21-Oct-24	Minute 211/24
3	15(3) - Conditions may be imposed on the making of State archives available for public inspection	The giving of notice to State Archivist and the imposition of conditions for availability for inspection.	Delegation	X	X	X	Approve or refuse access to restricted information subject to compliance with the provisions of the <i>Archives Act 1983</i> and the <i>Right to Information Act 2009</i> .	21-Oct-24	Minute 211/24

This Register is maintained in compliance with sections 22(4) and 64(2) of the Local Government Act 1993 (Tas).

Notes on Legislation

(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: s.24(1) of the Building Act 2016.

(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.

Notes on Delegation

(1) A Council, in writing, may delegate with or without conditions to the General Manager, Controlling Authority, a Council Committee or a Special Committee, any of its functions or powers under any Act: s.22 Local Government Act 1993 (Tas) (subject to restrictions), other than the power of delegation (unless authorised by the Council) and the specific powers referred to in subsection 22(3) of the Local Government Act 1993 (Tas).

(2) The General Manager, in writing, may delegate to an employee of the Council - (a) any functions or powers under any Act, other than the 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 which has been delegated may, notwithstanding the delegation, be exercised by the delegator: s.23AA(6) Acts Interpretation Act 1931 (Tas).

(6) 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).

			Nature	Given by	Given to	Conditions or restrictions	Decision	Evidence of Authorisation / Delegation
No.	Provision (hyperlinked to legislation)	Function or power	Appointment, Delegation or Authorisation	Council	General Manager	Notes	Date(s) of Delegation / Authorisation	Resolution Number
1	27(2) - (3) Records of permit authority	Council's powers to retain the records in Schedule 1 of the Act and to make information retained pursuant to section 27(2) available to specified persons	Delegation	X	X		20-Nov-23	Minute 196/23
2	Part 6 Protection Work	All of the Council's powers and functions under this Part to 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 work or demolition work will be carried out, or the responsible person for that work, or the owner of an adjoining premises.	Delegation	X		Excludes the ability to pay or agree to pay compensation pursuant to s.89	20-Nov-23	Minute 196/23

No.	Provision (hyperlinked to legislation)	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	Date(s) of Delegation / Authorisation	Resolution Number
						Notes		
4	265(3) & (4) Failure to comply with emergency, building or plumbing order	Council's powers to perform any work required by an emergency order, a building order or a plumbing order. Council's powers to: (a) enter on the land where the work is to be done, (b) exclude other persons from the place where work is being done, (c) to determine the form of anything to be altered so far as it was not previously specified, d) if anything is to be taken down, demolished or removed, determine what condition the remainder is to be left, (e) to carry away to some convenient place any materials removed; and (f) to sell any materials so carried away and deduct the proceeds from the cost of the work.	Delegation	X			20-Nov-23	Minute 196/23
5	266 Possession of building	Council's powers to take proceedings under the <i>Justices Act 1959</i> to obtain possession of a building or temporary structure if any occupier fails to allow any person to do work pursuant to s.265.	Delegation	X			20-Nov-23	Minute 196/23
6	269(1) Recovery of performance costs	The Council's powers to recover in a Court of competent jurisdiction the cost of performing work not performed by the owner	Delegation	X	X		20-Nov-23	Minute 196/23
7	269(2) Recovery of performance costs	The Council's powers to enter land or a building and perform the required work and to recover its expenses as a charge on the land.	Delegation	X	X		20-Nov-23	Minute 196/23
8	271(1) Purchasing buildings and materials	Council's powers to sell the 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	271(2) Purchasing buildings and materials	Council's powers to 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	271(6) Purchasing buildings and materials	Council's powers to pay the owner of the building or materials sold under subsection (1) the balance of any proceeds after deducting reasonably expenses incurred by Council	Delegation	X			20-Nov-23	Minute 196/23
11	310 Prosecution of offences	Council's powers (as authorised person) to commence proceedings / prosecutions within two years	Delegation	X			20-Nov-23	Minute 196/23

Building Regulations 2016

Back to CONTENTS

Legislation Version: 1 October 2024

This Register is maintained in compliance with sections 22(4) and 64(2) 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: s.24(1) of the Building Act 2016.
- (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) A Council, in writing, may delegate with or without conditions to the General Manager, Controlling Authority, a Council Committee or a Special Committee, any of its functions or powers under any Act: s.22 Local Government Act 1993 (Tas) (subject to restrictions), other than the power of delegation (unless authorised by the Council) and the specific powers referred to in subsection 22(3) of the Local Government Act 1993 (Tas).
- (5) The General Manager, in writing, may delegate to an employee of the Council - (a) any functions or powers under any Act, other than the 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).
- (6) 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).
- (7) 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).
- (8) A function or power which has been delegated may, notwithstanding the delegation, be exercised by the delegator: s.23AA(6) Acts Interpretation Act 1931 (Tas).
- (9) 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).

			Nature	Given by	Given to	Conditions or restrictions	Decision	Evidence of Authorisation / Delegation
			Appointment, Delegation or Authorisation	Council	General Manager		Date(s) of Delegation / Authorisation	Resolution Number
No.	Provision (hyperlinked to legislation)	Function or power				Notes		
1	43(1) Plumbing work involving network utility operator's stormwater drainage systems	The provision of written consent to approve a plumbing installation being connected to a network utility operator's stormwater drainage system, or the alteration to an existing plumbing installation connected to a network utility operator's stormwater drainage system	Delegation	X	X		20-Nov-23	Minute 196/23
2	43(3) Plumbing work involving network utility operator's stormwater drainage systems	The power to enter the premises and perform any work necessary to correctly seal the connection from the stormwater drainage system	Delegation	X	X		20-Nov-23	Minute 196/23
3	43(5)(a) Plumbing work involving network utility operator's stormwater drainage systems	The power to recover costs as a charge under the <i>Local Government Act 1993</i> .	Delegation	X	X		20-Nov-23	Minute 196/23
4	53 Riverine inundation	Council's powers to undertake an assessment of land as having a reasonable probability of flooding	Delegation	X	X		20-Nov-23	Minute 196/23
5	78(3) Permit authorities may perform maintenance work	Council's powers to recover costs as a charge under the <i>Local Government Act 1993</i> .	Delegation	X	X		20-Nov-23	Minute 196/23

Burial and Cremation Act 2019

[Back to CONTENTS](#)

Legislation Version: 1 July 2025

This Register is maintained in compliance with sections 22(4) and 64(2) of the Local Government Act 1993 (Tas).

Notes on Legislation

s.3 ***cemetery manager***, in relation to a cemetery, means the person - (a) approved under this Act (refer section 32) to manage the cemetery; or (b) deemed, under this Act, to be the Cemetery Manager for the cemetery;

s. 9 For the purpose of the Act, a person is the ***regulator*** if - (a) the person prescribed as the regulator for the purposes of this Act or the provision; or (b) if no such person is prescribed for this Act or the provision, the Director of Local Government

COUNCIL AS CEMETERY MANAGER

The Council delegates the following functions and powers of the Council in its capacity as Cemetery Manager pursuant to the Burial and Cremation Act 2019 (except the setting of fees), to the General Manager and authorises the General Manager to delegate those functions and powers.

The ultimate responsibility for the cemetery will remain with the Council, as cemetery manager.

Notes on Delegation

(1) A Council, in writing, may delegate with or without conditions to the General Manager, Controlling Authority, a Council Committee or a Special Committee, any of its functions or powers under any Act: s.22 Local Government Act 1993 (Tas) (subject to restrictions), other than the power of delegation (unless authorised by the Council) and the specific powers referred to in subsection 22(3) of the Local Government Act 1993 (Tas).

(2) The General Manager, in writing, may delegate to an employee of the Council - (a) any functions or powers under any Act, other than the 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 which has been delegated may, notwithstanding the delegation, be exercised by the delegator: s.23AA(6) Acts Interpretation Act 1931 (Tas).

(6) 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 (hyperlinked to legislation)	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 - Community & Development Services	Environmental Health Officer	Notes	Date(s) of Delegation / Authorisation
1	29(1)(c) Interment of human remains otherwise than in cemetery	The General Manager's power to give written permission to inter human remains other than in a cemetery	Delegation	X		X	X		20-Jul-20	Minute 109/20
2	29(4) Interment of human remains otherwise than in cemetery	The General Manager's power to 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
3	29(5) Interment of human remains otherwise than in cemetery	The General Manager's powers to give permission 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
4	34(1) Duties and powers of cemetery managers	The Cemetery Manager's requirement to keep a cemetery in accordance with the Act and so as not to be prejudicial to public health or public safety	Delegation	X		X			20-Jul-20	Minute 109/20
5	34(2) Duties and powers of cemetery managers	The Cemetery Manager's requirement to ensure that as far as reasonably practicable, the cemetery is maintained to prevent it from falling into disrepair, or from being defaced or damaged and to rectify any disrepair or defacement as soon as possible	Delegation	X		X			20-Jul-20	Minute 109/20
6	34(4) Duties and powers of cemetery managers	The Cemetery Manager's requirement to keep all prescribed records, in the prescribed manner, in respect of the cemetery– refer to regulation 40 of the <i>Burial and Cremation Regulations 2025</i>	Delegation	X		X			20-Jul-20	Minute 109/20
7	34(5) Duties and powers of cemetery managers	A Cemetery Manager's responsibility to permit any person access free of charge at any reasonable time to visit monuments and graves in any portion of the cemetery	Delegation	X		X			20-Jul-20	Minute 109/20
8	34(7) Duties and powers of cemetery managers	A Cemetery Manager's powers to - (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

			Nature	Given by	Given to			Conditions or restrictions	Decision	Evidence of Authorisation / Delegation
No.	Provision (hyperlinked to legislation)	Function or power	Appointment, Delegation or Authorisation	Council General Manager	General Manager	Director - Community & Development Services	Environmental Health Officer	Notes	Date(s) of Delegation / Authorisation	Resolution Number
9	39(1) Monuments, &c.	The Cemetery Manager's powers to permit any vault or grave to be made or dug, and any monument to be erected or placed, in any portion of the cemetery the Manager thinks proper on payment of a fee fixed by the Cemetery Manager	Delegation	X	X				20-Jul-20	Minute 109/20
10	39(2) Monuments, &c.	The Cemetery Manager's powers to 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
11	39(3) Monuments, &c	The Cemetery Manager's powers to agree, in writing and on payment by the person, of a fee fixed by the Cemetery Manager, that the Cemetery Manager is to maintain a vault, grave or monument within the cemetery according to the terms of the agreement	Delegation	X	X				20-Jul-20	Minute 109/20
12	40(1) Removal of certain monuments in cemeteries	The Cemetery Manager's powers to, by notice in writing given to the person responsible for the monument, require the person to take the monument down and remove it, or to render it safe	Delegation	X	X				20-Jul-20	Minute 109/20
13	40(3) Removal of certain monuments in cemeteries	The Cemetery Manager's powers, after diligent enquiry and inability to find the person responsible for the monument, to render the monument safe, or to take the monument down and remove it	Delegation	X					20-Jul-20	Minute 109/20
14	40(3)(e) Removal of certain monuments in cemeteries	The Cemetery Manager's powers to recover in a court the reasonable cost of rendering the monument safe or taking a monument down and removing it from the person responsible for the monument	Delegation	X					20-Jul-20	Minute 109/20
15	40(6) Removal of certain monuments in cemeteries	The Cemetery Manager's responsibility to notify the person for the monument and arrange for it to be re-erected if there is an agreement pursuant to s.39(3) as soon as practicable after the Cemetery Manager takes a monument down or removed it under section 40(5)	Delegation	X					20-Jul-20	Minute 109/20

No.	Provision (hyperlinked to legislation)	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 - Community & Development Services	Environmental Health Officer	Notes	Date(s) of Delegation / Authorisation
16	41(2) Exclusive rights of burial	The Cemetery Manager's powers to grant an exclusive right of burial in accordance with subsection 41(1) either with (a) an absolute right of burial or (b) a right of burial for a term of at least 25 years which may be renewed	Delegation	X	X			Note: Section 41(3) requires the Cemetery Manager to provide a certificate of exclusive right as prescribed by regulation 27 of the <i>Burial and Cremation Regulations 2025</i> .	20-Jul-20	Minute 109/20
17	42(2) Notifications of possible cemeteries	The General Manager's responsibility to notify the Regulator as soon as practicable after becoming aware land within municipal area of the Council is a cemetery, or holds more than one monument and is not covered by an entry in the Register kept by the Regulator pursuant to section 14	Delegation	X					20-Jul-20	Minute 109/20
18	52(1)(a) Notification of intention to sell cemetery	The Cemetery Manager's responsibility to publish, in the prescribed manner, a notice in accordance with subsection (2) in respect of its intention to sell the cemetery	Delegation	X	X			Refer to section 52(2) of the Act and regulation 48 of the <i>Burial and Cremation Regulations 2025</i>	20-Jul-20	Minute 109/20
19	52(1)(b) Notification of intention to sell cemetery	The Cemetery Manager's requirement to notify in writing each person who holds an exclusive right of burial or exclusive right under section 85 in respect of the cemetery, that is yet to be fulfilled, of the Cemetery Manager's intention to sell the cemetery	Delegation	X	X				20-Jul-20	Minute 109/20
20	52(1)(c) Notification of intention to sell cemetery	The Cemetery Manager's responsibility to apply to the Regulator in accordance with section 54 for a certificate of compliance in respect of the proposed sale	Delegation	X	X				20-Jul-20	Minute 109/20
21	53 Audit required of cemetery proposed to be sold	The Cemetery Manager's requirement to ensure an audit is undertaken, in accordance with section 87(1), in respect of the cemetery within 6 months of the publication of an intention to sell pursuant to section 52(1)(a)	Delegation	X	X				20-Jul-20	Minute 109/20
22	57 Notification of decision to not sell cemetery	The Cemetery Manager's requirement to notify the Regulator of their intention to no longer sell the cemetery as soon as practicable	Delegation	X	X				20-Jul-20	Minute 109/20
23	58(1) Cemetery disclosure document	The Cemetery Manager's responsibility to ensure the proposed purchaser under a contract for sale of the cemetery received a document disclosing the information specified in s 58(2)	Delegation	X	X				20-Jul-20	Minute 109/20

No.	Provision (hyperlinked to legislation)	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 - Community & Development Services	Environmental Health Officer	Notes	Date(s) of Delegation / Authorisation	Resolution Number
24	61 Notification to regulator of sale of cemetery	The new cemetery owners responsibility to (a) notify the Regulator of the transfer of ownership within 30 days of transfer; and (b) notify in writing each person who holds an exclusive right of burial or exclusive right under section 85, in respect of the cemetery, that is yet to be fulfilled that the owner is now the owner of the cemetery; and (c) publish, in the prescribed manner, a notice containing the prescribed information in relation to the sale of the cemetery	Delegation	X	X			Refer to reg 49 of the <i>Burial and Cremation Regulations 2025</i>	20-Jul-20	Minute 109/20
25	63 Closure of cemeteries for reasons of public health or public safety	The General Manager's powers to give notice to the Cemetery Manager that the whole or portion of cemetery is to be closed on a specified date if it appears to the General Manager that the whole or any portion of a cemetery is prejudicial to public health or public safety	Delegation	X					20-Jul-20	Minute 109/20
26	64 Intention of Cemetery Manager to close cemetery	The Cemetery Manager's requirement to cause a notice of intention to close all, or a portion of, the cemetery to be published in accordance with section 64(2) of the Act and to apply to Regulator pursuant to section 64(4) for approval to close the cemetery	Delegation	X	X			Refer to reg 51 of the <i>Burial and Cremation Regulations 2025</i>	20-Jul-20	Minute 109/20
27	66(1) Effect of closure of cemetery	The Cemetery Manager's requirement to forward all prescribed records to the State Archivist	Delegation	X	X				20-Jul-20	Minute 109/20
28	66(3) Effect of closure of cemetery	The Cemetery Manager's powers to do one or more of the following in respect of a closed cemetery subject to any condition imposed by the Regulator: (a) if there is a tombstone, remove kerbs, railings, shrubs, marble chips or other adornments, and cover the area with grass, leaving only the tombstone; or (b) if there is a monument other than a tombstone - (i) treat the monument as if it were a tombstone and treat as per subsection (a); and (ii) remove the monument and re-erect if in another portion of the cemetery and cover the area with grass (subject to conditions)	Delegation	X	X				20-Jul-20	Minute 109/20

No.	Provision (hyperlinked to legislation)	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 - Community & Development Services	Environmental Health Officer	Notes	Date(s) of Delegation / Authorisation
29	67 Exclusive rights in closed cemetery	The Cemetery Manager's responsibility to, with the agreement of the holder of an exclusive right of burial (a) grant the holder of the right an exclusive right of burial in another plot or portion of the cemetery or in another cemetery with the agreement of that Cemetery Manager, and move to the plot or portion any thing in or on the plot in respect of which the original exclusive right of burial was held. 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
30	68 Approval required to take certain actions in closed cemeteries	The Cemetery Manager's (of a closed cemetery) powers to apply in writing to the Regulator for approval to take action specified in section 69 and requirement to publish in a daily newspaper a notice specifying the action intended to be taken and provide a copy of the notice to the Regulator.	Delegation	X	X				20-Jul-20	Minute 109/20
31	70 Removal of human remains, monuments, &c., in closed cemeteries	A Cemetery Manager's requirement to not remove a grave, monument or vault or human remains from a closed cemetery pursuant to section 69 without giving public notice and preparing the statement prescribed in this section	Delegation	X	X				20-Jul-20	Minute 109/20
32	71 Regulator may reduce certain time frames in respect of closed cemeteries	A Cemetery Manager may apply to the Regulator to take action under sections 66 or 68 even though 100 years has not passed since the last interment of human remains and to give public notice and provide a copy of the public notice to the Regulator as prescribed in the section	Delegation	X	X				20-Jul-20	Minute 109/20
33	72 Certain land ceases to be cemetery	The Cemetery Manager's powers to 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
34	72(6) Certain land ceases to be cemetery	The Cemetery Manager's requirement to notify Regulator within 14 days of dealing with land under this section	Delegation	X	X				20-Jul-20	Minute 109/20
35	73(8) Declaration that land is not a cemetery	The Cemetery Manager (as landowner) requirement to notify each prospective purchaser of the land of matters specified in this section	Delegation	X	X				20-Jul-20	Minute 109/20

Burial and Cremation Regulations 2025

Back to CONTENTS

Legislation Version: 27 May 2025

This Register is maintained in compliance with sections 22(4) and 64(2) 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, Controlling Authority, a Council Committee or a Special Committee, any of its functions or powers under any Act: s.22 Local Government Act 1993 (Tas) (subject to restrictions), other than the power of delegation (unless authorised by the Council) and the specific powers referred to in subsection 22(3) of the Local Government Act 1993 (Tas).
- (2) The General Manager, in writing, may delegate to an employee of the Council - (a) any functions or powers under any Act, other than the 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 which has been delegated may, notwithstanding the delegation, be exercised by the delegator: s.23AA(6) Acts Interpretation Act 1931 (Tas).
- (6) 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).

			Nature	Given by	Given to	Conditions or restrictions	Decision	Evidence of Authorisation / Delegation
No.	Provision (hyperlinked to legislation)	Function or power	Appointment, Delegation or Authorisation	Council	General Manager	Notes	Date(s) of Delegation / Authorisation	Resolution Number
1	27 Certificate of exclusive right of burial	The Cemetery Manager's responsibility to issue a certificate of exclusive right of burial within 30 days of granting the right	Delegation	X	X		20-Jul-20	Minute 109/20
2	28 Amendment of certificate of exclusive right of burial	The Cemetery Manager's powers to amend a certificate of exclusive right of burial upon receipt of written consent	Delegation	X	X		20-Jul-20	Minute 109/20
3	29 Cancellation or transfer of exclusive right of burial	The Cemetery Manager's powers to cancel or transfer an exclusive right of burial upon notice in writing	Delegation	X	X		20-Jul-20	Minute 109/20
4	30(3)-(4) Permission to inter human remains	A Cemetery Manager's powers to grant, or refuse to grant, permission to inter human remains in a cemetery; give written notice to the applicant that permission has been granted or refused and on the giving permission to inter human remains, to place conditions on the interment of the remains	Delegation	X	X		20-Jul-20	Minute 109/20
5	39 Plan of cemetery	(1) A Cemetery Manager's requirement to keep a plan of the cemetery that shows the location of each grave and each plot or portion of the cemetery set aside in respect of an exclusive right of burial. (2) The Cemetery Manager's responsibility to identify the plot or portion in the plan of the cemetery as soon as practicable after a certificate of exclusive right of burial identifies the plot. (3) the Cemetery Manager's responsibility to provide reasonable access to the plan of the cemetery	Delegation	X	X		20-Jul-20	Minute 109/20
6	40 Register of interments	A Cemetery Manager's requirement to keep a register of interments in accordance with the requirements set out in this section	Delegation	X	X		20-Jul-20	Minute 109/20
7	42 Dangerous driving	A Cemetery Manager's powers to give any reasonable directions as to the driving or parking and to erect signs	Delegation	X	X		20-Jul-20	Minute 109/20
8	44 Power of cemetery manager in relation to graves and plots	A Cemetery Manager's powers to take certain action in cemeteries in relation to the overall appearance or maintenance of the cemetery or which is prejudicial to the public health and safety	Delegation	X	X		20-Jul-20	Minute 109/20
9	45 Power of cemetery manager to approve permanent items	A Cemetery Manager's powers to approve 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
10	46(1) Power of cemetery manager to remove persons	A Cemetery Manager's power to 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
11	46(3) Power of cemetery manager to remove persons	A Cemetery Manager's powers to remove from a cemetery or prevent the re-entry of a person and may be assisted by a police officer	Delegation	X	X		20-Jul-20	Minute 109/20
12	47 Duty of cemetery manager on removal of monument	A Cemetery Manager's requirement to take photos of the monument as prescribed in this section if removing a monument and provide photos to the Heritage Council	Delegation	X	X		20-Jul-20	Minute 109/20

Notes on Delegation

- (1) A Council, in writing, may delegate with or without conditions to the General Manager, Controlling Authority, a Council Committee or a Special Committee, any of its functions or powers under any Act: s.22 Local Government Act 1993 (Tas) (subject to restrictions), other than the power of delegation (unless authorised by the Council) and the specific powers referred to in subsection 22(3) of the Local Government Act 1993 (Tas).
- (2) The General Manager, in writing, may delegate to an employee of the Council - (a) any functions or powers under any Act, other than the 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 which has been delegated may, notwithstanding the delegation, be exercised by the delegator: s.23AA(6) Acts Interpretation Act 1931 (Tas).
- (6) 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 (hyperlinked to legislation)	Function or power	Nature	Given by	Given to	Conditions or restrictions	Decision	Evidence of Authorisation / Delegation
			Appointment, Delegation or Authorisation	Council General Manager	Director - Community & Development Services	Notes	Date(s) of Delegation / Authorisation	Resolution Number
1	8A(2) - Collection and analysis of sample from a cat	The General Manager’s power to approve a person to collect a non-intimate sample from a cat, and power to approve a person to conduct the analysis of the sample collected.	Delegation	X	X		21-Oct-24	Minute 211/24
2	8A(4) - Collection and analysis of sample from a cat	The General Manager's power to 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, when a request pursuant to subsection 8A(3) is received.	Delegation	X	X		21-Oct-24	Minute 211/24
3	8A(7) - Collection and analysis of sample from a cat	The General Manager's power to authorise a qualified person to conduct analysis of a sample collected in accordance with section 8A(5)(b).	Delegation	X	X		21-Oct-24	Minute 211/24

			Nature	Given by	Given to	Conditions or restrictions	Decision	Evidence of Authorisation / Delegation
			Appointment, Delegation or Authorisation	Council General Manager	Director - Community & Development Services	Notes	Date(s) of Delegation / Authorisation	Resolution Number
No.	Provision (hyperlinked to legislation)	Function or power						
4	16B(3)(b) Application to keep more than 4 cats	The General Manager's powers to require an applicant to publish a notice, in a prescribed manner, stating the intention to apply for a multiple cat permit and the address and details of the individual property and the number of cats to which the application relates.	Delegation	X	X		21-Oct-24	Minute 211/24
5	16B(4)(b) Application to keep more than 4 cats	The General Manager's powers to consult with the Secretary in considering an application for a multiple cat permit	Delegation	X	X		21-Oct-24	Minute 211/24
6	16C(1) Determination of application to keep more than 4 cats	The General Manager's powers to grant an application pursuant to section 16B(1) subject to any conditions they thinks fit; or to refuse an application pursuant to section 16B(1)	Delegation	X	X	Permits may not be issued in contravention of a council by-law.16C(3)	21-Oct-24	Minute 211/24
7	16C(2) Determination of application to keep more than 4 cats	The General Manager's powers to issue a multiple cat permit in writing	Delegation	X	X	Permits may not be issued in contravention of a council by-law.16C(3)	21-Oct-24	Minute 211/24
8	16C(5) Determination of application to keep more than 4 cats	The General Manager's powers to vary a multiple cat permit	Delegation	X	X	Permits may not be issued in contravention of a council by-law.16C(3)	21-Oct-24	Minute 211/24
9	16C(6) Determination of application to keep more than 4 cats	The General Manager's powers to provide the applicant with notice of refusal and written reasons for refusal of a multiple cat permit	Delegation	X	X	Permits may not be issued in contravention of a council by-law.16C(3)	21-Oct-24	Minute 211/24
10	16D Cancellation of multiple cat permit	The General Manager's powers to cancel a multiple cat permit by notice in writing	Delegation	X	X		21-Oct-24	Minute 211/24
11	19 Declaration of prohibited area	The Council's powers to declare an area of land within the municipal area to be an area where cats are prohibited	Delegation	X			21-Oct-24	Minute 211/24
12	20 Declaration of cat management area	The Council's powers to declare an area of land within the municipal area to be an area within which measures may be taken in respect of cats	Delegation	X			21-Oct-24	Minute 211/24

			Nature	Given by	Given to	Conditions or restrictions	Decision	Evidence of Authorisation / Delegation
			Appointment, Delegation or Authorisation	Council General Manager	Director - Community & Development Services	Notes	Date(s) of Delegation / Authorisation	Resolution Number
No.	Provision (hyperlinked to legislation)	Function or power						
13	21 Proposal for Council declaration	The Council's powers to publish a notice of a proposal to make a declaration under section 19 or section 20; and to receive and consider any submissions made under subsection 31(3) before making a declaration under section 19 or section 20.	Delegation	X			21-Oct-24	Minute 211/24
14	21A Council declaration	The Council's powers to propose amend or revoke a declaration under section 19 or 20 by notice published in accordance with subsection (1)(a) and (b); and the Council's powers to consider submissions made under subsection (3) before amending or revoking a declaration.	Delegation	X			21-Oct-24	Minute 211/24
15	31 Permit to breed a cat	The General Manager's powers to grant an application for a cat breeding permit, subject to conditions, or to refuse an application for a cat breeding permit; and the General Manager's powers to issue a permit in writing to the applicant. The General Manager's powers to, by notice to the holder of a cat breeding permit, vary the permit, including any condition of the permit, if satisfied there are reasonable grounds to do so	Delegation	X	X		21-Oct-24	Minute 211/24

Child and Youth Safe Organisations Act 2023

Back to CONTENTS

Legislation Version: 1 July 2025

This Register is maintained in compliance with sections 22(4) and 64(2) of the Local Government Act 1993 (Tas).

Notes on Legislation

s4 **head** in relation to an entity, means - (c) in any other case - (i) the chief executive officer of the entity (however titled or described)

^{s4} **reportable allegation** means information that leads a person to form a reasonable suspicion that a worker of an entity has committed a reportable conduct, whether or not the alleged reportable conduct occurred within the course of the worker's duties in respect of the entity, and regardless of whether the alleged reportable conduct occurred before the commencement of this Act

s7 reportable conduct definition

s4 reportable conviction means a conviction for an offence that involves reportable conduct, regardless of whether the conduct or conviction occurred before the commencement of this Act.

s8 **worker** definition

Sch 3 (2) Relevant entities to which the scheme applies on or after 1 January 2024 - The scheme applies to the following entities, and classes of entities, on and after 1 January 2024 (l) a Council.

Notes on Delegation

(1) A Council, in writing, may delegate with or without conditions to the General Manager, Controlling Authority, a Council Committee or a Special Committee, any of its functions or powers under any Act: s.22 Local Government Act 1993 (Tas) (subject to restrictions), other than the power of delegation (unless authorised by the Council) and the specific powers referred to in subsection 22(3) of the Local Government Act 1993 (Tas).

(2) The General Manager, in writing, may delegate to an employee of the Council - (a) any functions or powers under any Act, other than the 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 which has been delegated may, notwithstanding the delegation, be exercised by the delegator: s.23AA(6) Acts Interpretation Act 1931 (Tas).

(6) 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 (hyperlinked to legislation)	Function or power	Nature	Given by	Given to	Conditions or restrictions	Decision	Evidence of Authorisation / Delegation
			Appointment, Delegation or Authorisation	Council	General Manager	Director - Corporate Services	Notes	Date(s) of Delegation / Authorisation
1	34 Head of relevant entity to notify Regulator of reportable allegation or reportable conviction	Upon becoming aware of a reportable allegation or a reportable conviction against a worker , the Head of Relevant Entity's responsibility to notify the Regulator in writing of the prescribed matters per this section	Delegation	X	X		18-Dec-23	Minute 219/23
2	35 Investigation by head of relevant entity	Upon becoming aware of a reportable allegation or reportable conviction against a worker , the Head's requirement to investigate and inform the Regulator as prescribed in the section	Delegation	X	X		18-Dec-23	Minute 219/23
3	The Royal Commission into Institutional Responses to Child Sexual Abuse - Recommendation 6.12:		Delegation	X	X	Appointed by Council, along with authority to delegate the role of Child Safety Officer in accordance with	18-Dec-23	Minute 219/23
	“With support from governments at the national, state and territory levels, local governments should designate child		Delegation					

			Nature	Given by	Given to	Conditions or restrictions	Decision	Evidence of Authorisation / Delegation
			Appointment, Delegation or Authorisation	Council General Manager	Director - Corporate Services	Notes	Date(s) of Delegation / Authorisation	Resolution Number
No.	Provision (hyperlinked to legislation)	Function or power						
	safety officer positions from existing staff profiles"					Recommendation 6.12, as required.		

Dog Control Act 2000

[Back to CONTENTS](#)

Legislation Version: 1 July 2025

This Register is maintained in compliance with sections 22(4) and 64(2) of the Local Government Act 1993 (Tas).

Notes on Legislation

S 3 ***authorised person*** means (b) a General Manager; and (c) a person appointed by the General Manager to be an authorised person

s 82 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.

Notes on Delegation

(1) A Council, in writing, may delegate with or without conditions to the General Manager, Controlling Authority, a Council Committee or a Special Committee, any of its functions or powers under any Act: s.22 Local Government Act 1993 (Tas) (subject to restrictions), other than the power of delegation (unless authorised by the Council) and the specific powers referred to in subsection 22(3) of the Local Government Act 1993 (Tas).

(2) The General Manager, in writing, may delegate to an employee of the Council - (a) any functions or powers under any Act, other than the 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 which has been delegated may, notwithstanding the delegation, be exercised by the delegator: s.23AA(6) Acts Interpretation Act 1931 (Tas).

(6) 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).

			Nature	Given by	Given to		Conditions or restrictions	Decision	Evidence of Authorisation / Delegation
			Appointment, Delegation or Authorisation	Council General Manager	Director - Community & Development Services	Animal Management Officer	Notes	Date(s) of Delegation / Authorisation	Resolution Number
No.	Provision (hyperlinked to legislation)	Function or power							
1	7 Dog management policy	The Council's powers to: (1) develop, make and implement a policy relating to dog management in its municipal area; and (3) invite public submissions relating to a proposed policy or an amendment of the policy; and consult with any appropriate body or organisation before making the policy or the amendment; and (4) 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	The General Manager's powers to receive an application for the registration of a dog.	Delegation	X				20-Jul-20	Minute 109/20
3	10(1) Registration disc	The General Manager's powers to allocate a registration number and to issue a disc or tag in accordance with the requirements of this section	Delegation	X	X	X		20-Jul-20	Minute 109/20
4	12(2) Cancellation of registration	The General Manager's powers to cancel the of registration of the dog, or notify the General Manager of the Council of the new municipal area.	Delegation	X	X	X		20-Jul-20	Minute 109/20
5	15(1) & (2) Register	The General Manager's function to keep a register in respect of registered dogs in accordance with the requirements of this section	Delegation	X	X	X		20-Jul-20	Minute 109/20
6	15(4) Register	The General Manager's powers to 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	The General Manager's powers to implant a microchip on a seized dog	Delegation	X	X	X		20-Jul-20	Minute 109/20
8	19AA(2) Collection and analysis of a sample from a dog	The General Manager's powers to authorise the collection of a non-intimate or intimate sample from a dog in accordance with this section	Delegation	X				20-Jul-20	Minute 109/20
9	19AA(5) Collection and analysis of a sample from a dog	The General Manager's powers to 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's powers to destroy a dog seized and detained under subsection (1) .	Delegation	X	X	X		20-Jul-20	Minute 109/20

No.	Provision (hyperlinked to legislation)	Function or power	Nature	Given by	Given to		Conditions or restrictions	Decision	Evidence of Authorisation / Delegation
			Appointment, Delegation or Authorisation	Council	General Manager	Director - Community & Development Services	Animal Management Officer	Notes	Date(s) of Delegation / Authorisation
11	19A(3)Subsequent attack by dangerous dog	The General Manager's function to serve notice in writing on the owner of the dog of the decision to destroy the dog.	Delegation	X	X	X		20-Jul-20	Minute 109/20
12	19AC(3)Collection of sample by authorised officer, &c.	The General Manager's power to 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	The Council's powers to 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	The Council's powers to 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	The Council 'powers to 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
16	23 Restricted areas	The Council's powers to declare an area to be an area where dogs are restricted from entering (a) during specified hours, days or seasons; or (b) during specified hours, days or seasons unless they are on a lead; or (c) at all times.	Delegation	X				20-Jul-20	Minute 109/20
17	24 Public notice of intention to declare areas	The Council's function to notify by public notice of its intention to make a declaration under this division (Part 3 Control of Dogs - Division 2 - Declared areas) in accordance with this section and to invite submissions and consider submissions received prior to resolving to make a declaration under this Division	Delegation	X				20-Jul-20	Minute 109/20
18	25 Date and period of declaration	The Council's function to, by public notice, notify of the date on which the declaration takes effect and the period during which the declaration remains in force	Delegation	X				20-Jul-20	Minute 109/20
19	26 Review of declaration	The Council's requirement to review the declaration at least once every 5 years and to take the steps required by section 24	Delegation	X				20-Jul-20	Minute 109/20
20	27 Signs	The Council's function to erect signs	Delegation	X				20-Jul-20	Minute 109/20

No.	Provision (hyperlinked to legislation)	Function or power	Nature	Given by	Given to		Conditions or restrictions	Decision	Evidence of Authorisation / Delegation
			Appointment, Delegation or Authorisation	Council General Manager	Director - Community & Development Services	Animal Management Officer	Notes	Date(s) of Delegation / Authorisation	Resolution Number
21	29 Declaration of particular dangerous dog	The General Manager's powers to declare a dog dangerous in accordance with the requirements of this section	Delegation	X	X		In consultation with the General Manager	20-Jul-20	Minute 109/20
22	30(2) Guard dogs	The General Manager's powers, on receipt of notification under s30(1), to declare the dog to be a dangerous dog	Delegation	X				20-Jul-20	Minute 109/20
23	30(4) Guard dogs	The General Manager's powers, upon receipt of application, to revoke a dangerous dog declaration if satisfied the dog is no longer a guard dog and is not a dangerous dog	Delegation	X				20-Jul-20	Minute 109/20
24	32A(3) Dangerous dogs and restricted breed dogs to be de-sexed and microchipped	The General Manager's powers to be provided with a 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
25	34 Dangerous dog or restricted breed dog missing, dying, &c.	The General Manager's powers to receive notification of a dangerous dog or restricted breed dog going missing, strays or dies, or is lost, sold or given away	Delegation	X				20-Jul-20	Minute 109/20
26	34A Application for approval to transfer ownership of dangerous dog or restricted breed dog	The General Manager's powers to approve or disallow the transfer the ownership of a dangerous dog or restricted breed dog	Delegation	X				20-Jul-20	Minute 109/20
27	35(2) Seizure and detention of dogs at large	The General Manager's function of notifying in writing the owner of a dog that the dog has been seized and detained and the owner may reclaim the dog	Delegation	X	X	X		20-Jul-20	Minute 109/20
28	35(3) Seizure and detention of dogs at large	The General Manager's powers to sell, destroy or otherwise dispose of the dog if after 5 working days after the notice has been given to the owner, the owner does not reclaim the dog	Delegation	X	X	X		20-Jul-20	Minute 109/20
29	35(4) Seizure and detention of dogs at large	The General Manager's powers where an owner is unidentifiable, to, 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
30	35(5) Seizure and detention of dogs at large	The General Manager's powers 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

No.	Provision (hyperlinked to legislation)	Function or power	Nature	Given by	Given to		Conditions or restrictions	Decision	Evidence of Authorisation / Delegation
			Appointment, Delegation or Authorisation	Council General Manager	Director - Community & Development Services	Animal Management Officer	Notes	Date(s) of Delegation / Authorisation	Resolution Number
31	35(6) Seizure and detention of dogs at large	The General Manager's powers to 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
32	39A(1) Destruction of dangerous dog if enclosure not suitable	The General Manager's power to not 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
33	39A(2) Destruction of dangerous dog if enclosure not suitable	The General Manager's powers to require by notice in writing an enclosure to be built, or have built such an enclosure	Delegation	X	X	X		20-Jul-20	Minute 109/20
34	39A(3) Destruction of dangerous dog if enclosure not suitable	The General Manager's power to extend the period in subsection 2	Delegation	X	X	X		20-Jul-20	Minute 109/20
35	39A(4) Destruction of dangerous dog if enclosure not suitable	The General Manager's powers to destroy the dog if the owner does not build, or have built, a suitable enclosure	Delegation	X	X	X		20-Jul-20	Minute 109/20
36	39A(5) Destruction of dangerous dog if enclosure not suitable	The General Manager's function of giving notice in writing served on the owner of the General Manager's intention to destroy the dog	Delegation	X	X	X		20-Jul-20	Minute 109/20
37	42(3) Destruction of dog	The General Manager's requirement to notify the dog's owner in writing of – (a) the destruction of the dog; and (b) the reasons for the destruction.	Delegation	X	X	X		20-Jul-20	Minute 109/20
38	47(1) Complaints relating to nuisance	The General Manager's power to receive a complaint	Delegation	X	X	X		20-Jul-20	Minute 109/20
39	48(1) Investigation of complaint	The General Manager's powers to investigate the subject matter of the complaint.	Delegation	X	X	X		20-Jul-20	Minute 109/20
40	48(2)(a) Investigation of complaint	If the General Manager considers that the complaint has substance, the General Manager's powers to institute proceedings for an offence under section 46	Delegation	X	X	X		20-Jul-20	Minute 109/20
41	48(2)(b) Investigation of complaint	If the General Manager considers that the complaint has substance, the General Manager's function to refund the fee that accompanied the complaint	Delegation	X				20-Jul-20	Minute 109/20

			Nature	Given by	Given to		Conditions or restrictions	Decision	Evidence of Authorisation / Delegation
			Appointment, Delegation or Authorisation	Council General Manager	Director - Community & Development Services	Animal Management Officer	Notes	Date(s) of Delegation / Authorisation	Resolution Number
No.	Provision (hyperlinked to legislation)	Function or power							
42	49A Abatement notices	The General Manager's power to serve an Abatement Notice if satisfied a dog is creating a nuisance	Delegation	X	X	X		20-Jul-20	Minute 109/20
43	51(1) Application for licences	A person can apply to the general manager for a licence to keep more than 2 dogs or more than 4 working dogs	Delegation	X				20-Jul-20	Minute 109/20
44	51(3) Application for licences	The General Manager's powers to require a licence applicant give public notice of there intention to apply for a licence to keep several dogs, including the address and details of the premises and number of dogs	Delegation	X				20-Jul-20	Minute 109/20
45	52 Objections to licence	The General Manager's powers to receive objections in writing against the granting of a licence	Delegation	X				20-Jul-20	Minute 109/20
46	54 Refusing application	The General Manager's powers to refuse an application pursuant to the provisions of this section	Delegation	X	X	X		20-Jul-20	Minute 109/20
47	55(1) Granting Application	The General Manager's powers to grant an application for a licence if satisfied of the matters in this section	Delegation	X	X	X		20-Jul-20	Minute 109/20
48	55(2) Granting Application	The General Manager's function of issuing a licence specifying certain matters in this section	Delegation	X				20-Jul-20	Minute 109/20
49	57(2) Renewal of licence	The General Manager's powers to refuse to renew a licence satisfied (a) the provisions of this Act or any other Act not being complied with; or (b) the situation or condition of the premises is causing a nuisance; or (c) it is in the public interest that the licence not be renewed.	Delegation	X	X	X		20-Jul-20	Minute 109/20
50	58(1) Cancellation of licence	The General Manager's power to cancel a licence if satisfied of matters in this section	Delegation	X				20-Jul-20	Minute 109/20
51	58(2) Cancellation of licence	The General Manager's function to give notice and consider representations before cancelling a licence	Delegation	X				20-Jul-20	Minute 109/20
52	73(6) Entering land	The General Manager's function of giving the owner of a seized dog written notice of the matters in this section	Delegation	X	X	X		20-Jul-20	Minute 109/20
53	75 Use of tranquilliser devices	The power to use at any time a tranquilliser device or other device to subdue or apprehend a dog subject to the provisions in this section	Authorisation	X	X	X		20-Jul-20	Minute 109/20

			Nature	Given by	Given to		Conditions or restrictions	Decision	Evidence of Authorisation / Delegation
			Appointment, Delegation or Authorisation	Council General Manager	Director - Community & Development Services	Animal Management Officer	Notes	Date(s) of Delegation / Authorisation	Resolution Number
54	80(2)(a)-(c) Fees	A General Manager's powers to: (a) waive a fee; (b) refund part or all of a fee; or (c) discount a fee	Delegation	X				20-Jul-20	Minute 109/20
55	81 Payment by instalments	A General Manager's powers to allow a fee to be paid by instalments or any other means considered appropriate.	Delegation	X				20-Jul-20	Minute 109/20

Emergency Management Act 2006

[Back to CONTENTS](#)

This Register is maintained in compliance with sections 22(4) and 64(2) of the Local Government Act 1993 (Tas).

Legislation Version: 6 May 2020

Notes on Legislation

S 31 An authorised officer includes a member of a statutory service or any other person as authorised to act as an authorised person under this section

Notes on Delegation

(1) A Council, in writing, may delegate with or without conditions to the General Manager, Controlling Authority, a Council Committee or a Special Committee, any of its functions or powers under any Act: s.22 Local Government Act 1993 (Tas) (subject to restrictions), other than the power of delegation (unless authorised by the Council) and the specific powers referred to in subsection 22(3) of the Local Government Act 1993 (Tas).

(2) The General Manager, in writing, may delegate to an employee of the Council - (a) any functions or powers under any Act, other than the 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 which has been delegated may, notwithstanding the delegation, be exercised by the delegator: s.23AA(6) Acts Interpretation Act 1931 (Tas).

(6) 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 (hyperlinked to legislation)	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	Municipal Coordinator	Deputy Municipal Coordinator		Date(s) of Delegation / Authorisation	Resolution Number
1	21(2) Membership of Municipal Committees	The Council's powers to determine who is to be the Municipal Chairperson.	Delegation	X					Determined to be the Dorset Council Mayor	18-Aug-25	Minute 159/2025
2	23(2), (7), (8) Municipal Emergency Management Coordinators and Deputies	The Council's powers to nominate a person as Municipal Emergency Management Coordinator, or Deputy Municipal Emergency Coordination Manager in accordance with the requirements of this section	Delegation	X		X	X		Endorsed nomination by Council required to be submitted to the Minister for approval	18-Aug-24 23-Jun-25	Minute 234/24 Minute 112/2025
3	24G(2) Municipal Recovery Coordinator	The General Manager's powers to appoint a Municipal Recovery Coordinator	Delegation	X		X				18-Aug-25	Minute 159/2025
4	46 Councils to use resources in emergency	The Council's powers to use its resources and the resources made available to it to manage the emergency	Delegation	X		X	X			18-Aug-25	Minute 159/2025

5	47 Councils to establish or provide for resources	The Council's functions to establish and maintain, or otherwise provide for the availability of, all resources and facilities it considers necessary for the management of an emergency in its municipal area in accordance with the relevant Municipal Emergency Management Plan.	Delegation	X	X	X			18-Aug-25	Minute 159/2025
6	48 Municipal volunteer SES units	The Council's function to establish and maintain municipal volunteer SES units, if it is considered necessary after consultation with the Director of the SES.	Delegation	X	X	X			18-Aug-25	Minute 159/2025
7	49 Resources of municipal volunteer SES units	The Council's functions for the effective operation of its municipal volunteer SES units in accordance with this section	Delegation	X	X	X			18-Aug-25	Minute 159/2025
8	50 Power to bind in contracts	A Council's powers to enter into a contract with one or more Councils or other persons to enable or facilitate emergency management in its municipal area or other municipal areas.	Delegation	X	X	X			18-Aug-25	Minute 159/2025
9	Schedule 2 Special emergency powers	In a region affected by the declaration of a state of emergency, the Council's function to surrender and make available resources for emergency management to the State Controller or Regional Controller as directed.	Delegation	X	X	X			18-Aug-25	Minute 159/2025

Environmental Management and Pollution Control Act 1994

[Back to CONTENTS](#)

Legislation Version: 14 December 2022

This Register is maintained in compliance with sections 22(4) and 64(2) of the Local Government Act 1993 (Tas).

Notes on Legislation

- s.21A Council may appoint an employee of the Council to be a Council Officer for the purposes of this Act.
- s.92(4)Powers of Authorised Officers and Council Officers. An Authorised Officer or Council Officer who is seeking to exercise powers under this Act must, when reasonably required by any person, produce evidence of identification and authorisation.

Notes on Delegation

- (1) A Council, in writing, may delegate with or without conditions to the General Manager, Controlling Authority, a Council Committee or a Special Committee, any of its functions or powers under any Act: s.22 Local Government Act 1993 (Tas) (subject to restrictions), other than the power of delegation (unless authorised by the Council) and the specific powers referred to in subsection 22(3) of the Local Government Act 1993 (Tas).
- (2) The General Manager, in writing, may delegate to an employee of the Council - (a) any functions or powers under any Act, other than the 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 which has been delegated may, notwithstanding the delegation, be exercised by the delegator: s.23AA(6) Acts Interpretation Act 1931 (Tas).
- (6) 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 (hyperlinked to legislation)	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 - Community & Development Services	Environmental Health Officer	Notes	Date(s) of Delegation / Authorisation	Resolution Number
1	20A Duty of Council to prevent control pollution	The Council's function of using best endeavours to prevent or control acts or missions which cause, or are capable of causing, pollution in relation to activities other than prescribed activities.	Delegation	X	X			Nil	20-Jul-20	Minute 109/20

No.	Provision (hyperlinked to legislation)	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 - Community & Development Services	Environmental Health Officer	Notes	Date(s) of Delegation / Authorisation
2	20B Council may ask Board to exercise powers	The Council's powers to 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: (a) an environmental audit; (b) an environmental improvement programme; (c) an environmental agreement; and (d) lodgement of financial assurance.	Delegation	X	X			Nil	20-Jul-20	Minute 109/20
3	Council officers	The Council's powers to appoint an employee of the Council to be a Council Officer for the purpose of this Act	Delegation	X	X	X	X	Nil	20-Jul-20	Minute 109/20
4	22(1A) Registers of environmental management and enforcement instruments	The Council's function of keeping a register containing particulars of (a) any environment protection notice issued under section 44(2); and (b) any amendment or revocation of any notice referred to in paragraph (a).	Delegation	X	X			Nil	20-Jul-20	Minute 109/20
5	23(1)&(2) Trade secrets	All of the Council's functions of consulting with a person and making a determination on whether to include information that could be kept as a trade secret in a register to be kept under the Act as required by this section	Delegation	X	X			Nil	20-Jul-20	Minute 109/20
6	24(1) - Assessment of permissible level 1 activities	The Planning Authority's function of referring an application for a permit to the Board if directed to do so by the Director	Delegation	X	X	X	X		20-Jul-20	Minute 109/20
7	25(1)(b) Assessment of permissible level 2 activities	The Planning Authority's function of referring the application for a permit 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	25A(1D)(a) Assessment of applications for permits that are combined with applications for planning scheme amendments	The Planning Authority's function of 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	27AC(5) Directions in relation to permits in respect of EL activities	The Planning Authority's function of notifying 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	27AD(2) Minor variations of planning permit in relation to EL activities	The Planning Authority's power of applying to the Board for approval to amend a planning permit in accordance with this section	Delegation	X					20-Jul-20	Minute 109/20
11	43 Power to require information	The Council's function of providing a response to the Director's notice if one is served on the Council	Delegation	X					20-Jul-20	Minute 109/20
12	44(4) Environmental protection notices	The Council's function of advising the Director in writing of an environmental protection notice issuing in accordance with this section	Delegation	X	X	X		Nil	20-Jul-20	Minute 109/20
13	47(1) Action on non-compliance with environment protection notice	The Council's powers to 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 (hyperlinked to legislation)	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 - Community & Development Services	Environmental Health Officer	Notes	Date(s) of Delegation / Authorisation
14	47(3)& (4) Action on non-compliance with environment protection notice	The Council's powers of recovering reasonably costs and expenses incurred in accordance with these sections	Delegation	X	X	X		Nil	20-Jul-20	Minute 109/20
15	48(1) Civil enforcement proceedings	The Council's powers of applying to the Appeal Tribunal for an order in accordance with this section	Delegation	X	X			Nil	20-Jul-20	Minute 109/20
16	61 Reports in respect of alleged contraventions	The Council's function of advising a person of the action taken or proposed to be taken in respect of an allegation	Delegation	X	X	X	X		20-Jul-20	Minute 109/20
17	64 Recovery of technical costs associated with prosecutions	The Council's powers to make application to the Court in accordance with this section	Delegation	X	X	X			20-Jul-20	Minute 109/20
18	74 Environmental Impact Assessment Principles	The Council's powers of preparing an environmental impact assessment, if required.	Delegation	X		X	X	Nil	20-Jul-20	Minute 109/20
19	94(3) Provisions relating to seizure	The Council's powers, on application, to authorise a thing seized's release in accordance with this section	Delegation	X		X	X		20-Jul-20	Minute 109/20
20	103 Fees imposed by councils	The Council's powers to impose fees in accordance with this section	Delegation	X	X				20-Jul-20	Minute 109/20

Food Act 2003

Back to CONTENTS

This Register is maintained in compliance with sections 22(4) and 64(2) of the Local Government Act 1993 (Tas).

Legislation Version: 1 July 2025

Notes on Legislation

- s4 enforcement agency means the Director of Public Health or a council
- s. 31 In this Part (Part 3: Emergency Powers)- relevant authority means... a council or an authorised officer
- s 83F In this Division (Division 2 of Part 6A: Auditing) - appropriate authority , in relation to a food business, means the Director of Public Health or the Council of the municipal area in which the food business is located
- s.101(2) Appointment of authorised officers :- A Council may appoint a person to be an authorised officer for the purposes of this Act

Notes on Delegation

- (1) A Council, in writing, may delegate with or without conditions to the General Manager, Controlling Authority, a Council Committee or a Special Committee, any of its functions or powers under any Act: s.22 Local Government Act 1993 (Tas) (subject to restrictions), other than the power of delegation (unless authorised by the Council) and the specific powers referred to in subsection 22(3) of the Local Government Act 1993 (Tas).
- (2) The General Manager, in writing, may delegate to an employee of the Council - (a) any functions or powers under any Act, other than the 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 which has been delegated may, notwithstanding the delegation, be exercised by the delegator: s.23AA(6) Acts Interpretation Act 1931 (Tas).
- (6) 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 (hyperlinked to legislation)	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 - Community & Development Services	Environmental Health Officer	Notes	Date(s) of Delegation / Authorisation	Resolution Number
1	101(2) Appointment of authorised officers	Appointment as an authorised officer for the purposes of this Act	Appointment	X	X		X	A person may not be appointed as an authorised officer unless they hold an approved qualification: s. 101(3).	20-Jul-20	Minute 109/20

No.	Provision (hyperlinked to legislation)	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 - Community & Development Services	Environmental Health Officer	Notes	Date(s) of Delegation / Authorisation
2	101(2) Appointment of authorised officers	The Council's powers to appoint a person to be an authorised officer for the purpose of this Act	Delegation	X	X		X	A person may not be appointed as an authorised officer unless they hold an approved qualification: s. 101(3).	20-Jul-20	Minute 109/20
3	102(2) Certificates of authority	The Council's function to provide an authorised officer appointed under s. 101(2) with a certificate of authority as an authorised officer.	Delegation	X	X				20-Jul-20	Minute 109/20
4	33 Making of order	The Relevant Authority's powers to make an order under this Part	Delegation	X	X		X	Nil	20-Jul-20	Minute 109/20
5	34(2) Nature of order	The Relevant Authority's powers to vary or revoke an order.	Delegation	X	X		X	Nil	20-Jul-20	Minute 109/20
6	50(2) Forfeiture of item	The Council's powers to destroy, sell or otherwise disposed of a forfeited item.	Delegation	X	X		X		20-Jul-20	Minute 109/20
7	52(1) Return of forfeited item	The Council's function of returning an item that has not been destroyed or otherwise disposed of as soon as possible to the person it was seized from if satisfied that no contravention of the Act has been committed.	Delegation	X	X		X		20-Jul-20	Minute 109/20
8	53(2), (3) & (4) Compensation to be paid in certain circumstances	The Enforcement Agency's requirement to pay such compensation in accordance with this section	Delegation	X	X		X		20-Jul-20	Minute 109/20
9	55 Enforcement agency entitled to answer application	The Enforcement Agency's function of appearing as respondent at the hearing of an application made under Section 54.	Delegation	X	X		X		20-Jul-20	Minute 109/20
10	68(2)&(3) - Compensation	All of the Enforcement Agency's function of paying compensation as required by this section	Delegation	X	X			Nil	20-Jul-20	Minute 109/20
11	83H Priority classification system and frequency of auditing	All of the Appropriate Authority's functions pursuant to this section in relation to priority classification system	Delegation	X	X		X	Nil	20-Jul-20	Minute 109/20
12	87 Registration of food business	All of the Council's functions and powers pursuant to this section in relation to registration of a food business	Delegation	X	X		X	Nil	20-Jul-20	Minute 109/20
13	89 Renewal of registration	All of the Council's functions and powers pursuant to this section in relation to renewal of the registration in accordance with this section	Delegation	X	X		X	Nil	20-Jul-20	Minute 109/20
14	91 Variation of conditions, or suspension or cancellation, of registration of food businesses	The Council's powers to vary the conditions of, or suspend or cancel, the registration of a food business under this Part in accordance with this section.	Delegation	X	X		X	Nil	20-Jul-20	Minute 109/20

No.	Provision (hyperlinked to legislation)	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 - Community & Development Services	Environmental Health Officer	Notes	Date(s) of Delegation / Authorisation
15	94 Register of food businesses to be maintained	The Council's function of preparing and maintaining a list of food businesses in accordance with this section	Delegation	X	X		X	Nil	20-Jul-20	Minute 109/20
16	97 Functions of councils	The Council's functions of (a) taking adequate measures to ensure that the provisions of this Act are complied with; and (b) carrying out any other function the Minister or Director of Public Health determines.	Delegation	X	X		X	Nil	20-Jul-20	Minute 109/20
17	98(4) Power of Director of Public Health to Order council to perform functions	The Council's powers to 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
18	100(1) & (2) Reports by councils	The Council's function of reporting to the Director of Public Health on the performance of functions under this Act, and the Council's function of forwarding 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
19	104(1) Institution of proceedings	The Council's powers to institute proceedings for an offence under this Act in accordance with this section	Delegation	X	X			NB - an authorised officer also has powers to institute proceedings (separately to Council) - s 104(1)(a)(ii)	20-Jul-20	Minute 109/20
20	118(1) Infringements	The Council's powers to serve an infringement notice on a person in accordance with this section	Delegation	X	X	X		(1) An infringement notice is to be in accordance with section 14 <i>Monetary Penalties Enforcement Act 2005</i> (2) NB - an authorised officer also has powers to serve an infringement notice - s 118(1)	20-Jul-20	Minute 109/20

Heavy Vehicle National Law (Tasmania) Act 2013

[Back to CONTENTS](#)

Legislation Version: 1 July 2025

This Register is maintained in compliance with sections 22(4) and 64(2) of the Local Government Act 1993 (Tas).
[The Heavy Vehicle National Law \(Tasmania\) Act 2013 \(Tas\) makes the Heavy Vehicle National Law \(as set out in the Schedule to the Heavy Vehicle National Law Act 2012 \(Qld\)\) applicable in Tasmania with certain modifications for the Tasmanian context. The Act results in the creation of the Heavy Vehicle National Law \(Tasmania\)](#)
[The Heavy Vehicle National Law is contained in the Schedule to the Heavy Vehicle National Law Act 2012 \(Qld\).](#)

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).
s.15 road authority is the Registrar. Registrar means the Registrar of Motor Vehicles appointed under section 5 of the Vehicle and Traffic Act 1999: s3.
s. 16 road manager - for a road controlled by a local government authority, is the local government authority
s. 481 The National Heavy Vehicle Regulator may appoint an employee of a Council to be an **"authorised officer"**. 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, Controlling Authority, a Council Committee or a Special Committee, any of its functions or powers under any Act: s.22 Local Government Act 1993 (Tas) (subject to restrictions), other than the power of delegation (unless authorised by the Council) and the specific powers referred to in subsection 22(3) of the Local Government Act 1993 (Tas).
(2) The General Manager, in writing, may delegate to an employee of the Council - (a) any functions or powers under any Act, other than the 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).
The Acts Interpretation Act 1931 (Tas) **does not apply** to the Heavy Vehicle National Law (Tasmania).

No.	Provision (hyperlinked to legislation)	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 - Infrastructure	Notes	Date(s) of Delegation / Authorisation	Resolution Number
1	118(1)(b)Restriction on grant of mass or dimension exemption (notice)	The Road Manager's powers to consent to granting of a mass or dimension exemption (notice)	Delegation	X	X			20-Jul-20	Minute 109/20
2	124(1)(b) Restriction on grant of mass or dimension exemption (permit)	The Road Manager's powers to consent to the granting of a mass or dimension exemption (permit)	Delegation	X	X			20-Jul-20	Minute 109/20
3	139(1)(b) Restriction on grant of class 2 heavy vehicle authorisation (notice)	The Road Managers powers to consent to the granting of a class 2 heavy vehicle authorisation (notice)	Delegation	X	X			20-Jul-20	Minute 109/20
4	145(1)(b)Restriction on grant of class 2 heavy vehicle authorisation (permit)	The Road Manager's powers to consent to the granting of a class 2 heavy vehicle authorisation (permit)	Delegation	X	X			20-Jul-20	Minute 109/20
5	156(2) Period within which road manager must decide	The Road Manager's power to ask the Regulator for a longer period to decide whether to give or not to give consent to grant a mass or dimension authority in accordance with the conditions of this section	Delegation	X	X	X	Decide to give or not to give the consent	20-Jul-20	Minute 109/20

No.	Provision (hyperlinked to legislation)	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 - Infrastructure	Notes	Date(s) of Delegation / Authorisation	Resolution Number
6	156A Deciding request for consent generally	The Road Manager's powers to 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 written statement to the Regulator explaining a decision not consenting is to be in accordance with s. 172.	20-Jul-20	Minute 109/20
7	158 Action pending consultation with third party	The Road Manager's powers to deal with a request for consent and decide to give or not give consent for a mass or dimension authority when dealing with a third party	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
8	159(2) Deciding request for consent if route assessment required	The Road Manager's powers of deciding whether a route assessment is required and notifying the Regulator that route assessment is required by the Road Manager in deciding whether to give consent and the fee payable	Delegation	X	X	X	Deciding whether to give or not to give the consent and notify the Regulator.	20-Jul-20	Minute 109/20
9	160(1) Imposition of road conditions	The Road Manager's powers to grant consent subject to conditions in accordance with the requirements of this section	Delegation	X	X	X		20-Jul-20	Minute 109/20
10	160(2) Imposition of road conditions	The Road Manager's function of giving the Regulator a written statement explaining the Road Manager's decision to grant consent subject to road conditions	Delegation	X	X	X	The written statement to the Regulator explaining a decision not consenting is to be in accordance with s. 172.	20-Jul-20	Minute 109/20
11	161(1) Imposition of travel conditions	The Road Manager's power of consenting conditionally on a stated travel condition being applicable	Delegation	X	X	X		20-Jul-20	Minute 109/20
12	161(2) Imposition of travel conditions	The Road Manager's function of giving the Regulator a written statement explaining the Road Manager's decision to grant consent subject to road conditions	Delegation	X	X	X	The written statement to the Regulator explaining a decision not consenting is to be in accordance with s. 172.	20-Jul-20	Minute 109/20
13	162(1) Imposition of vehicle conditions	The Road Manager's powers to ask the Regulator to impose a stated vehicle condition on the authority	Delegation	X	X	X		20-Jul-20	Minute 109/20
14	167(2)(b) Expedited procedure for road manager's consent for renewal of mass or dimension authority	The Road Manager's powers of giving the Regulator a Notice of Objection to the application of this section [which provides for expedited process for renewal of mass or dimension authority] to the proposed replacement authority	Delegation	X	X	X		20-Jul-20	Minute 109/20
15	169 Granting limited consent for trial purposes	The Road Manager's powers to give 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
16	170 Renewal of limited consent for trial purposes	The Road Manager's powers to 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
17	174(2) Amendment or cancellation on request by relevant road manager	The Road Manager's powers to ask the Regulator to (a) amend or (b) cancel the mass or dimension authority granted by Commonwealth Gazette notice due to adverse effect of heavy vehicles on a road under authority	Delegation	X	X	X		20-Jul-20	Minute 109/20
18	176(4)(c) Amendment or cancellation on application by permit holder	The Road Manager's powers to provide consent to an amendment of a permit for a mass or dimension authority	Delegation	X	X			20-Jul-20	Minute 109/20

No.	Provision (hyperlinked to legislation)	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 - Infrastructure	Notes	Date(s) of Delegation / Authorisation	Resolution Number
19	178(2) Amendment or cancellation on request by relevant road manager	The Road Manager's powers to ask the Regulator to (a) amend or (b) cancel the mass or dimension authority	Delegation	X	X	X		20-Jul-20	Minute 109/20
20	611(2) Court may make compensation order	The Road Manager's powers of making an application for a compensation order	Delegation	X	X			20-Jul-20	Minute 109/20
21	617(2)(b) Relationship with orders or awards of other courts and tribunals	The Road Manager's function of repaying compensation order in accordance with the provisions of this Act	Delegation	X	X			20-Jul-20	Minute 109/20
22	645 Review decision	The Road Manager's function of deciding a review of a reviewable decision under the Act in accordance with the requirements of this section	Delegation	X	X			20-Jul-20	Minute 109/20

Land Acquisition Act 1993

[Back to Contents](#)

Legislation Version: 1 January 2022

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

Notes on Delegation

- (1) A council, in writing, may delegate with or without conditions to the general manager, any of its functions or powers under any Act: s.22 Local Government Act 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 (hyperlinked to legislation)	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	S.54 Powers of entry and examination	Authorisation to a person, in writing, to enter on land to ascertain whether that or other land is suitable for an authorised purpose or to obtain information in relation to land.	Delegation	X	X		21-Oct-24	Minute 211/24
2	S.55 Immediate Entry	Authorisation, in writing, a person to enter on required land where the authority determines that it or, in the case of a major infrastructure project, the proponent of that project urgently needs possession of the land in relation to the authorised purpose for which the required land is proposed to be acquired or any purpose incidental to the authorised purpose	Delegation	X	X		21-Oct-24	Minute 211/24
3	S.56 Power to occupy adjacent land	Authorisation, in writing, a person to enter on adjacent land	Delegation	X	X		21-Oct-24	Minute 211/24

Land Titles Act 1980

Back to Contents

Legislation Version: 13 June 2023

This Register is maintained in compliance with sections 22(4) and 64(2) 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, Controlling Authority, a Council Committee or a Special Committee, any of its functions or powers under any Act: s.22 Local Government Act 1993 (Tas) (subject to restrictions), other than the power of delegation (unless authorised by the Council) and the specific powers referred to in subsection 22(3) of the Local Government Act 1993 (Tas).
- (2) The General Manager, in writing, may delegate to an employee of the Council - (a) any functions or powers under any Act, other than the 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 which has been delegated may, notwithstanding the delegation, be exercised by the delegator: s.23AA(6) Acts Interpretation Act 1931 (Tas).
- (6) 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 (hyperlinked to legislation)	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 - Community & Development Services	Director - Corporate Services	Administration Supervisor	Notes	Date(s) of Delegation / Authorisation
1	138U - Restriction on title by possession	The Council's power to certify in writing that it is unclear who has paid, or is paying, the relevant Council rates.	Delegation	X	X	X	X	X		20-Nov-23	Minute 196/23
2	138Y - Avoidance of sub-minimum lots	The Council's power to produce a certificate: (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.	Delegation	X	X	X	X	X		20-Nov-23	Minute 196/23

Land Use Planning and Approvals Act 1993

Back to CONTENTS

Legislation Version: 16 June 2025

This Register is maintained in compliance with sections 22(4) and 64(2) of the Local Government Act 1993 (Tas).

Notes on Legislation

S.6(3) Delegation - 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)).

Notes on Delegation

(1) A Council, in writing, may delegate with or without conditions to the General Manager, Controlling Authority, a Council Committee or a Special Committee, any of its functions or powers under any Act: s.22 Local Government Act 1993 (Tas) (subject to restrictions), other than the power of delegation (unless authorised by the Council) and the specific powers referred to in subsection 22(3) of the Local Government Act 1993 (Tas).

(2) The General Manager, in writing, may delegate to an employee of the Council - (a) any functions or powers under any Act, other than the 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 which has been delegated may, notwithstanding the delegation, be exercised by the delegator: s.23AA(6) Acts Interpretation Act 1931 (Tas).

(6) 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 (hyperlinked to legislation)	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	General Manager	Director - Community & Development Services	Manager - Community & Development Services	Town Planner	Director - Infrastructure	Notes	Date(s) of Delegation / Authorisation
PART 2A		TASMANIAN PLANNING POLICIES											
1	12C Draft of the TPPs	The Planning Authority's requirement to consult with the Minister regarding a draft of the Tasmanian Planning Policies ('TPPs').	Delegation	X									
PART 3		STATE PLANNING PROVISIONS (SPPs)											

No.	Provision (hyperlinked to legislation)	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	General Manager	Director - Community & Development Services	Manager - Community & Development Services	Town Planner		Director - Infrastructure	Date(s) of Delegation / Authorisation	Resolution Number
Notes														
2	Part 3 - State Planning Provisions (Generally)	All of the Planning Authority’s powers and functions pursuant to this Part as a consequence of a decision to prepare a draft of a State Planning Provision (SPP), or the making of a SPP, or a SPP amendment, including: a) consulting with the Minister in relation to the preparation of a draft of the SPPs under s. 18(2)(b); b) consulting with the Commission in relation to the preparation by the Commission of a draft of the SPPs under s. 19(2); c) receiving from the Commission the exhibition documents in relation to the draft SPPs per s. 22(5); d) providing representations to the Commission in relation to a draft of the SPPs: s.23; e) requesting the Minister to consider preparing terms of reference in relation to a draft amendment of the SPPs per s. 30C(4); f) consulting with the Minister in relation to the preparation by the Minister of a draft amendment of the SPPs per s.30D(2) & (3); g) consulting with the Commission in relation to the preparation by the Commission of a draft amendment of the SPPs under s.30E(2)(a) h) receiving from the Commission the exhibition documents in relation to the draft amendments of the SPPs per s.30K(5); i) providing representations to the Commission in relation to a draft amendment of the SPPs: s.30L; j) consulting with the Minister in relation to a draft amendment of the SPPs under s.30NA(2); and k) receiving written notice from the Minister of amendments, or revocation, of interim SPPs under ss. 30NB(5), 30ND(2)(a) and 30ND(4)(a).	Delegation & authority to delegate	X			X	X	X				16-Jul-18 20-Jul-20 17-May-21 17-Aug-26	Minute 128/18 Minute 109/20 Minute 80/21 Minute 160/2026
PART 3A		LOCAL PROVISIONS SCHEDULE (LPS)												

No.	Provision (hyperlinked to legislation)	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	General Manager	Director - Community & Development Services	Manager - Community & Development Services	Town Planner	Director - Infrastructure	Notes	Date(s) of Delegation / Authorisation
	Part 3A - Local Provisions Schedules (Generally)	Authorisation, in accordance with a decision of the Planning Authority (or a requirement of the Minister), to - a) prepare and submit to the Commission a draft LPS under s35(1); b) receive a direction from the Commission to prepare and submit the draft LPS modified in accordance with the direction- s.35(5)(b); c) agree to the modification of the draft LPS: s35(5)(c); d) prepare and submit to the Commission a draft LPS modified in accordance with the direction: s.35(6); e) provide to the Commission comments in relation to the draft LPS: s.35A(5).	Authorisation	X			X	X	X			16-Jul-18 20-Jul-20 17-May-21 17-Aug-26	Minute 128/18 Minute 109/20 Minute 80/21 Minute 160/2026

No.	Provision (hyperlinked to legislation)	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	General Manager	Director - Community & Development Services	Manager - Community & Development Services	Town Planner		Director - Infrastructure	Date(s) of Delegation / Authorisation	Resolution Number
3	Part 3A - Local Provisions Schedules (Generally)	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 Commission under s35(1); c) receive a direction from the Minister to prepare and submit to the Commission a draft LPS under s35(2) d) receive from the Commission a copy of the draft LPS pursuant to s.35A(4); e) give notice under s35C of the exhibition of a draft LPS, including for any direction issued by the Commission under s35B(4); f) undertake public exhibition of the draft LPS exhibition documents in accordance with s35D; g) receive representations in relation to the exhibition documents pursuant to s.35E; h) provide a report in relation to the draft LPS to the Commission pursuant to s35F; i) provide the Commission with notice that the Planning Authority is of the opinion the contents of the SPPs should be amended- s.35G; j) apply to the Commission for approval to withdraw a draft LPS prepared by the Planning Authority and to receive the Commission’s notification of decision: s.35I; k) give public notice of the withdrawal of a draft LPS: s.35I(6); l) prepare and submit any modifications required by the Commission to a draft LPS in accordance with s35K; m) receive a direction from the Commission pursuant to s35KB; n) give prescribed notice in accordance with s35M(2) of the approval of the LPS; o) conduct a review of the LPS in accordance with s.35O; p) give public notice of the LPS review and receive comments from the public, and to provide a report to the Commission in relation to the review in accordance with s35P; q) prepare a revised report at the direction of the Commission pursuant to s.35P(4); r) prepare and submit to the Commission a draft Special LPS, and provide agreement to any modification requested by the Commission, pursuant to s.35Q;and s) request the Commission to revoke of a Special LPS pursuant to s.35S.	Delegation & authority to delegate	X			X	X	X				16-Jul-18 20-Jul-20 17-May-21 17-Aug-26	Minute 128/18 Minute 109/20 Minute 80/21 Minute 160/2026
PART 3B		AMENDMENT OF THE LPS												

No.	Provision (hyperlinked to legislation)	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	General Manager	Director - Community & Development Services	Manager - Community & Development Services	Town Planner	Director - Infrastructure	Notes	Date(s) of Delegation / Authorisation	Resolution Number
	Part 3B - Amendments of LPSs (Generally)	Authorisation, in accordance with a decision of the Planning Authority, to – a) prepare a draft amendment to the LPS under s38 or 40D; b) prepare 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 LPS criteria in s34; and e) recommendations in relation to how the draft LPS should be determined in accordance with s35F.	Authorisation	X			X	X	X				16-Jul-18	Minute 128/18

No.	Provision (hyperlinked to legislation)	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	General Manager	Director - Community & Development Services	Manager - Community & Development Services	Town Planner	Director - Infrastructure	Date(s) of Delegation / Authorisation	Resolution Number
4	Part 3B - Amendments of LPSs (Generally)	amendment to the LPS, and including any exhibition or a permit application under s40Z(2); l) undertake public exhibition of the draft amendment of the LPS in accordance with s40H, and including any permit application determined under s40Y; m) receive notice from the Commission pursuant to s40I; n) receive representations in relation to relevant exhibition documents under s40J; o) provide a report in relation to the draft amendment of an LPS to the Commission in accordance with s40K and s42; p) receive a direction from the Commission to modify or reject the draft amendment of an LPS pursuant to s40N(1)(a) or s40N(1)(c) and to make modifications to a draft amendment of an LPS and submit the modified draft amendment to the Commission in accordance with s40O or s40P; q) re-exhibit a modified draft amendment of an LPS under s40G and s40H if instructed by Commission in accordance with s40P(3); r) give the prescribed notice of an approved amendment of an LPS in accordance with s40S(3); s) receive a direction from the Commission and either revoke a notice under s40T(1) or issuing a new notice under s 40T(1) in accordance with s40V(4); s) to agree, or refuse to agree, to a request under s 40T(1) and provide notice the person who made the request pursuant to s40W; t) consider the application under section 40T(1) for a permit at the same time as it prepares a draft amendment of an LPS pursuant to s40X(1); u) give notice in accordance with s40W of a decision under s40Y in relation to a request to consider a permit in combination with a request to initiate a draft amendment to the LPS; v) grant an extension of time under s42C(4), (5) & (7A) for a permit granted under s42B; o) correct a mistake in a permit granted under s42B pursuant to s42D; and p) make minor amendments in accordance with s43 to a permit granted under s42B.	Delegation & authority to delegate	X			X	X	X			20-Jul-20 17-May-21 17-Aug-26	Minute 109/20 Minute 80/21 Minute 160/2026
5	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.	Delegation	X								16-Jul-18 20-Jul-20 17-May-21	Minute 128/18 Minute 109/20 Minute 80/21
6	35 Draft LPS to be provided to Commission	All of the Planning Authority's powers and functions to prepare and submit to the Commission a draft LPS that applies to the municipal area of the Planning Authority in accordance with this section.	Delegation	X								16-Jul-18 20-Jul-20 17-May-21	Minute 128/18 Minute 109/20 Minute 80/21

No.	Provision (hyperlinked to legislation)	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	General Manager	Director - Community & Development Services	Manager - Community & Development Services	Town Planner	Director - Infrastructure	Date(s) of Delegation / Authorisation	Resolution Number
											Notes		
7	35C Notice of exhibition of draft LPS	The Planning Authorities function of giving notice of the public exhibition of the draft LPS as required by this section	Delegation	X			X	X	X			16-Jul-18 20-Jul-20 17-May-21 17-Aug-26	Minute 128/18 Minute 109/20 Minute 80/21 Minute 160/2026
8	35F Report by planning authority to Commission about exhibition	The Planning Authority's function of providing a report in relation to the draft LPS to Commission, within 60 days after the end of the exhibition period, in accordance with the requirements of this section	Delegation	X			X	X	X			16-Jul-18 20-Jul-20 17-May-21 17-Aug-26	Minute 128/18 Minute 109/20 Minute 80/21 Minute 160/2026
9	35G Planning Authority may notify Minister as to whether amendment of SPPs is required	The Planning Authority's powers to advise the Commission that the Planning Authority is of the opinion that the content of a provision of the SPPs should be altered, in accordance with the requirements of this section	Delegation	X			X	X	X			16-Jul-18 20-Jul-20 17-May-21 17-Aug-26	Minute 128/18 Minute 109/20 Minute 80/21 Minute 160/2026
10	35I Withdrawal of draft LPS	The Planning Authority's powers to apply to the Commission for approval to withdraw a draft LPS prepared by the Planning Authority in accordance with the requirements of this section	Delegation	X			X	X	X			16-Jul-18 20-Jul-20 17-May-21 17-Aug-26	Minute 128/18 Minute 109/20 Minute 80/21 Minute 160/2026
11	35M(2) Notice of approval of Local Provisions Schedule	The Planning Authority's function of giving the prescribed notice of approval of a Local Provisions Schedule to which the notice relates	Delegation	X			X	X	X			16-Jul-18 20-Jul-20 17-May-21 17-Aug-26	Minute 128/18 Minute 109/20 Minute 80/21 Minute 160/2026
12	35P Conduct of review	All of the Planning Authority's functions and powers to conduct of review of an LPS or a part of an LPS in accordance with the requirements of this section	Delegation	X			X	X	X			16-Jul-18 20-Jul-20 17-May-21 17-Aug-26	Minute 128/18 Minute 109/20 Minute 80/21 Minute 160/2026
13	40T(6) Permit Application that requires amendment of LPS	The Council's powers, as the owner of land, to sign or give written permission to the making of a request to amend an LPS.	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
14	40G Notice of Exhibition	The Planning Authority's powers and functions to provide an exhibition notice in relation to the draft amendment of an LPS 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 and in accordance with the provisions in this section.	Delegation	X			X	X	X			16-Jul-18 20-Jul-20 17-May-21 17-Aug-26	Minute 128/18 Minute 109/20 Minute 80/21 Minute 160/2026

No.	Provision (hyperlinked to legislation)	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	General Manager	Director - Community & Development Services	Manager - Community & Development Services	Town Planner		Director - Infrastructure	Date(s) of Delegation / Authorisation
15	40U Additional Information	The Planning Authority's powers to, by notice in writing, request additional information within 28 days of receiving the application under s 40T(1) for a permit, before it considers the application under section 40T(1) in accordance with the provisions in this section.	Delegation	X			X	X	X			16-Jul-18 20-Jul-20 17-May-21 17-Aug-26	Minute 128/18 Minute 109/20 Minute 80/21 Minute 160/2026
16	40V Determination of amendment where concurrent permit application sought	The Planning Authority's powers to agree, or refuse to agree, to a request made under section 40T(1) in accordance with the requirements of this section	Delegation	X			X	X	X			16-Jul-18 20-Jul-20 17-May-21 17-Aug-26	Minute 128/18 Minute 109/20 Minute 80/21 Minute 160/2026
17	43(2) Minor amendment of permit	The Planning Authority's powers to amend or refuse to amend the permit in accordance with the provisions in this section	Delegation	X			X	X	X			16-Jul-18 20-Jul-20 17-May-21 17-Aug-26	Minute 128/18 Minute 109/20 Minute 80/21 Minute 160/2026
18	43(6) Minor amendment of permit	The Planning Authority's function to provide notice in writing of the amendment in accordance with the requirements of this section	Delegation	X			X	X	X			16-Jul-18 20-Jul-20 17-May-21 17-Aug-26	Minute 128/18 Minute 109/20 Minute 80/21 Minute 160/2026
19	43(7) Minor amendment of permit	The Planning Authority's function of providing notice in writing served on the Board of the Environment Protection Authority of the amendment in accordance with the requirements of this section	Delegation	X			X	X	X			16-Jul-18 20-Jul-20 17-May-21 17-Aug-26	Minute 128/18 Minute 109/20 Minute 80/21 Minute 160/2026
20	43(9) Minor amendment of permit	The Planning Authority's functions of providing notice in writing served on the Commission of the amendments made to the permit in accordance with the requirements of this section	Delegation	X			X	X	X			16-Jul-18 20-Jul-20 17-May-21 17-Aug-26	Minute 128/18 Minute 109/20 Minute 80/21 Minute 160/2026
21	43(10) Minor amendment of permit	The Planning Authority's function of providing notice in writing served on the Heritage Council of the amendments to the permit in accordance with this section	Delegation	X			X	X	X			16-Jul-18 20-Jul-20 17-May-21 17-Aug-26	Minute 128/18 Minute 109/20 Minute 80/21 Minute 160/2026
PART 4		ENFORCEMENT OF PLANNING CONTROL											

No.	Provision (hyperlinked to legislation)	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	General Manager	Director - Community & Development Services	Manager - Community & Development Services	Town Planner	Director - Infrastructure		
											Notes	Date(s) of Delegation / Authorisation	Resolution Number
22	Part 4- Enforcement of Planning Control (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 the Tasmanian Civil and Administrative Tribunal (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	X		16-Jul-18 20-Jul-20 17-May-21 17-Aug-26	Minute 128/18 Minute 109/20 Minute 80/21 Minute 160/2026
PART 4		ENFORCEMENT OF PLANNING CONTROL, DIVISION 1 - GENERAL											
23	48AA Enforcement of major project permits	The Planning Authority's function to enforce the observance of any condition or restriction to which a Major Project Permit is subject.	Delegation	X			X	X	X	X		16-Jul-18 20-Jul-20 17-May-21 17-Aug-26	Minute 128/18 Minute 109/20 Minute 80/21 Minute 160/2026
24	48A Notice to remove signs	All of the Planning Authority's powers to give notice to remove signs, and take all action necessary to remove signs and recover reasonable costs of that action in a Court of competent jurisdiction in accordance with the requirements of this section	Delegation	X			X	X	X	X		16-Jul-18 20-Jul-20 17-May-21 17-Aug-26	Minute 128/18 Minute 109/20 Minute 80/21 Minute 160/2026
PART 4		ENFORCEMENT OF PLANNING CONTROL, DIVISION 2 - DEVELOPMENT CONTROL											
25	51 Permits	All of the Planning Authority's powers and functions to grant a permit in accordance with the requirements of this section	Delegation	X			X	X	X	X		16-Jul-18 20-Jul-20 17-May-21 17-Aug-26	Minute 128/18 Minute 109/20 Minute 80/21 Minute 160/2026
26	S51A Fees payable for application	The Planning Authority's functions in relation to fees payable for application for a permit in accordance with the requirements of this section		X								16-Jul-18 20-Jul-20 17-May-21	Minute 128/18 Minute 109/20 Minute 80/21
27	52(1B) What if the applicant is not the owner	The General Manager's function of providing permission to the making of an application for a permit for land owned by Council, or administered by Council and a planning scheme does not provide otherwise	Delegation			X		X			X	16-Jul-18 20-Jul-20 17-May-21	Minute 128/18 Minute 109/20 Minute 80/21

No.	Provision (hyperlinked to legislation)	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	General Manager	Director - Community & Development Services	Manager - Community & Development Services	Town Planner	Director - Infrastructure	Date(s) of Delegation / Authorisation	Resolution Number
28	53(5A), (5B), (5C) and (5D) When does a permit take effect	The Planning Authority's powers to grant extensions of the period during which that use of development must be substantially commenced where the permit has not been substantially commenced.	Delegation	X			X	X	X	X		16-Jul-18 20-Jul-20 17-May-21 17-Aug-26	Minute 128/18 Minute 109/20 Minute 80/21 Minute 160/2026
29	54 Additional Information	The Planning Authority's powers to require an applicant to provide it with additional information before considering an application for a permit (other than a permit referred to in section 40T).	Delegation	X			X	X	X	X		16-Jul-18 20-Jul-20 17-May-21 17-Aug-26	Minute 128/18 Minute 109/20 Minute 80/21 Minute 160/2026
30	55 Correction of Mistakes	The Planning Authority's powers to correct a permit granted by it in accordance with this provision	Delegation	X			X	X	X	X		16-Jul-18 20-Jul-20 17-May-21 17-Aug-26	Minute 128/18 Minute 109/20 Minute 80/21 Minute 160/2026
31	56 Minor amendments of permits issued by a planning authority	The Planning Authority's powers to make minor amendments to permits issued by it in accordance with this provision	Delegation	X			X	X	X	X		16-Jul-18 20-Jul-20 17-May-21 17-Aug-26	Minute 128/18 Minute 109/20 Minute 80/21 Minute 160/2026
32	56AA Fees for amendment of permits under section 56	The Planning Authority's functions in relation to fees payable for application for a permit in accordance with the requirements of this section	Delegation	X								16-Jul-18 20-Jul-20 17-May-21	Minute 128/18 Minute 109/20 Minute 80/21
DORSET SPECIFIC: Section 57: Applications for discretionary permits											All Council planning applications where Council is the applicant or is the underlying developer or proponent must be undertaken in accordance with Council Policy No. 69 - Managing Conflicts of Interest	18-Aug-25	Minute 159/2025
33	57(2) Applications for discretionary permits	The Planning Authority's power, on receipt of an application for a permit to which this section applies, to refuse to grant the permit in accordance with this provision.	Delegation	X			X	X	X	X		16-Jul-18 20-Jul-20 17-May-21 17-Aug-26	Minute 128/18 Minute 109/20 Minute 80/21 Minute 160/2026
34	57(3) Applications for discretionary permits	Unless the Planning Authority requires the applicant to give notice, the Planning Authority's function of giving notice, as prescribed, of an application for a permit.	Delegation	X			X	X	X	X		16-Jul-18 20-Jul-20 17-May-21 17-Aug-26	Minute 128/18 Minute 109/20 Minute 80/21 Minute 160/2026
35	57(5) Applications for discretionary permits	The Planning Authority's powers to extend the 14 day time period allowed for the making of a representation in accordance with this provision	Delegation	X			X	X	X	X		16-Jul-18 20-Jul-20 17-May-21 17-Aug-26	Minute 128/18 Minute 109/20 Minute 80/21 Minute 160/2026

No.	Provision (hyperlinked to legislation)	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	General Manager	Director - Community & Development Services	Manager - Community & Development Services	Town Planner	Director - Infrastructure	Notes	Date(s) of Delegation / Authorisation	Resolution Number
36	57(6) Applications for discretionary permits	The Planning Authority's power to grant or refuse a discretionary permit in accordance with the requirements of this subsection. The Planning Authority's powers and functions to agree to an application under subsection (6)(b)(i) or (ii) to extend the time frame for determining a development application, if it is agreed to in writing by the applicant prior to the relevant time period expiring	Delegation	X			X	X	X	X	ONLY delegated to the General, Director - Community & Development Services and Manager - Community & 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 - Community & 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	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 - Community & 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 17-Aug-26	Minute 128/18 Minute 208/19 Minute 109/20 Minute 80/21 Minute 211/24 Minute 159/2025 Minute 160/2026

No.	Provision (hyperlinked to legislation)	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	General Manager	Director - Community & Development Services	Manager - Community & Development Services	Town Planner			Director - Infrastructure
37	57(6A) Applications for discretionary permits	The Planning Authority's powers and functions to agree to an application under subsection (6)(b)(i) or (ii) to extend the time frame for determining a development application, if it is agreed to in writing by the applicant prior to the relevant time period expiring	Delegation	X			X	X	X	X	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.	16-Jul-18 20-Jul-20 17-May-21 17-Aug-26	Minute 128/18 Minute 109/20 Minute 80/21 Minute 160/2026
38	57A Mediation	The Planning Authority's function of notifying any other <i>party</i> in writing and seek the agreement of that party for mediation to be conducted in relation to the application if notification is received pursuant to s 57A(2), or if it wishes mediation to be conducted for a s57 permit application.	Delegation	X			X	X	X	X		16-Jul-18 20-Jul-20 17-May-21 17-Aug-26	Minute 128/18 Minute 109/20 Minute 80/21 Minute 160/2026
39	58 - Application for other permits	All of the Planning Authority's functions and powers in relation to granting an application for a permit to which this section applies in accordance with the requirements of this section	Delegation	X			X	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 17-Aug-26	Minute 128/18 Minute 109/20 Minute 80/21 Minute 160/2026
40	59(2), (3B), (5), (7) & (8) Failure to determine an application for a permit	All of the Planning Authority's functions and powers pursuant to this section where the Planning Authority has failed to determine an application for a permit to which sections 57 or 58 apply before the expiration period, a the further period pursuant to section 57(6)(b)(i) or (ii) or 58(2)	Delegation	X			X	X	X	X		16-Jul-18 20-Jul-20 17-May-21 17-Aug-26	Minute 128/18 Minute 109/20 Minute 80/21 Minute 160/2026
41	60(2), (3), (4), (6), (9), (10) Timing of determination of compliance with certain permit conditions	All of the Planning Authority's functions of responding to and issuing notices relating to compliance with permit conditions in accordance with the requirements of this section	Delegation	X								16-Jul-18 20-Jul-20 17-May-21	Minute 128/18 Minute 109/20 Minute 80/21
PART 4		ENFORCEMENT OF PLANNING CONTROL, DIVISION 2A - MAJOR PROJECTS - SUBDIVISION 2: Proposals for Major Project Declarations and Major Project Proposals											

No.	Provision (hyperlinked to legislation)	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	General Manager	Director - Community & Development Services	Manager - Community & Development Services	Town Planner			Director - Infrastructure
42	60H(3) Minister may request information from Council or relevant State authority	The Council's functions of, if given notice by the Minister, taking all reasonable steps to provide the Minister with the information specified in the notice given by the Minister	Delegation		X							16-Jul-18 20-Jul-20 17-May-21	Minute 128/18 Minute 109/20 Minute 80/21
43	60I(3) Persons to be notified of proposal for declaration and given major project proposals	The Council's functions to advise the Minister in writing and within 28 days on whether a project is eligible to be declared a major project in accordance with this section	Delegation		X							16-Jul-18 20-Jul-20 17-May-21	Minute 128/18 Minute 109/20 Minute 80/21
PART 4		ENFORCEMENT OF PLANNING CONTROL, DIVISION 2A - MAJOR PROJECTS - SUBDIVISION 4: Declaration of Major Project											
44	60S(4)(b) Effect on planning matters of declaration of major project	The Planning Authority's function of refunding the applicant half on any fees paid in respect of an application if it is declared as a major project	Delegation	X								16-Jul-18 20-Jul-20 17-May-21	Minute 128/18 Minute 109/20 Minute 80/21
45	60S(5)(b) Effect on planning matters of declaration of major project	The Planning Authority's function of refunding the applicant half of any fees paid if a declaration of a major project is amended pursuant to section 60TG(2)	Delegation	X								16-Jul-18 20-Jul-20 17-May-21	Minute 128/18 Minute 109/20 Minute 80/21
46	60SA(6) Certificate of development completion	The Council's function of receiving notification from the Commission	Delegation	X								16-Jul-18 20-Jul-20 17-May-21	Minute 128/18 Minute 109/20 Minute 80/21
PART 4		ENFORCEMENT OF PLANNING CONTROL, DIVISION 2A - MAJOR PROJECTS - SUBDIVISION 5: Amendment and Revocation of Declaration of Major Project											
47	60TD(3) Notification of request from proponent	The Council, as the relevant Planning Authority's in relation to the major project (s 60TD(1)(c)) AND/OR as the Council that is not a relevant Planning Authority in relation to the major project but is the Council for a municipal area that is in the regional area(s), in which the project is to be situated (s 60TD(1)(d)) function, to advise within 14 days the relevant advice body as to its opinion in relation to the proposed amendment of a declaration of a major project so that the declaration also relates to the additional area of land	Delegation	X	X							16-Jul-18 20-Jul-20 17-May-21	Minute 128/18 Minute 109/20 Minute 80/21
PART 4		ENFORCEMENT OF PLANNING CONTROL, DIVISION 2A - MAJOR PROJECTS - SUBDIVISION 10: Major Project Impact Statements											
48	60ZX(1) Provision to Panel of further information	The Council's function of taking all reasonable steps to provide the Panel with information specified in a request made pursuant section 60ZW(1)	Delegation	X								16-Jul-18 20-Jul-20 17-May-21	Minute 128/18 Minute 109/20 Minute 80/21
PART 4		ENFORCEMENT OF PLANNING CONTROL, DIVISION 2A - MAJOR PROJECTS - SUBDIVISION 14: Major Project Permits											

No.	Provision (hyperlinked to legislation)	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	General Manager	Director - Community & Development Services	Manager - Community & Development Services	Town Planner			
49	60ZZP(10) Major project permit may be granted subject to conditions or restrictions	The Planning Authority's function of requiring works to be carried out to the satisfaction of the Planning Authority in accordance with this section	Delegation	X								16-Jul-18 20-Jul-20 17-May-21	Minute 128/18 Minute 109/20 Minute 80/21
PART 4		ENFORCEMENT OF PLANNING CONTROL, DIVISION 2A - MAJOR PROJECTS - SUBDIVISION 15: Amendment and Cancellation of Major Project Permits											
50	60ZZZAA(5) Determination as to whether, and the manner in which, proposed significant amendment may be assessed	The Council's function of receiving notification from the Commission	Delegation	X								16-Jul-18 20-Jul-20 17-May-21	Minute 128/18 Minute 109/20 Minute 80/21
51	60ZZZAB(4) Enforcement Certificates	(4) The Planning Authority's functions of enforcing this Act pursuant to an Enforcement Certificate	Delegation	X								16-Jul-18 20-Jul-20 17-May-21	Minute 128/18 Minute 109/20 Minute 80/21
PART 4		ENFORCEMENT OF PLANNING CONTROL, DIVISION 3 - PLANNING APPEALS											
52	61 Appeals against planning decisions	The Planning Authority's functions and powers of participating in an appeal	Delegation	X			X	X	X	X		16-Jul-18 20-Jul-20 17-May-21 17-Aug-26	Minute 128/18 Minute 109/20 Minute 80/21 Minute 160/2026
PART 4		ENFORCEMENT OF PLANNING CONTROL, DIVISION 4 - OFFENCES, REMEDIES, ETC.											
53	63 Obstruction of sealed schemes	The Planning Authority's power to initiate legal proceedings for the obstruction of a planning scheme	Delegation	X								16-Jul-18 20-Jul-20 17-May-21	Minute 128/18 Minute 109/20 Minute 80/21
54	63B(3) Notice of suspected contravention, &c., may be given	The Planning Authority's function of issuing a notice in writing addressing the matters in subsections (a) - (c) to a person as soon as practicable if a notice in relation to a contravention or failure, or likely contravention or failure, is given by a person to the Planning Authority.	Delegation	X			X	X	X	X		16-Jul-18 20-Jul-20 17-May-21 17-Aug-26	Minute 128/18 Minute 109/20 Minute 80/21 Minute 160/2026
55	64 Civil enforcement proceedings	The Planning Authority's function of receiving notice in writing under section 63B(1) and participating in an appeal	Delegation	X			X	X	X	X		Council to be advised at the next Ordinary Council Meeting. 16-Jul-18 20-Jul-20 17-May-21 17-Aug-26	Minute 128/18 Minute 109/20 Minute 80/21 Minute 160/2026
PART 4		ENFORCEMENT OF PLANNING CONTROL, DIVISION 4A - ENFORCEMENT BY PLANNING AUTHORITIES											

No.	Provision (hyperlinked to legislation)	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	General Manager	Director - Community & Development Services	Manager - Community & Development Services	Town Planner	Director - Infrastructure	Notes	Date(s) of Delegation / Authorisation	Resolution Number
56	65B(5) Notice of intention to issue enforcement notice	The Planning Authority's function of notifying 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				X	X			Exercise power of an authorised officer under this Act for the purposes of administration or enforcement of this Act in relation to land within the municipal area - s 65I(4)	16-Jul-18 20-Jul-20 17-May-21	Minute 128/18 Minute 109/20 Minute 80/21
57	65C(5) Enforcement notices	The Planning Authority's function of notifying in writing an owner of land, in relation to which an Enforcement Notice is served under subsection (1) , if the person on whom the notice is served is not the owner of the land.	Delegation	X									16-Jul-18 20-Jul-20 17-May-21	Minute 128/18 Minute 109/20 Minute 80/21
58	65G Cancellation of permits	All of the Planning Authority's powers and functions to cancel a permit in relation to land in the municipal area of the authority by issuing and serving a notice in accordance with the requirements of this section.	Delegation	X									16-Jul-18 20-Jul-20 17-May-21	Minute 128/18 Minute 109/20 Minute 80/21
PART 4		ENFORCEMENT OF PLANNING CONTROL, DIVISION 4B - AUTHORISED OFFICERS												
59	65I(2) Authorised officers	Authorisation to be an authorised officer of the municipal area of the Council for the purposes of this Act	Delegation			X		X	X				16-Jul-18 20-Jul-20 17-May-21 17-Aug-26	Minute 128/18 Minute 109/20 Minute 80/21 Minute 160/2026
60	Part 4 Generally	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 TASCAT or any other body of competent jurisdiction.	Delegation	X									16-Jul-18 20-Jul-20 17-May-21	Minute 128/18 Minute 109/20 Minute 80/21
PART 5		AGREEMENTS												
61	71 Planning authority may enter into agreements	The Planning Authority's powers to enter into an agreement with an owner of land in the area covered by the planning scheme in accordance with this section	Delegation	X			X	X	X	X			16-Jul-18 20-Jul-20 17-May-21 17-Aug-26	Minute 128/18 Minute 109/20 Minute 80/21 Minute 160/2026
62	74(3) Duration of agreement	The Planning Authority's powers to end an agreement 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	X				16-Jul-18 20-Jul-20 17-May-21 17-Aug-26	Minute 128/18 Minute 109/20 Minute 80/21 Minute 160/2026
63	75 Amendment of agreements	The Planning Authority's powers to amend an agreement by agreement between all persons who are bound by any covenant in the agreement.	Delegation	X			X	X	X	X			16-Jul-18 20-Jul-20 17-May-21 17-Aug-26	Minute 128/18 Minute 109/20 Minute 80/21 Minute 160/2026

No.	Provision (hyperlinked to legislation)	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	General Manager	Director - Community & Development Services	Manager - Community & Development Services	Town Planner	Director - Infrastructure	Notes	Date(s) of Delegation / Authorisation
64	76 Agreement to be lodged with Commission	The Planning Authority's functions of (1) lodging a copy of an agreement at the office of the Commission without delay after and agreement is made; and (2) keeping a copy of each agreement, indicating any amendment made to it, at its office available for any person to inspect	Delegation	X			X	X	X	X		16-Jul-18 20-Jul-20 17-May-21 17-Aug-26	Minute 128/18 Minute 109/20 Minute 80/21 Minute 160/2026
65	78 Registration of agreements, &c.	All of the Planning Authority's powers and functions to lodge with the Recorder an executed copy of an agreement in accordance with the requirements of this section	Delegation	X			X	X	X	X		16-Jul-18 20-Jul-20 17-May-21 17-Aug-26	Minute 128/18 Minute 109/20 Minute 80/21 Minute 160/2026

Land Use Planning and Approvals Regulations 2024

Back to CONTENTS

Legislation Version: 24 December 2024

This Register is maintained in compliance with sections 22(4) and 64(2) of the Local Government Act 1993 (Tas).

Notes on Delegation

(1) 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(2) of the Local Government (Meeting Procedures) Regulations 2025).

(2) A Council, in writing, may delegate with or without conditions to the General Manager, Controlling Authority, a Council Committee or a Special Committee, any of its functions or powers under any Act: s.22 Local Government Act 1993 (Tas) (subject to restrictions), other than the power of delegation (unless authorised by the Council) and the specific powers referred to in subsection 22(3) of the Local Government Act 1993 (Tas).

(3) The General Manager, in writing, may delegate to an employee of the Council - (a) any functions or powers under any Act, other than the 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).

(4) 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).

(5) 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).

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

(7) 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).

			Nature	Given by	Given to	Conditions or restrictions	Decision	Evidence of Authorisation / Delegation
No.	Provision (hyperlinked to legislation)	Function or Power	Appointment, Delegation or Authorisation	Council (as the Planning Authority) Council General Manager	General Manager	Notes	Date(s) of Delegation / Authorisation	Resolution Number
1	4 Notice of approval of Local Provisions Schedule	The Planning Authority's function of displaying at its office the notice and the Planning Authority's power to determine any other details to be included on the Notice	Delegation	X	X		18-Aug-25	Minute 159/2025
2	5 Advertisement of exhibition of draft amendment to a planning scheme	The Planning Authority's function of giving notice and advertising of the exhibition of the draft amendment as required by this regulation	Delegation	X	X		18-Aug-25	Minute 159/2025

3	<u>6</u> Notice of approval of draft amendment	The Planning Authority's function of displaying at its office the notice of the Commission's approval and the Planning Authority's power to determine any other details to be included on the Notice	Delegation	X	X		18-Aug-25	Minute 159/2025
4	<u>7</u> Notice of approval of amendment of Local Provisions Schedule	The Planning Authority's function of displaying at its office the notice of the Commission's approval and the Planning Authority's power to determine any other details to be included on the Notice	Delegation	X	X		18-Aug-25	Minute 159/2025
5	<u>8</u> Notice of application for permit	The Planning Authority's functions of giving notice of application for permit as required by this regulation	Delegation	X	X		18-Aug-25	Minute 159/2025

Litter Act 2007

Back to CONTENTS

Legislation Version: 1 July 2025

This Register is maintained in compliance with sections 22(4) and 64(2) 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, Controlling Authority, a Council Committee or a Special Committee, any of its functions or powers under any Act: s.22 Local Government Act 1993 (Tas) (subject to restrictions), other than the power of delegation (unless authorised by the Council) and the specific powers referred to in subsection 22(3) of the Local Government Act 1993 (Tas).

(2) The General Manager, in writing, may delegate to an employee of the Council - (a) any functions or powers under any Act, other than the 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 which has been delegated may, notwithstanding the delegation, be exercised by the delegator: s.23AA(6) Acts Interpretation Act 1931 (Tas).

(6) 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 (hyperlinked to legislation)	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	Peter Carey	Robert Masterman	Chris Wicks	Notes	Date(s) of Delegation / Authorisation	Resolution Number
1	8 Power of councils to appoint employees as authorised officers	The General Manager's power to appoint an employee of the Council to be an authorised officer for the purposes of this Act.	Appointment	X		X	X	X	This is an authorisation by the general manager to appoint an authorised officer.	21-Oct-24	Minute 211/24
2	38 Recovery of costs arising from litter abatement notices	The Council's powers to cause the measures to be taken (remove litter, clear or restore a place in accordance with a Litter Abatement Notice) and the Council's powers of recovering reasonable costs incurred in carrying out those measures	Delegation	X	X					22-Oct-24	Minute 211/25

This Register is maintained in compliance with sections 22(4) and 64(2) of the Local Government Act 1993 (Tas).

[s.19\(3\)](#) The common seal is to be kept and used as authorised by the Council.

[s.19\(5\)](#) The execution of a document sealed by a Council is to be attested by such persons as the Council determines.

Notes on Delegation

(1) A Council, in writing, may delegate with or without conditions to the General Manager, Controlling Authority, a Council Committee or a Special Committee, any of its functions or powers under any Act: s.22 Local Government Act 1993 (Tas) (subject to restrictions), other than the power of delegation (unless authorised by the Council) and the specific powers referred to in subsection 22(3) of the Local Government Act 1993 (Tas).

(2) The General Manager, in writing, may delegate to an employee of the Council - (a) any functions or powers under any Act, other than the 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 which has been delegated may, notwithstanding the delegation, be exercised by the delegator: s.23AA(6) Acts Interpretation Act 1931 (Tas).

(6) 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 (hyperlinked to legislation)	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 - Infrastructure	Director - Community & Development Services	Director - Corporate Services	Finance Manager	Animal Management Officer	Environmental Health Officer	Notes	Date(s) of Delegation / Authorisation	Resolution Number
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	20A Powers of entry	The authority to enter land for a specific purpose or in general	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	20A(3) Powers of entry	The General Manager's function of providing notice before entry to land is made under subsection (1)	Delegation	X									20-Jul-20	Minute 109/20

No.	Provision (hyperlinked to legislation)	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 - Infrastructure	Director - Community & Development Services	Director - Corporate Services	Finance Manager	Animal Management Officer	Environmental Health Officer	Notes	Date(s) of Delegation / Authorisation	Resolution Number
4	28D Documents relating to agendas	The General Manager's powers to make documents available pursuant to this section	Delegation	X										20-Jul-20	Minute 109/20
5	28JA (4) Dispute resolution policies	The General Manager's function of ensuring 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
6	28S (3) Contents of code of conduct	The General Manager's function of making 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
7	28Y Initial assessment of complaint by general manager	The General Manager's function of assessing the code of conduct complaint in accordance with the requirements of this section	Delegation	X										20-Jul-20	Minute 109/20
8	28ZK(4) & (5) Notification of determination of code of conduct complaint	The General Manager's function of ensuring a copy of the determination report is included within an item on the agenda as required by this section	Delegation	X										20-Jul-20	Minute 109/20
9	55D Register of pecuniary interests of members of audit panel	The General Manager's function of keeping a register of the interests of members of audit panels and 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	56B Gifts and donations register	The General Manager's function is keeping a register of the gifts and donations referred to in section 56A(1) that have been received by councillors in accordance with the requirements of this section	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	72 Annual report	The Council's function of preparing an annual report as required by this section	Delegation	X		X								20-Jul-20	Minute 109/20
13	72B Annual General Meeting	The Council's function of publishing a notice in a daily newspaper specifying the date, time and place of the Annual General Meeting.	Delegation	X		X								20-Jul-20	Minute 109/20

No.	Provision (hyperlinked to legislation)	Function or Power	Nature	Given by	Given To							Conditions or Restrictions	Decision	Evidence of Authorisation / Delegation		
				Council	General Manager	General Manager	Director - Infrastructure	Director - Community & Development Services	Director - Corporate Services	Finance Manager	Animal Management Officer	Environmental Health Officer	Notes	Date(s) of Delegation / Authorisation	Resolution Number	
14	74 Expenditure	The Council's powers to expend its funds for the purpose of exercising its powers or carrying out its functions under this or any other Act within the estimates adopted under section 82 .	Delegation	X									20-Jul-20	Minute 109/20		
15	75 Investments	The Council's powers to invest money in accordance with this section	Delegation	X	X			X	X			In accordance with Council's investment policies as reviewed from time to time.	20-Jul-20	Minute 109/20		
16	76 Writing off bad debts	The Council's powers to 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			
17	77 Grants and benefits	The Council's powers to 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			
18	81 Authorised deposit-taking institution accounts	The Council's powers to 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		
19	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			
20	84(1), (3), (4) Financial Statements	The General Manager's function of preparing and forwarding to the Auditor-General a copy of the Council's financial statements for each financial year in accordance with the <i>Audit Act 2008</i> , and to certify the financial statements as required by this section and to ensure the certified financial statements are tabled at a meeting the Council.	Delegation	X											20-Jul-20	Minute 109/20

No.	Provision (hyperlinked to legislation)	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 - Infrastructure	Director - Community & Development Services	Director - Corporate Services	Finance Manager	Animal Management Officer	Environmental Health Officer	Notes	Date(s) of Delegation / Authorisation	Resolution Number
21	92(2) Adjustment of amount payable	The General Manager's function of issuing 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's power of refunding or giving 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	
22	S.109 Objections to variations	A council is to make a decision in respect of an objection	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
23	110 Record of rates	The General Manager's function of ensuring the records are kept as required by this section	Delegation	X					X				Nil	20-Jul-20 18-Aug-25	Minute 109/20 Minute 159/2025
24	111 Ownership	The General Manager's power to require a statutory declaration in respect of a person's interest in that land.	Delegation	X					X				Nil	20-Jul-20 18-Aug-25	Minute 109/20 Minute 159/2025
25	124 Instalment payments	The Council's powers in relation to payment of rates by instalments as set out in this section	Delegation	X		X								20-Jul-20	Minute 109/20
26	126 Conditions of postponement	The Council's powers to grant a postponement of the payment of rates for a specified period if satisfied that such payment would cause hardship and on conditions as per this section.	Delegation	X		X								20-Jul-20	Minute 109/20
27	127 Postponement ceases to operate	The Council's powers to revoke a postponement of payment of rates in accordance with this section	Delegation	X		X								20-Jul-20	Minute 109/20
28	129(1) Remission of rates	The Council's function of receiving an application for remission of all, or part, of any rates or penalty imposed or interest charged	Delegation	X								In accordance with Council Policy. Can only be given to the General Manager (S.22(2)(b))	20-Jul-20	Minute 109/20	
29	129(5) Remission of rates	The General Manager's function of keeping a record of the details of any remission granted under this section.	Delegation	X											
30	132(4) Certificate of liabilities	The General Manager's function of issuing a certificate containing the details referred to in subsection (1)	Delegation	X					X				Nil	20-Jul-20 18-Aug-25	Minute 109/20 Minute 159/2025
31	Div 10 - S.133-135 - Recovery	All of the Council's powers to recover in a Court of competent jurisdiction as a debts due to it unpaid rates in accordance with the requirements of this Division	Delegation	X		X								20-Jul-20	Minute 109/20

No.	Provision (hyperlinked to legislation)	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 - Infrastructure	Director - Community & Development Services	Director - Corporate Services	Finance Manager	Animal Management Officer	Environmental Health Officer	Notes	Date(s) of Delegation / Authorisation
32	139A Register of money	All of the General Manager's functions of keeping a register of any money in accordance with the requirements of this section	Delegation	X								In accordance with Council Policy	20-Jul-20	Minute 109/20
33	175 Purchase or lease of land	The Council's powers to purchase or lease land for any purpose which it considers to be of benefit to the Council or the community	Delegation	X	X							Restricted to leasing of land to Council and for a maximum of three years; and does not include purchase of land.	20-Jul-20	Minute 109/20
34	176 Acquisition of land	The Council's powers to acquire land for prescribed purposes in accordance with the <i>Land Acquisition Act 1993</i> .	Delegation	X								Restricted to the delegated provisions of S.44(d) (e) of the Local Government (General) Regulations 2025.	20-Jul-20 18-Aug-25	Minute 109/20 Minute 159/2025
35	182 Fencing land	The General Manager's powers to require land to be fenced in accordance with this section	Delegation	X		X						Upon the recommendation from the relevant Council Officer	20-Jul-20	Minute 109/20
36	183 Land reinstated	The General Manager's powers to require the owner or occupier to rehabilitate land from which soil, rock, sand or material has been extracted in accordance with this section	Delegation	X								Upon the recommendation from the relevant Council Officer	20-Jul-20	Minute 109/20
37	185(2) 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								Nil	20-Jul-20	Minute 109/20
38	185(4) Compliance with notice	The General Manager's function of notifying the person of work done	Delegation	X									20-Jul-20	Minute 109/20
39	189 Closure of local highways	All of the Council's powers to allow a market to be operated and close a local highway in accordance with this section.	Delegation	X	X							Nil	20-Jul-20	Minute 109/20
40	190(3) Objections	The Council's function of considering any objection before closing a local highway or part of a local highway.	Delegation	X	X								20-Jul-20	Minute 109/20
41	193 Establishment of pounds	The Council's powers to establish pounds for the detention of stray animals in accordance with this section.	Delegation	X	X								20-Jul-20	Minute 109/20
42	194 Impounding animals	The General Manager's powers to 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

No.	Provision (hyperlinked to legislation)	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 - Infrastructure	Director - Community & Development Services	Director - Corporate Services	Finance Manager	Animal Management Officer	Environmental Health Officer		Date(s) of Delegation / Authorisation	Resolution Number
43	195 Notice of impounding	The General Manager's function of giving the owner notice in accordance with this section	Delegation	X		X	X			X			Nil	20-Jul-20	Minute 109/20
44	196(3) Fees, costs and charges	The Council's powers of recovering unpaid fees, costs and charges as a debt due in a Court of competent jurisdiction	Delegation	X		X								20-Jul-20	Minute 109/20
45	196(4) Fees, costs and charges	The General Manager's powers of detaining an impounded animal until fees, costs and charges are paid	Delegation	X		X	X			X			Nil	20-Jul-20	Minute 109/20
46	197 Sale or destruction of unclaimed animals	The Council's powers to sell, give away free of charge or destroy any impounded animal in accordance with this section	Delegation	X		X	X			X			Nil	20-Jul-20	Minute 109/20
47	198 Destruction of animals	The General Manager's powers of arranging 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
48	200 Abatement notices	All of the General Manager's powers to investigate and serve an abatement notice in accordance with this section	Delegation	X		X	X			X	X		Upon the recommendation from the relevant Council Officer	20-Jul-20	Minute 109/20
49	201 General Manager may take necessary action	All of the General Manager's powers to abate a nuisance in accordance with this section	Delegation	X		X	X			X	X		Instigate action on nuisance abatement notices	20-Jul-20	Minute 109/20
50	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
51	207 Remission of fees and charges	The Council's powers to 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
52	207 Remission of fees and charges	The General Manager's delegated powers to remit all or part of any fee or charge paid, or payable, under this Division	Delegation	X			X	X					Not to exceed \$2,000	20-Jul-20	Minute 109/20
53	240 Appearances in court	The Council's powers to appear before any Court or in any proceedings	Delegation	X									Nil	20-Jul-20	Minute 109/20
54	261(1) List of electors	The General Manager's function to prepare and keep a list of electors and (b) certify that the list is correct, as required by this section.	Delegation	X									Nil	20-Jul-20	Minute 109/20

No.	Provision (hyperlinked to legislation)	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 - Infrastructure	Director - Community & Development Services	Director - Corporate Services	Finance Manager	Animal Management Officer	Environmental Health Officer	Notes	Date(s) of Delegation / Authorisation	Resolution Number
55	333A Tenders	The Council's function of inviting tenders for any contract for the supply or provision of goods or services above the prescribed amount in accordance with this section	Delegation	X	X							Acceptance of tenders by the General Manager must be in accordance with Council's Code for Tenders and Contracts Policy. Refer to regulation 24 of the Local Government (General) Regulations 2025	20-Jul-20	Minute 109/20
56	337(2) Council land information certificate	The General Manager's function of issuing a certificate in the prescribed form on receipt of an application in accordance with subsection (1), and (5) The General Manager's powers provide other information or document relating to the land the General Manager considers relevant.	Delegation	X			X	X				In accordance with Council's Schedule of Fees and Charges	20-Jul-20	Minute 109/20
57	344 Rounding off rates, &c.	The General Manager's powers (1) to round up any amount payable under the Act in accordance with this section; and to (2) round down any amount payable any amount payable for which there is exact legal tender in circulation.	Delegation	X								Nil	20-Jul-20	Minute 109/20

Local Government (Building and Miscellaneous Provisions) Act 1993

Back to CONTENTS

Legislation Version: 1 December 2022

This Register is maintained in compliance with sections 22(4) and 64(2) of the Local Government Act 1993 (Tas).

Notes on Legislation

s80 In Part 3 - highway authority means a Council or authority responsible for the management of a highway or part of a highway

Notes on Delegation

- (1) A Council, in writing, may delegate with or without conditions to the General Manager, Controlling Authority, a Council Committee or a Special Committee, any of its functions or powers under any Act: s.22 Local Government Act 1993 (Tas) (subject to restrictions), other than the power of delegation (unless authorised by the Council) and the specific powers referred to in subsection 22(3) of the Local Government Act 1993 (Tas).
- (2) The General Manager, in writing, may delegate to an employee of the Council - (a) any functions or powers under any Act, other than the 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 which has been delegated may, notwithstanding the delegation, be exercised by the delegator: s.23AA(6) Acts Interpretation Act 1931 (Tas).
- (6) 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 (hyperlinked to legislation)	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 - Community & Development Services	Town Planner	Notes	Date(s) of Delegation / Authorisation	Resolution Number
PART 3		SUBDIVISIONS: DIVISION 2 - PLANS OF SUBDIVISION								
1	83Approval of plan of subdivision	All of the Council's functions in relation to the approval of plan of subdivision in accordance with this section	Delegation	X	X	X		Only where no representations have been received objecting to the proposal.	20-Jul-20	Minute 109/20

No.	Provision (hyperlinked to legislation)	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 - Community & Development Services	Town Planner	Notes	Date(s) of Delegation / Authorisation	Resolution Number
2	84(1) Council not to approve subdivision	The Council's functions to not approve a 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	85 Refusal of application for subdivision	The Council's powers to refuse to approve a plan of subdivision if it forms an opinion in subsections (a) - (g) of this section	Delegation	X	X	X		Nil	20-Jul-20	Minute 109/20
4	86(1) Security for payment	The Council's powers, before approving a plan of subdivision, to: (a) require security for payments and the execution of works; and (b) refuse to approve the application until such security is given, in accordance with the requirements of this section.	Delegation	X	X	X		To accept a guarantee as security for subdivision work from any organisation that meets the requirements of this section. To authorise the total or partial release of bonds, guarantees and security deposits, where the appropriate departmental manager has certified that the work or thing to which the bond, guarantee or security deposit relates has been satisfied in whole or in part. To call on any bonds, guarantees or security deposits for building estates and subdivisions to carryout uncompleted works as certified by Council's engineer.	20-Jul-20	Minute 109/20
PART 3		SUBDIVISIONS: DIVISION 3 - FINAL PLANS								
5	89 Approval of final plans by council	All of the Council's functions, within 20 (business) days from the lodgement under section 88(1), in relation to final plans, in accordance with the requirements of this section	Delegation	X	X	X	X	Only where the plan complies with conditions of approval.	20-Jul-20	Minute 109/20
6	91(3) Corrections to final plans	The Council's powers to 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

No.	Provision (hyperlinked to legislation)	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 - Community & Development Services	Town Planner	Notes	Date(s) of Delegation / Authorisation	Resolution Number
7	92 Amendments to final plans	The Council's functions of withdrawing the plan and return it to the owner if Council considers the amendment should not be approved; (b) or in any other case, notify the Recorder and the owner that it does not oppose the amendment, and the Council's powers to put forward other proposals if an amendment is required.	Delegation	X	X	X	X	Upon recommendation of the Town Planner or the Director - Community & Development Services	20-Jul-20	Minute 109/20
8	93 Cancellation of final plans	The Council's function of cancelling its seal on a final plan if (a) the plan is withdrawn from the Recorder of Titles; or (b) the plan is rejected by the Recorder of Titles, and returning a plan cancelled under subsection (1) to the owner.	Delegation	X	X			Nil	20-Jul-20	Minute 109/20
PART 3		SUBDIVISIONS: DIVISION 4 - SEALED PLANS								
9	96 Dedication as highway	The <i>Highway Authority's</i> powers to require land to be dedicated as a highway	Delegation	X	X			Nil	20-Jul-20	Minute 109/20
PART 3		SUBDIVISIONS: DIVISION 4 - SEALED PLANS								
10	103 Amendment of sealed plans	The Council's powers to amend a sealed plan of its own motion in a accordance with the requirements of this section	Delegation	X	X	X	X	Upon recommendation of the Town Planner or the Director - Community & 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
11	104(1) Hearing in respect of amendment of plans	The Council's powers to conduct a hearing in respect of amendment of plans in accordance with the requirements of this section	Delegation	X	X	X	X	Upon recommendation of the Town Planner or the Director - Community & Development Services	20-Jul-20	Minute 109/20
12	105 Compensation in respect of amendments	All of the Council's functions and powers to pay compensation in accordance with the requirements of this section	Delegation	X	X			Nil	20-Jul-20	Minute 109/20
PART 3		SUBDIVISIONS: DIVISION 6 - MISCELLANEOUS PROVISIONS RELATING TO PLANS								
13	107 Access orders	All of the Council's functions and powers in relation to access onto a block in accordance with this section	Delegation	X	X			Upon recommendation of the Town Planner or the Director - Community & Development Services	20-Jul-20	Minute 109/20

No.	Provision (hyperlinked to legislation)	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 - Community & Development Services	Town Planner	Notes	Date(s) of Delegation / Authorisation
PART 3		SUBDIVISIONS: DIVISION 7 - MINIMUM AND SUB-MINIMUM LOTS								
14	109(6) Minimum lots	All of the Council's functions and powers in relation to a minimum lot existing by virtue of subsection (3)(a) and used as a place of business and the restrictions on its use in accordance with the requirements of this section	Delegation	X	X			Nil	20-Jul-20	Minute 109/20
15	110 Adhesion orders	All of the Council's powers to make an adhesion order in accordance with the requirements of this section	Delegation	X	X	X	X	Upon recommendation of the Town Planner or the Director - Community & Development Services	20-Jul-20	Minute 109/20
16	112 Purposes for which plan approved	All of the Council's functions in relation to approved plans in accordance with the requirements of this section	Delegation	X	X			Nil	20-Jul-20	Minute 109/20
17	113(4) Bringing land under <i>Land Titles Act 1980</i>	The Council's function of cancelling its sealed plan in accordance with the requirements of this section if all transfers necessary to achieve the purpose for which a plan is approved are not lodged within 3 years after the date of notification	Delegation	X	X			Nil	20-Jul-20	Minute 109/20
18	115 Exemption	The Council's powers to exempt a subdivision from the operation of this Part, and if exempted, the Council's function of certifying the exemption on the plan prepared for the purpose of carrying out the subdivision.	Delegation	X	X	X	X	Upon recommendation of the Town Planner or the Director - Community & Development Services	20-Jul-20	Minute 109/20
PART 3		SUBDIVISIONS: DIVISION 8 - PUBLIC OPEN SPACE								
19	116 Limitation on requirement for public open space	The Council's functions of purchasing the excess land as provided for within this section	Delegation	X	X	X		Upon recommendation of the Town Planner or the Director - Community & Development Services	20-Jul-20	Minute 109/20
20	117 Payment instead of increasing public open space	The Council's powers of requiring security for the payment of an amount calculated under subsection (2) instead of requiring an owner to increase the area for public open space	Delegation	X	X	X		Upon recommendation of the Town Planner or the Director - Community & Development Services	20-Jul-20	Minute 109/20
PART 3		SUBDIVISIONS: DIVISION 9 - MISCELLANEOUS MATTERS								

No.	Provision (hyperlinked to legislation)	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 - Community & Development Services			Town Planner
21	118 Council schemes	The Council's function of preparing a plan of subdivision if the disposition of the land were of a private person and the plan would require approval	Delegation	X	X			Nil	20-Jul-20	Minute 109/20
PART 7		LONG SERVICE LEASE AND EMPLOYEES ASSURANCE SCHEME - DIVISION 1 - Long Service Leave								
22	227(4) Entitlement to long service leave	The Council's powers to direct an employee to commence leave within 6 months after notice in writing	Delegation	X	X				20-Jul-20	Minute 109/20
23	232(2) Preservation of other rights	The Council's powers to grant permission to use recreation leave under any other enactment in respect of the	Delegation	X	X				20-Jul-20	Minute 109/20
24	233 Paid employment on leave prohibited	The Council's powers of granting consent to an employee to engage in a business of undertaking, whether as	Delegation	X	X				20-Jul-20	Minute 109/20
PART 8		MISCELLANEOUS MATTERS								
25	241(1) Preservation orders	All of the Council's powers to issue a preservation order in accordance with this section	Delegation	X	X			Nil	20-Jul-20	Minute 109/20
26	243 Preservation order is enforceable	The Council's powers to enforce a Preservation Order in accordance with this section	Delegation	X	X			Nil	20-Jul-20	Minute 109/20
27	244 Registering preservation order	The Council's powers of causing a sealed copy of the Preservation Order and a Certificate of the General Manager identifying the volume and folio of the Register relating to that land to be lodged with the Recorder of Titles, and the Council's powers to register a Preservation Order in the Registry of Deeds by memorial under the <i>Registration of Deeds Act 1935</i>	Delegation	X	X	X		Nil	20-Jul-20	Minute 109/20
28	246 Advertising Hoardings	The Council's power to issue a license for an advertising hoarding in accordance with the requirements of this section	Delegation	X	X			Nil	20-Jul-20	Minute 109/20
29	247 Removal of advertising hoardings	The Council's powers to order, by notice in writing, the owner of any advertising hoarding which has been erected or maintained in contravention of this section to remove it, and the Council's powers to enter upon the land to destroy it or take the material for its use pursuant to the requirements of this section	Delegation	X	X			Nil	20-Jul-20	Minute 109/20

Local Government (General) Regulations 2025

[Back to CONTENTS](#)

Legislation Version: 24 June 2025

This Register is maintained in compliance with sections 22(4) and 64(2) 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, Controlling Authority, a Council Committee or a Special Committee, any of its functions or powers under any Act: s.22 Local Government Act 1993 (Tas) (subject to restrictions), other than the power of delegation (unless authorised by the Council) and the specific powers referred to in subsection 22(3) of the Local Government Act 1993 (Tas).
- (2) The General Manager, in writing, may delegate to an employee of the Council - (a) any functions or powers under any Act, other than the 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 which has been delegated may, notwithstanding the delegation, be exercised by the delegator: s.23AA(6) Acts Interpretation Act 1931 (Tas).
- (6) 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 (hyperlinked to legislation)	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 - Infrastructure	Notes	Date(s) of Delegation / Authorisation
1	24(3) Public tenders	The Council's power, through a public tender process, to establish a standing contract in which a single tenderer or multiple tenderers may be contracted for a specified period to provide specified goods or services during that period without the need for a further tender process	Delegation	X	X			18-Aug-25	Minute 159/2025
2	25 Open tenders	The General Manager's functions to invite tenders in accordance with the requirements of this regulation	Delegation	X		X		18-Aug-25	Minute 159/2025
3	26 (1) Multiple-use register	The Council's powers to establish a multiple-use register of suppliers who meet criteria established by the Council in respect of the supply of particular categories of goods or services.	Delegation	X	X			18-Aug-25	Minute 159/2025
4	26 (2)&(3) Multiple-use register	The General Manager's functions of inviting applications from suppliers for inclusion on the multiple-use Register by publishing notice specifying the matters set out in this section, and the General Manager's function of ensuring all applicants are provided with the matters listed in this section	Delegation	X		X		18-Aug-25	Minute 159/2025
5	26 (4) Multiple-use register	The Council's powers to accept, or reject, an application for inclusion on the multiple-use register	Delegation	X	X			18-Aug-25	Minute 159/2025

No.	Provision (hyperlinked to legislation)	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 - Infrastructure	Notes	Date(s) of Delegation / Authorisation	Resolution Number
6	26 (5) & (6) Multiple-use register	The General Manager's function of advising the applicant of the reasons for rejection of an application, or advising the applicant of the category for which the accepted applicant is to be included on the multiple-use register	Delegation	X		X		18-Aug-25	Minute 159/2025
7	26 (7) Multiple-use register	The General Manager's function of inviting tenders for a contract for the supply of goods or services from all suppliers on a multiple-use register for a particular category of goods or services	Delegation	X		X		18-Aug-25	Minute 159/2025
8	26 (9) Multiple-use register	The Council's function of allowing a supplier to apply for inclusion on a multiple-use register at any time	Delegation	X	X			18-Aug-25	Minute 159/2025
9	27 (1) Multiple-stage tender	The General Manager's powers to invite tenders for a contract for the supply of goods or services using a multiple-stage tender process in accordance with the requirements of this regulation	Delegation	X	X			18-Aug-25	Minute 159/2025
10	27(3)&(4) Multiple-stage tender	The General Manager's functions to invite expressions of interest from prospective tenderers by publishing a notice specifying the matters in this section and to ensure all prospective tenderers are provided with the specified matters listed in this section	Delegation	X		X		18-Aug-25	Minute 159/2025
11	27(5) Multiple-stage tender	The General Manager's function, at the final stage, of inviting all suppliers who have met the criteria determined by the Council to tender for the supply of goods or services	Delegation	X		X		18-Aug-25	Minute 159/2025
12	27(6) Multiple-stage tender	The Council's powers to contact with a supplier in accordance with the requirements of this section	Delegation	X				18-Aug-25	Minute 159/2025
13	27(7) Multiple-stage tender	The General Manager's function of ensuring consistency of the evaluation criteria used at each stage of a multiple-stage tender process	Delegation	X		X		18-Aug-25	Minute 159/2025
14	46 Plan of boundaries of towns	The Council's function of lodging a plan with the Central Plan Register established under the <i>Survey Co-ordination Act 1944</i> of the boundaries of any town or proposed town.	Delegation	X				18-Aug-25	Minute 159/2025

Local Government (Highways) Act 1982

[Back to CONTENTS](#)

This Register is maintained in compliance with sections 22(4) and 64(2) of the Local Government Act 1993 (Tas).

Legislation Version: 1 July 2025

Notes on Legislation

s3	corporation and corporation of a municipality means a Council and, in relation to any land, or a building, structure or other thing on any land, or a highway, means the Council of the municipal area in which the land or highway is situated council clerk means a General Manager within the meaning of the Local Government Act 1993
s102(2)	In subsection 102(1), prescribed authority means (a) the Corporation, in the case of a contravention referred to in paragraph (a), (b), (c) or (d) of that subsection; or (b) the Corporation or a police officer, in the case of a contravention referred to in paragraph (e) of that subsection

Notes on Appointments and Authorisations

It is recommended a Council makes the following **appointments**:
Engineer, either as an employee or approved for the purposes of the Act
[s94\(1\)](#) Parking attendants, employed by Council: [s.94\(1\)](#). A certificate of employment should be provided: s.107(1).

It is recommended a Council grants the following **authorisations**:
[s41](#) **Authorised officer**, in relation to a consent or report given for the purposes of section 41, means an officer of the Corporation authorised either generally or in a particular case to give a consent or report under this section.
(3) For the purposes of subsection (1) , an **Authorised Officer** means –
[s99\(3\)](#) (a) a police officer;
(b) an officer of the Transport Commission; or
(c) a person authorised by the Corporation for the purposes of that subsection.

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

Notes on Delegation

124	(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
---------------------	---

Note (1) This Act addresses the power to delegate in detail and therefore the general provisions of the Acts Interpretation Act 1931 will not apply

Note (2) The restrictions imposed on delegations contained in s.22(3) of the Local Government Act 1993 will still apply.

No.	Provision (hyperlinked to legislation)	Function or Power	Nature	Given by	Given To		Conditions or Restrictions	Decision	Evidence of Authorisation / Delegation
			Appointment, Delegation or Authorisation	Council	General Manager	Director - Infrastructure		Date(s) of Delegation / Authorisation	Resolution Number
1	6 Making, widening, &c., of highways by corporations	All of the Corporation's powers and functions in relation to making, opening, widening and extending highways and local highways in accordance with this section	Delegation	X	X	X	Nil	20-Jul-20	Minute 109/20
2	7 Limitation on opening of highways in cities and towns by private persons	All of the Corporation's powers and functions in relation to give approval to a dedication of land as a highway in accordance with this section	Delegation	X	X	X	Nil	20-Jul-20	Minute 109/20
3	8 Maintenance of highways opened outside cities or towns by private persons	The Corporation's powers to notify an owner that a highway will not be maintained by the Corporation in accordance with the requirements of this section	Delegation	X	X	X	Nil	20-Jul-20	Minute 109/20
4	10 Obligations on landowners opening highways	All of the Corporation's powers to require works are carried out in accordance with plans and specifications approved by the Corporation in accordance with the requirements of this section	Delegation	X	X	X	Nil	20-Jul-20	Minute 109/20
5	11 Enforcement of obligations of landowners opening highways	All of the Corporation's powers to enter into and carry into effect an agreement with an owner to carry out works necessary for discharging the owners obligations pursuant to section 10, and to cause works to be carried out as necessary, in accordance with the requirements of this section	Delegation	X	X	X	Nil	20-Jul-20	Minute 109/20
6	14 Closure and diversion of highways	All of the Corporation's powers and functions to close or divert a highway in accordance with the requirements of this section	Delegation	X	X	X	Nil	20-Jul-20	Minute 109/20
7	15 Dealing with sited of closed highways	The Corporation's powers to acquire any highway which was over land other than Crown land which was closed in accordance with the requirements of this section	Delegation	X	X	X	Nil	20-Jul-20	Minute 109/20
8	17 Definition of boundaries of highway	The Corporation's powers to make an application to a Magistrate to define the boundaries of a local highway	Delegation	X	X	X	Nil	20-Jul-20	Minute 109/20
9	19 Closure of local highways for public functions, &c.	All of the Corporation's powers and functions to close a local highway in accordance with the requirements of this section	Delegation	X	X	X	In consultation with Commissioner of Police. Delegation excludes 19(1)(c)	20-Jul-20	Minute 109/20
10	20 Closure of parts of local highways for sale of goods, &c.	All of the Corporation's powers and functions to close part of a local highway in accordance with the requirements of this section	Delegation	X	X	X	In consultation with Commissioner of Police & Transport Commission	20-Jul-20	Minute 109/20
11	21 General responsibility of corporations	All of the Corporation's functions of maintaining local highways in accordance with the requirements of this section	Delegation	X	X	X	Nil	20-Jul-20	Minute 109/20
12	24 Highways on boundaries of municipalities	A Corporation's functions and joint liability to repair the whole width of a highway forming, or following, the common boundary of the municipal districts in accordance with the requirements of this section	Delegation	X	X	X	Nil	20-Jul-20	Minute 109/20

No.	Provision (hyperlinked to legislation)	Function or Power	Nature	Given by	Given To		Conditions or Restrictions	Decision	Evidence of Authorisation / Delegation
			Appointment, Delegation or Authorisation	Council	General Manager	Director - Infrastructure	Notes	Date(s) of Delegation / Authorisation	Resolution Number
13	25 General supplementary provisions as to carrying out of highway works	The Corporation's powers to close a highway, or close it to particular forms of traffic, otherwise restrict the exercise of rights of passage if traffic signs are placed on or near the highway and the Corporation's powers to leave, stack or deposit on a local highway vehicles, plant, equipment, or materials required for carrying out the highway works	Delegation	X	X	X	Subsection (1) requires the Transport Commission to issue traffic signs and instructions	20-Jul-20	Minute 109/20
14	26(4) Obtaining of materials for highway works	The Corporation's powers to enter land to obtain/remove material required or indigenous timber for highway work, provided they gave 7 days written notice.	Delegation	X	X	X	Nil	20-Jul-20	Minute 109/20
15	27 Use of adjoining lands in carrying out highway works	A Corporation's powers of (1) entering any land adjoining the highway for the purpose of carrying out highway works, and (2) using any uncultivated land as temporary deviation of the highway, in accordance with the requirements of this section	Delegation	X	X	X	Nil	20-Jul-20	Minute 109/20
16	28 Shifting of apparatus, &c., in roads	All of the Corporation's powers and functions to shift apparatus it considers necessary to carry out highway works in accordance with the requirements of this section	Delegation	X	X	X	Nil	20-Jul-20	Minute 109/20
17	30 Improvement, &c., of highways	The Corporation's powers to carry out such works and do such other things as it considers necessary or desirable for rendering the use of a highway safer or more convenience in accordance with the requirements of this section	Delegation	X	X	X	Nil	20-Jul-20	Minute 109/20
18	31 Obstructions for prohibition or restriction of vehicular traffic	The Corporation's powers, with approval of the Transport Commission, to construct or place obstructions in a local highway for the purpose of preventing or restricting the movement of vehicular traffic in accordance with the requirements of this section	Delegation	X	X	X	S. 31(1) requires approval from Transport Commission	20-Jul-20	Minute 109/20
19	32 Lighting	The Corporation's powers to light, or arrange for the lighting of, a local highway in accordance with the requirements of this section	Delegation	X	X	X	Nil	20-Jul-20	Minute 109/20
20	33 Lighting of private ways and courts	The Corporation's powers to require an owner to light a private way or court in accordance with the directions contained in a written notice in accordance with the requirements of this section	Delegation	X	X	X	Nil	20-Jul-20	Minute 109/20
21	34 Drainage works	The Corporation's powers to make, cleanse and keep open all drains and watercourses it considers necessary in and through any adjoining land or near a local highway maintainable by the Corporation in accordance with the requirements of this section	Delegation	X	X	X	Nil	20-Jul-20	Minute 109/20

No.	Provision (hyperlinked to legislation)	Function or Power	Nature	Given by	Given To		Conditions or Restrictions	Decision	Evidence of Authorisation / Delegation
			Appointment, Delegation or Authorisation	Council	General Manager	Director - Infrastructure		Date(s) of Delegation / Authorisation	Resolution Number
22	35 Crossings over footpaths, table-drains, and gutters	The Corporation's powers to serve notice on the owner of land requiring them to carry out works within a specified timeframe for the construction or repair of vehicular crossing over a table-drain, gutter, or footpath at or opposite the entrance of land adjoining a highway under local management, and the Corporation's powers to carry out the works if the owner does not and to recover the expenses reasonably incurred	Delegation	X	X	X	Upon recommendation from Director - Infrastructure	20-Jul-20	Minute 109/20
23	36 Fencing of streets in towns	The Corporation's powers to require an owner to erect a fence between a made footpath and the adjoining land in accordance with the requirements of this section, and the Corporation's powers to carry out the works if the owner does not and to recover the expenses reasonably incurred.	Delegation	X	X	X	Upon recommendation from Director - Infrastructure	20-Jul-20	Minute 109/20
24	37 Alterations, &c., of entrances to highways	The Corporation's powers to carry out works for the alteration of the situation of an entrance to land adjoining a local highway as it considers necessary to prevent or reduce further damage to the highway, or a hazard to that traffic, and the Corporation's powers to restrict the user of the land lying between the entrance and the boundary of the highway in accordance with the requirements of this section	Delegation	X	X	X	Upon recommendation from Director - Infrastructure	20-Jul-20	Minute 109/20
25	38 Removal of trees near highways	The Corporation's powers to cut down and remove any indigenous timber growing or standing within 25 metres of the centre of the highway and make good damage in accordance with the requirements of this section	Delegation	X	X	X	Nil	20-Jul-20	Minute 109/20
26	39 Obligation of occupiers to cut back vegetation, &c.	The Corporation's powers to require the occupier of land to cut, trim or reduce the height of vegetation or structure on any land to remove or reduce the danger to persons using a local highway arising from obstruction of their view in accordance with the requirements of this section, and the Corporation's powers to carry out the work if a requirement is not complied with and recover expenses reasonably incurred	Delegation	X	X	X	Nil	20-Jul-20	Minute 109/20
27	40 Animal barriers on highways	All of the Corporation's powers to grant consent to an animal barrier being erected across a country highway in accordance with the requirements of this section	Delegation	X	X	X	Upon recommendation from Director - Infrastructure	20-Jul-20	Minute 109/20
28	41 Prohibition of traffic likely to cause damage to highways	All of the Corporation's powers to prohibit the use of a highway without the Corporation's consent in accordance with the requirements of this section	Delegation	X	X	X	Upon report from Council's Engineer	20-Jul-20	Minute 109/20
29	42 Closure of dangerous highways	The Corporation's powers to close a highway to traffic where certification that a local highway is unsafe to traffic or a particular class of traffic in accordance with the requirements of this section	Delegation	X	X	X	Upon report from Council's Engineer	20-Jul-20	Minute 109/20

No.	Provision (hyperlinked to legislation)	Function or Power	Nature	Given by	Given To		Conditions or Restrictions	Decision	Evidence of Authorisation / Delegation
			Appointment, Delegation or Authorisation	Council	General Manager	Director - Infrastructure		Date(s) of Delegation / Authorisation	Resolution Number
30	44 Protection of bridges from excessive loading	The Corporation's powers and functions to put up a notice at each end of the bridge stating the maximum load or maximum speed in accordance with the requirements of this section	Delegation	X	X	X	Nil	20-Jul-20	Minute 109/20
31	45(4) Removal and disposal of abandoned articles	The Corporation's powers to remove an article from the highway where it appears to have been abandoned without lawful authority	Delegation	X	X	X		20-Jul-20	Minute 109/20
32	45(5)(6)(7) (8)(9)(10)(12) Removal and disposal of abandoned articles	All of the Corporation's powers and functions to dispose of an article removed from a highway under this section in accordance with the requirements of this section	Delegation	X	X	X		20-Jul-20	Minute 109/20
33	46(2) Permission to carry out various works in relation to highways	The Corporation's powers, in accordance with its by-laws, to grant written permission to do any one or more thing on such conditions and for such consideration as the Corporation determines	Authorisation	X	X	X	Nil	20-Jul-20	Minute 109/20
34	46 Permission to carry out various works in relation to highways	The Corporation's powers to grant a person written permission to do any of the things on such conditions specified in this section specified in this section	Delegation	X	X	X	Delegation excludes S. 46(2C)	20-Jul-20	Minute 109/20
35	50 Management of local highways not maintainable by the corporation	The Corporation's powers to carry out highway works in a highway that is not maintainable by it in accordance with the requirements of this section	Delegation	X	X	X	Nil	20-Jul-20	Minute 109/20
36	51 Making good of back roads, lanes, &c., at frontagers' expense	All of the Corporation's powers and functions to 'require the carrying out of such works for the making up of the area as specified in the notice and being sufficient to render the area safe and adequate for use by persons, vehicles, and animals and reasonably passable by them in accordance with the requirements of this section	Delegation	X	X	X	Nil	20-Jul-20	Minute 109/20
37	52 Projections on to highways, &c.	The Corporation's powers to remove or alter an obstruction to which this section applies that has been erected or placed against or in front of the building in accordance with the requirements of this section	Delegation	X	X	X	Nil	20-Jul-20	Minute 109/20
38	53 Low-lying land near highways	The Corporation's powers to serve notice on the owner requiring the carrying out of such works for raising the level of the land or draining its soil as are specified in the notice in accordance with the requirement of this section	Delegation	X	X	X	Nil	20-Jul-20	Minute 109/20
39	54 Names of highways, &c.	The Corporation's powers to put up or paint the name by which the highway is known in accordance with this section	Delegation	X	X	X	Nil	20-Jul-20	Minute 109/20
40	55 Numbering of buildings, &c.	The Corporation's powers to allot to a piece of land one or more distinguishing numbers and cause a building on that piece of land to be marked with such number.	Delegation	X	X	X	Nil	20-Jul-20	Minute 109/20

No.	Provision (hyperlinked to legislation)	Function or Power	Nature	Given by	Given To		Conditions or Restrictions	Decision	Evidence of Authorisation / Delegation
			Appointment, Delegation or Authorisation	Council	General Manager	Director - Infrastructure		Date(s) of Delegation / Authorisation	Resolution Number
41	59 Development of land in connection with highway improvements	The Corporation's powers to carry out development or ensuring land adjacent to, or in the vicinity of, land used, or to be used, as a local highway is used for certain purposes in accordance with the requirements of this section	Delegation	X	X	X	Nil	20-Jul-20	Minute 109/20
42	60(3) Restrictive covenants for benefit of highway	A Corporation's powers to discharge the covenant or agree to a variation of the covenant	Delegation	X	X	X	Nil	20-Jul-20	Minute 109/20
43	62 Special provisions as to acquisition for widening or other alteration	The Corporation's powers to take land for the widening or other alteration of a highway in accordance with the requirements of this section.	Delegation	X	X	X	Nil	20-Jul-20	Minute 109/20
44	63 Letting of highways not presently used	The Corporation's powers to let land to the owner of any adjoining land to land with highway rights over it in accordance with the requirements of this section.	Delegation	X	X	X	Upon report from Council's Engineer.	20-Jul-20	Minute 109/20
45	66 Proof that street is subject to Part V	The Corporation's powers to prepare a copy of all, or part, of its municipal map showing any or all streets in the municipal district not well and sufficiently made and to advertise the effect of the advertisement and exhibition in accordance with this section	Delegation	X	X	X	Nil	20-Jul-20	Minute 109/20
46	67(2) Street works in streets not previously made up	The Corporation's powers to carry out such street works it considers necessary to put the street in a proper condition in substantial conformity with the standard requirements, recovering the costs of the works in the manner provided in this Part	Delegation	X	X	X	Nil	20-Jul-20	Minute 109/20
47	68 Scheme of street construction	The Corporation's function to cause to be prepared a scheme for the carrying out of street works in accordance with the requirements of this section	Delegation	X	X	X	Nil	20-Jul-20	Minute 109/20
48	71 Notice of preparation of scheme	The Corporation's functions to cause a copy of the scheme to be kept at the office open for inspection and cause to be served on each owner of land intended to be made liable under the schedule with a written notice stating the matters contained in the section	Delegation	X	X	X	Nil	20-Jul-20	Minute 109/20
49	72 Objection by owners	The Corporation's powers to, in consideration of the withdrawal of the objection, undertake to amend the scheme in such manner as specified in the undertaking	Delegation	X	X	X	Nil	20-Jul-20	Minute 109/20
50	74 Execution of scheme	The Corporation's powers to carry out, in accordance with the scheme, street works specified in it	Delegation	X	X	X	Nil	20-Jul-20	Minute 109/20
51	76 Payments by frontagers	The Corporation's function to serve on each frontager written notice the sum for which they are liable under the scheme when a scheme comes into effect	Delegation	X	X	X	Nil	20-Jul-20	Minute 109/20

No.	Provision (hyperlinked to legislation)	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 - Infrastructure			
							Notes	Date(s) of Delegation / Authorisation	Resolution Number
52	77 State contribution	A Corporation's powers to make an application to the Minister for State Highways for a contribution to the cost of the construction of the carriage-way in accordance with the requirements of this section	Delegation	X	X	X	Nil	20-Jul-20	Minute 109/20
53	79 Urgent works	A Corporation's powers, without a scheme, to carry out in a street any part of the works referred to in section 67 when urgently necessary in accordance with the requirements of this section	Delegation	X	X	X	Nil	20-Jul-20	Minute 109/20
54	81 Record of charges	The Corporation's function of keeping a record or register that its officers can, within a reasonable time, inform a person of the contributions to be paid by a frontager under this Part	Delegation	X	X	X	Nil	20-Jul-20	Minute 109/20
55	95 Establishment of controlled parking	The Corporation's powers to establish controlled parking in accordance with the requirements of this section	Delegation	X	X	X	Nil	20-Jul-20	Minute 109/20
56	96 Hours of operation of controlled parking	The Corporation's powers to prescribe hours of operation of controlled parking in accordance with the requirements of this section	Delegation	X	X	X	Nil	20-Jul-20	Minute 109/20
57	99 Closure of parking spaces in certain cases	All of the Corporation's powers and functions to issue permits authorising persons on such terms and subject to such conditions to park vehicles or allow vehicles to stand in 'no parking' space	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
58	100(1A) Infringement notices	The Council Clerk's powers to serve an infringement notice on a person in section 94A(5A) in respect of an offence relating to a vehicle or other thing if of the opinion the vehicle or thing has been used in the commission of an offence under section 97 , 98 or 99 in accordance with the requirements of this section	Delegation	X		X	Nil	20-Jul-20	Minute 109/20
59	102 Removal of vehicles in certain cases from parking spaces	The Corporation's, as the prescribed authority , powers to remove a vehicle or other thing as specified in subsection (1) to a place of safety and keep it there until the monetary penalty has been paid in accordance with this Part and payment of the fee to the Corporation has been made	Delegation	X	X	X	Prescribed authority - defined S.102(2)	20-Jul-20	Minute 109/20
60	104 Permits for use of parking spaces without operation of meters or use of parking vouchers	The Corporation's powers to issue a permit in respect of a vehicle as specified in this section entitling the vehicle to be parked, subject to compliance with any conditions that may be specified in the permit, in a parking space without the operation of the parking meter or parking vouchers for not longer than the period specified in the permit	Delegation	X	X	X	S.104(2) must be in accordance with Annual Schedule of Fees and Charges	20-Jul-20	Minute 109/20

No.	Provision (hyperlinked to legislation)	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 - Infrastructure		Date(s) of Delegation / Authorisation	Resolution Number
61	109 Lighting of certain State highways: Contributions by corporations to lighting of certain State highways	The Corporation's powers to light, or arrange for the lighting of, a State highway in a city, town or village where there is a footpath on one side or both sides of that State highway, and the Corporation's powers to pay contributions towards the cost of providing lighting	Delegation	X	X	X	Nil	20-Jul-20	Minute 109/20
62	110 Powers and duties of corporations in relation to State highways	The Corporation's powers to exercise powers imposed by section 30 in respect of a State highway in the municipality	Delegation	X	X	X	Consent of the Minister for State Highways is required and to be undertaken in accordance with any conditions as the Minister may impose	20-Jul-20	Minute 109/20
63	112 Liability of corporation to maintain road works carried out by the Crown	The Corporation's functions and obligations in subsection (3) to maintain <i>authorised road works</i> carried out by Minister for State Highways	Delegation	X	X	X	Nil	20-Jul-20	Minute 109/20
64	114 Right of private persons opening new streets to obtain contributions	The Corporation's powers and functions to define a special district which shall be liable to contribute to the cost of constructing a street upon receipt of written application of an owner about to lay out or construct a new street, in accordance with the requirements of this section	Delegation	X	X	X	Delegation excludes S114(8)	20-Jul-20	Minute 109/20
65	115 Retention of petrol-pumps in highways	All of the Corporation's powers and functions in relation to permits for a petrol-pump in a highway - referred to as an existing pump if in place prior to the commencement of the Act - and the Corporation's powers to require the removal of a pump, in accordance with the requirements of this section	Delegation	X	X	X	Nil	20-Jul-20	Minute 109/20
66	116 Tramways along or across highways	The Corporation's powers to recommend to the Governor, including such terms and conditions, the laying down, construction, and maintenance of a tramway or railway along or across a local highway	Delegation	X	X	X	Nil	20-Jul-20	Minute 109/20
67	119 Determination of compensation	The Corporation's powers and functions to determine compensation by agreement, or by action in a Court of competent jurisdiction	Delegation	X	X	X	Nil	20-Jul-20	Minute 109/20

Local Government (Meeting Procedures) Regulations 2025

[Back to CONTENTS](#)

This Register is maintained in compliance with sections 22(4) and 64(2) of the Local Government Act 1993 (Tas).

Legislation Version: 24 June 2025

Notes on Delegation

(1) A Council, in writing, may delegate with or without conditions to the General Manager, Controlling Authority, a Council Committee or a Special Committee, any of its functions or powers under any Act: s.22 Local Government Act 1993 (Tas) (subject to restrictions), other than the power of delegation (unless authorised by the Council) and the specific powers referred to in subsection 22(3) of the Local Government Act 1993 (Tas).

(2) The General Manager, in writing, may delegate to an employee of the Council - (a) any functions or powers under any Act, other than the 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 which has been delegated may, notwithstanding the delegation, be exercised by the delegator: s.23AA(6) Acts Interpretation Act 1931 (Tas).

(6) 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).

			Nature	Given by	Given To	Conditions or Restrictions	Decision	Evidence of Authorisation / Delegation
No.	Provision (hyperlinked to legislation)	Function or Power	Appointment, Delegation or Authorisation	Council	General Manager	Notes	Date(s) of Delegation / Authorisation	Resolution Number
1	9 Notice of meetings	All of the General Manager's functions of providing notice of the time and place of a Council meetings or Council Committee meetings in accordance with the requirements of this regulation	Delegation		X		18-Aug-25	Minute 159/2025
2	10 Agenda	All of the General Manager's functions to prepare an agenda for each Council meeting and Council Committee meeting and to provide the Agenda and associated papers in accordance with the requirements of this regulation.	Delegation		X		18-Aug-25	Minute 159/2025
3	11 Public access to documents	All of the General Manager's functions to make available for inspection by members of the public a copy of the Agenda of a meeting and any associated papers and documents in accordance with the requirements of this regulation	Delegation		X		18-Aug-25	Minute 159/2025
4	39 Minutes	All of the General Manager's functions to ensure the minutes of a meeting accurately record the matters required by this regulation	Delegation		X		18-Aug-25	Minute 159/2025

Monetary Penalties Enforcement Act 2005

Back to CONTENTS

Legislation Version: 13 June 2023

This Register is maintained in compliance with sections 22(4) and 64(2) 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, Controlling Authority, a Council Committee or a Special Committee, any of its functions or powers under any Act: s.22 Local Government Act 1993 (Tas) (subject to restrictions), other than the power of delegation (unless authorised by the Council) and the specific powers referred to in subsection 22(3) of the Local Government Act 1993 (Tas).
- (2) The General Manager, in writing, may delegate to an employee of the Council - (a) any functions or powers under any Act, other than the 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 which has been delegated may, notwithstanding the delegation, be exercised by the delegator: s.23AA(6) Acts Interpretation Act 1931 (Tas).
- (6) 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 (hyperlinked to legislation)	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 - Community & Development Services	Notes	Date(s) of Delegation / Authorisation	Resolution Number
1	17(2) Options for dealing with infringement notice issued by fee-paying public sector body	Council, as a fee-paying public sector, powers to approve or refuse to approve an application under this section and to notify the alleged offender of that approval or refusal.	Delegation	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, as a fee-paying public sector body, powers to refer an infringement notice served by it to the Director for enforcement in accordance with the requirements of this section	Delegation	X	X	X		20-Jul-20	Minute 109/20
3	23 Withdrawal of infringement notice	The Council's powers to withdraw an infringement notice served by it at any time in accordance with the provisions of this section	Delegation	X	X	X		20-Jul-20	Minute 109/20

No.	Provision (hyperlinked to legislation)	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 - Community & Development Services	Notes	Date(s) of Delegation / Authorisation	Resolution Number
4	28(3)-(4) Application to fee-paying public sector body for variation of payment conditions	The Council, as fee-paying public sector body, function of taking the applicant's representations into account before determining the period within which the amount is to be paid, and its powers, if the applicant fails to comply with a determination, to refer the infringement notice to the Director for enforcement.	Delegation	X	X			20-Jul-20	Minute 109/20
5	39(1) Hearing of offence by court	The Issuing Authority's powers to commence proceedings for all of the offences in the notice if an alleged offender elects to have any of the offences set out in an infringement notice heard and determined by a Court	Delegation	X	X			20-Jul-20	Minute 109/20
6	40(3) Application to court	The Issuing Authority's powers to consent to an application to set aside the conviction.	Delegation	X	X			20-Jul-20	Minute 109/20

Occupational Licensing Act 2005

Back to CONTENTS

This Register is maintained in compliance with sections 22(4) and 64(2) of the Local Government Act 1993 (Tas).

Legislation Version: 1 July 2025

Notes on Legislation

- s3licensed entity means a body corporate, partnership or council that holds a building services licence in accordance with section 37C ;
- s3licensed person, of a licensed entity, means –(c) in the case of a Council that is a licensed entity, a person employed or engaged by the Council who holds a building services licence as an individual
- s 37D(1)relevant event , in relation to a licensed person or a licensed entity, means an event specified in section 37C(5)
- s 37C(5)Unless otherwise specified in this Act, a building services licence, issued in respect of a licensed entity, ceases to have effect if the licensed person or the licensed entity - (a) ceases, or is to cease, to be the licensed person of the licensed entity; or (b) dies; or (c) has been disqualified from managing corporations under Part 2D.6 of the Corporations Act

Notes on Delegation

- (1) A Council, in writing, may delegate with or without conditions to the General Manager, Controlling Authority, a Council Committee or a Special Committee, any of its functions or powers under any Act: s.22 Local Government Act 1993 (Tas) (subject to restrictions), other than the power of delegation (unless authorised by the Council) and the specific powers referred to in subsection 22(3) of the Local Government Act 1993 (Tas).
- (2) The General Manager, in writing, may delegate to an employee of the Council - (a) any functions or powers under any Act, other than the 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 which has been delegated may, notwithstanding the delegation, be exercised by the delegator: s.23AA(6) Acts Interpretation Act 1931 (Tas).
- (6) 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 (hyperlinked to legislation)	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	Madison Loosmore	Notes	Date(s) of Delegation / Authorisation	Resolution Number
1	37C Certain Organisations May Apply for a Building Services Licence	The Council's power of applying for a building services licence in accordance with the requirements of this section, and Council's power to nominate a person to be the licensed person of the licensed entity	Delegation	X	X	X	Nominated and duly qualified person	18-Aug-25	Minute 159/2025
2	37D Continuation of building services licence held by certain organisations	The Licenced Entity's function of notifying the Administrator in writing as soon as practicable after becoming aware that a relevant event has occurred or is to occur in respect of the licenced entity in accordance with the requirements of this section	Delegation	X	X			18-Aug-25	Minute 159/2025

Place Names Act 2020

[Back to CONTENTS](#)

Legislation Version: 1 July 2020

This Register is maintained in compliance with sections 22(4) and 64(2) of the Local Government Act 1993 (Tas).

Notes on Legislation

s4 **Meaning of place**

s11(1) **responsible authority** , for a place referred to in section 4(1)(c), means - (d) in any other case, a council of a municipal area where the place is located, unless another authority is prescribed for the place

Notes on Delegation

(1) A Council, in writing, may delegate with or without conditions to the General Manager, Controlling Authority, a Council Committee or a Special Committee, any of its functions or powers under any Act: s.22 Local Government Act 1993 (Tas) (subject to restrictions), other than the power of delegation (unless authorised by the Council) and the specific powers referred to in subsection 22(3) of the Local Government Act 1993 (Tas).

(2) The General Manager, in writing, may delegate to an employee of the Council - (a) any functions or powers under any Act, other than the 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 which has been delegated may, notwithstanding the delegation, be exercised by the delegator: s.23AA(6) Acts Interpretation Act 1931 (Tas).

(6) 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 (hyperlinked to legislation)	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 - Community & Development Services	Notes	Date(s) of Delegation / Authorisation	Resolution Number
1	11(2) Naming of roads, streets, &c.	The responsible authority's function in respect of the place: to name; alter or revoke an approved name of a place; alter, clarify, extend or reduce the location, boundary or extent of the place.	Delegation	X	X	X	Restricted to the naming of roads and / or streets approved under new subdivisions of land.	20-Nov-23	Minute 196/23

No.	Provision (hyperlinked to legislation)	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 - Community & Development Services	Notes	Date(s) of Delegation / Authorisation	Resolution Number
2	11(3) Naming of roads, streets, &c.	The responsible authority's function of ensuring that any naming action, performed in respect of the place, complies with – (a) the relevant provisions of the guidelines; and (b) this Act and any other applicable Act; and (c) the relevant procedures of the responsible authority.	Delegation	X				20-Nov-23	Minute 196/23
3	11(4) Naming of roads, streets, &c.	The responsible authority's function of notifying the Registrar in accordance with this section	Delegation	X				20-Nov-23	Minute 196/23

Public Health Act 1997

[Back to CONTENTS](#)

This Register is maintained in compliance with sections 22(4) and 64(2) of the Local Government Act 1993 (Tas).

Legislation Version: 1 July 2025

Notes on Legislation

- s.3 **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. 11 **Appointment of officers:-** (1) The General Manager of a Council may appoint - (a) persons who are medical practitioners as medical officers of health; or (b) persons with approved qualifications as environmental health officers.
- s.13A **nominated officer** means ...(b) a health officer;... (s.3)

APPOINTMENTS

- * 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.

Notes on Delegation

- (1) A Council, in writing, may delegate with or without conditions to the General Manager, Controlling Authority, a Council Committee or a Special Committee, any of its functions or powers under any Act: s.22 *Local Government Act 1993* (Tas) (subject to restrictions), other than the power of delegation (unless authorised by the Council) and the specific powers referred to in subsection 22(3) of the *Local Government Act 1993* (Tas).
- (2) The General Manager, in writing, may delegate to an employee of the Council - (a) any functions or powers under any Act, other than the 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 which has been delegated may, notwithstanding the delegation, be exercised by the delegator: s.23AA(6) *Acts Interpretation Act 1931* (Tas).
- (6) 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 (hyperlinked to legislation)	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 - Community & Development Services	Environmental Health Officer	Notes	Date(s) of Delegation / Authorisation	Resolution Number
3	11(1) & (2) Appointment of officers	Appointment of (a) a person who are medical practitioners as Medical Officers of Health; or (b) persons with approved qualifications as Environmental Health Officers.	Delegation	X			X	Note: This is to a specific person, not the holder of a particular office or position by reference to the title of office or position concerned	20-Jul-20	Minute 109/20
PART 2		ADMINISTRATION: DIVISION 5 - POWERS OF COUNCIL AND AUTHORISED OFFICERS								
4	32(1) & (2) Production of records	The Council's powers to require a person to produce records in accordance with the requirements of this section	Delegation	X			X		20-Jul-20	Minute 109/20
5	33 Production of things	The Council's powers to 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	34 Production of licence	The Council's powers to (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	35 Photographs, sketches, measurements and recordings	The Council's powers, for the purposes of this Act: (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

No.	Provision (hyperlinked to legislation)	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 - Community & Development Services	Environmental Health Officer	Notes	Date(s) of Delegation / Authorisation	Resolution Number
8	36(1) & (2) Information requirements	(1) The Council's powers to 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. (2) The Council's powers to 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
PART 3		PREVENTION AND CONTROL OF DISEASE - DIVISION 2: IMMUNISATION								
9	57 Council immunisation programs	The Council's functions of developing and implementing an approved program for immunisation in its municipal area.	Delegation	X	X		X	Nil	20-Jul-20	Minute 109/20
PART 5		PREMISES - DIVISION 1: PLACES OF ASSEMBLY								
10	77(1) & (3) Grant or refusal of licence	(1) The Council's powers to (a) grant an application for a place of assembly licence or (b) refuse to grant the application in accordance with the requirements of this section, and (3) to provide notice in writing	Delegation	X	X		X	Nil	20-Jul-20	Minute 109/20
11	78 Issue of licence	The Council's powers in accordance with this section grant an application for a place of assembly licence	Delegation	X	X		X	Nil	20-Jul-20	Minute 109/20
12	81(4) Renewal of licence	All of the Council's powers in relation to a renewal of licence application in accordance with the requirements of this section	Delegation	X	X		X	Nil	20-Jul-20	Minute 109/20
13	82 Variation of licence	All of the Council's powers and functions to, on its own volition or on application, vary a place of assembly licence by omitting, adding, substituting or amending any condition of the licence in accordance with the requirements of this section.	Delegation	X	X		X	Nil	20-Jul-20	Minute 109/20
14	83 Cancellation of licence	All of the Council's powers and functions to cancel a place of assembly licence in accordance with this section	Delegation	X	X		X	Nil	20-Jul-20	Minute 109/20

No.	Provision (hyperlinked to legislation)	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 - Community & Development Services	Environmental Health Officer	Notes	Date(s) of Delegation / Authorisation	Resolution Number
15	84(2) Overcrowding	All of the Council's powers to (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
PART 5		PREMISES - DIVISION 2: UNHEALTHY PREMISES								
16	87 Closure order	All of the Council's powers and functions in relation to making a Closure Order in accordance with this section	Delegation	X	X		X	Nil	20-Jul-20	Minute 109/20
17	88 Service of closure order	The Council's function of causing a copy of a Closure Order to be (a) served on the owner or occupier of the premises; and (b) affixed to a conspicuous part of the premises.	Authorisation	X	X		X	Nil	20-Jul-20	Minute 109/20
18	89 Revocation of closure order	The Council's powers to revoke a Closure Order in accordance with this section	Delegation	X	X		X	Nil	20-Jul-20	Minute 109/20
19	92(1), (4) & (6) Rectification notice	(1) The Council's function of serving a Rectification Order in an approved form, on the advice of an Environmental Health Officer or building surveyor. (4) The Council's powers to cause any necessary work to be carried out at that person's expense if a person fails to comply with a notice. (6) The Council's function of revoking a Rectification Order in accordance with the requirements of this section.	Delegation	X	X		X	Nil	20-Jul-20	Minute 109/20
PART 5		PREMISES - DIVISION 3: REGISTRATION OF PREMISES								
20	97 Grant or refusal of registration of premises	The Council's powers to grant or refuse to grant an application for the registration of a premises where a public risk activity may be carried out in accordance with the requirements of this section	Delegation	X	X		X	Nil	20-Jul-20	Minute 109/20

No.	Provision (hyperlinked to legislation)	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 - Community & Development Services			Environmental Health Officer
21	98 Issue of certificate or registration of premises	The Council's functions to issue a certificate of registration of a premises pursuant to section 97	Delegation	X	X		X	Nil	20-Jul-20	Minute 109/20
22	101 Renewal of registration of premises	All of the Council's powers and functions to renew the registration of a premises pursuant to section 97 in accordance with the requirements of this section	Delegation	X	X		X	Nil	20-Jul-20	Minute 109/20
23	102 Variation of registration of premises	All of the Council's powers and functions to vary the registration of premises in accordance with the requirement of this section	Delegation	X	X		X	Nil	20-Jul-20	Minute 109/20
24	103 Cancellation of registration of premises	All of the Council's powers and functions to cancel the registration of premises in accordance with the requirement of this section	Delegation	X	X		X	Nil	20-Jul-20	Minute 109/20
PART 5		PREMISES - DIVISION 3: PUBLIC HEALTH RISK ACTIVITIES								
25	106 Grant or refusal of licence	All of the Council's powers and functions in relation to an application for a licence to carry out any public risk activity in accordance with the requirement of this section	Delegation	X	X		X	Nil	20-Jul-20	Minute 109/20
26	107 Issue of licence	The Council's functions of issuing a licence to carry out a public health risk activity in accordance with the requirements of this section	Delegation	X	X		X	Nil	20-Jul-20	Minute 109/20
27	110 Renewal of licence	All of the Council's powers and functions to renew the licence to carry out any public health risk activity in accordance with the requirements of this section	Delegation	X	X		X	Nil	20-Jul-20	Minute 109/20
28	111 Variation of licence	All of the Council's powers and functions to vary a licence to carry out a public health risk activity in accordance with the requirement of this section	Delegation	X	X		X	Nil	20-Jul-20	Minute 109/20
29	112 Cancellation of licence	All of the Council's powers and functions to cancel a licence to carry our any public health risk activity in accordance with the requirement of this section	Delegation	X	X		X	Nil	20-Jul-20	Minute 109/20
PART 5		PREMISES - DIVISION 5: SYSTEMS FOR AIR AND WATER								

			Nature	Given by	Given To			Conditions or Restrictions	Decision	Evidence of Authorisation / Delegation
No.	Provision (hyperlinked to legislation)	Function or Power	Appointment, Delegation or Authorisation	Council General Manager	General Manager	Director - Community & Development Services	Environmental Health Officer	Notes	Date(s) of Delegation / Authorisation	Resolution Number
30	115 Grant or refusal of registration of regulated system	All of the Council's powers and functions in relation to an application to register regulated system in accordance with the requirement of this section	Delegation	X	X		X	Nil	20-Jul-20	Minute 109/20
31	116 Issue certificate of registration	The Council's functions of issuing a certificate of registration of regulated system in accordance with the requirements of this section	Delegation	X	X		X	Nil	20-Jul-20	Minute 109/20
32	119(1) & (3) Notice to comply with direction	(1) The Council's powers to serve a notice requiring the owner (a) complies with a specified direction under section 118 or any relevant guidelines relating to the system within a specified period; and (b) does not operate the system until the Council is satisfied that the specified direction or relevant guidelines have been complied with. (3) The Council's powers to do anything necessary to comply with the notice if the owner does not comply and to enter the premises at any reasonable time.	Delegation	X	X		X	Nil	20-Jul-20	Minute 109/20
33	121 Renewal of registration	All of the Council's powers and functions to renew the registration of any regulated system in accordance with the requirements of this section	Delegation	X	X		X	Nil	20-Jul-20	Minute 109/20
34	122 Variation of registration	All of the Council's powers and functions to vary the registration of any regulated system in accordance with the requirement of this section	Delegation	X	X		X	Nil	20-Jul-20	Minute 109/20
35	123 Cancellation of registration	All of the Council's powers and functions to cancel the registration of any regulated system in accordance with the requirement of this section	Delegation	X	X		X	Nil	20-Jul-20	Minute 109/20
PART 6		WATER - DIVISION 1A: ORDERS AND NOTICES								
36	128(1D) Notification of quality of water	The Council's function of giving the Director information required by the guidelines if of the opinion that the quality of water is a threat to public health or likely to become a threat to public health	Delegation	X	X		X	Nil	20-Jul-20	Minute 109/20

No.	Provision (hyperlinked to legislation)	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 - Community & Development Services	Environmental Health Officer	Notes	Date(s) of Delegation / Authorisation	Resolution Number
37	128(3) Notification of quality of water	The Council's function of taking any action to prevent the threat to public health as specified in the relevant guidelines and as is necessary and practicable upon receipt of a report from an Environmental Health Officer that the quality of water is a threat to public health	Delegation	X	X		X	Nil	20-Jul-20	Minute 109/20
38	129(1) Orders relating to water quality	The Council's powers to make any Orders set out in this subsection if satisfied that the quality of water is, or is likely to become, a threat to public health	Delegation	X	X		X	Nil	20-Jul-20	Minute 109/20
PART 6		WATER - DIVISION 2: MONITORING WATER QUALITY								
39	130(1) & (3) Monitor and review	The Council's function of monitoring the quality of water within its municipal area and provide the Director with a report of findings (if required)	Delegation	X	X		X	Nil	20-Jul-20	Minute 109/20
40	131 Samples	The Council's powers to take a sample from any water and to analyse and test the sample in accordance with the requirements of the Director.	Delegation	X	X		X	Nil	20-Jul-20	Minute 109/20
PART 6		WATER - DIVISION 3: REGISTRATION OF SUPPLIERS OF WATER FROM PRIVATE WATER SOURCES								
41	135 Grant or refusal of registration	All of the Council's powers and functions in relation to an application for registration as a supplier of water from a private water source in accordance with the requirement of this section	Delegation	X	X		X	Nil	20-Jul-20	Minute 109/20
42	136 Issue of certificate of registration	The Council's functions of issuing a certificate of registration for an application under s 135 or 136AA in accordance with the requirements of this section	Delegation	X	X		X	Nil	20-Jul-20	Minute 109/20
43	136AA Renewal of registration	All of the Council's powers and functions to renew the registration of the person as a supplier of water from a private water source in accordance with the requirements of this section	Delegation	X	X		X		20-Jul-20	Minute 109/20

No.	Provision (hyperlinked to legislation)	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 - Community & Development Services	Environmental Health Officer	Notes	Date(s) of Delegation / Authorisation
51	148(1) Requirement for information	The Council's powers to 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
52	152(1) Costs incurred in exercising power	The Council's powers to 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
53	152(2) Costs incurred in exercising power	The Council's powers of recovering the costs or charges incurred under section 152 in a Court of competent jurisdiction	Delegation	X	X		X	Nil	20-Jul-20	Minute 109/20
54	158(1) Proceedings	The Council's powers to institute proceedings for an offence under this Act	Delegation	X	X			Proceedings to be instituted within three (3) years after the date on which the offence is alleged to have been committed - s 158(2)	20-Jul-20	Minute 109/20
55	169(1) Infringement notices	The Council's powers to serve an infringement notice on a person if of the opinion that the person has committed a prescribed offence	Delegation	X	X	X		Infringement notice is not to relate to more than 4 or more offences and is not to be served on a person under 16 years of age and is to be in accordance with section 14 of the <i>Monetary Penalties Enforcement Act 2005</i> - sections 169(3) & (4)	20-Jul-20	Minute 109/20
56	190(1), (3) & (4) Sale or disposal of forfeited things	The Council's powers to sell, destroy or otherwise dispose of any thing forfeited in accordance with the requirements of this section and the Council's powers to consider an application to buy anything forfeited pursuant to section 190(2)	Delegation	X	X			Nil	20-Jul-20	Minute 109/20
57	191(3) Return of and access to seized things	The Council's powers to grant an application for the return, or access to, a thing seized under this Act, or refuse it.	Delegation	X	X			Nil	20-Jul-20	Minute 109/20
58	192(1) Sale or disposal of seized things	The Council's powers to sell or otherwise dispose of any thing seized under this Act if (a) there is no appeal made under s 160, (b) an appeal is made under section 160 and an order is made under section 167(2)(a); or (c) the thing poses an immediate health threat.	Delegation	X	X			Nil	20-Jul-20	Minute 109/20

Public Interest Disclosures Act 2002

Back to CONTENTS

Legislation Version: 31 August 2023

This Register is maintained in compliance with sections 22(4) and 64(2) of the Local Government Act 1993 (Tas).

Notes on Legislation

- s3

principal officer means - (b) the General Manager of a Council, but only in relation to the employees of that Council

public interest disclosure officer means a person appointed as a public interest disclosure officer under section 62A
- s4

Public bodies and officers - (1) Subject to subsection (3), the following bodies and authorities are public bodies for the purposes of this Act: ...(d) a Council. (2) Subject to subsection (3), the following persons are public officers for the purposes of this Act: (b) a Councillor; (c) a member, officer or employee of a **public body**; (e) an employee of a Council;
- S 62B

Delegation by principal officer - 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.
- s76(2)

For the purposes of section 76(1), a **relevant person or body** is - (a) in the case of an investigation of a disclosed matter relating to an employer of a Council, the Council; and (b) in any other case, the relevant Minister

Notes on Delegation

- (1)

A Council, in writing, may delegate with or without conditions to the General Manager, Controlling Authority, a Council Committee or a Special Committee, any of its functions or powers under any Act: s.22 *Local Government Act 1993* (Tas) (subject to restrictions), other than the power of delegation (unless authorised by the Council) and the specific powers referred to in subsection 22(3) of the *Local Government Act 1993* (Tas).
- (2)

The General Manager, in writing, may delegate to an employee of the Council - (a) any functions or powers under any Act, other than the 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 which has been delegated may, notwithstanding the delegation, be exercised by the delegator: s.23AA(6) *Acts Interpretation Act 1931* (Tas).
- (6)

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 (hyperlinked to legislation)	Function or Power	Nature	Given by	Given to		Conditions or Restrictions	Decision	Evidence of Authorisation / Delegation
			Appointment, Delegation or Authorisation	Council / Public Body General Manager / Principal Officer	General Manager	Director - Corporate Services	Notes	Date(s) of Delegation / Authorisation	Resolution Number
1	29B Referral of disclosure to Integrity Commission	The Public Body's powers to refer a disclosure to the Integrity Commission	Delegation	X	X	X		21-Oct-24	Minute 211/24
2	29D(1) Notice of referral	The Public Body's function of notifying the person who made that disclosure of the referral	Delegation	X	X	X		21-Oct-24	Minute 211/24

			Nature	Given by	Given to		Conditions or Restrictions	Decision	Evidence of Authorisation / Delegation
			Appointment, Delegation or Authorisation	Council / Public Body General Manager / Principal Officer	General Manager	Director - Corporate Services		Date(s) of Delegation / Authorisation	Resolution Number
No.	Provision (hyperlinked to legislation)	Function or Power					Notes		
3	33(1) Determination by public body of disclosure as public interest disclosure	The Public Body's function of determining whether the disclosure is a public interest disclosure within 45 days.	Delegation	X	X	X		21-Oct-24	Minute 211/24
4	34(1) Procedure where public body determines disclosure to be public interest disclosure	The Public Body's function of notifying the person who made the disclosure and the Ombudsman within 14 days where disclosure is determined a public interest disclosure pursuant to section 33.	Delegation	X	X	X		21-Oct-24	Minute 211/24
5	35(1) Procedure where public body determines disclosure not to be public interest disclosure	The Public Body's function of notifying the person who made the disclosure and the Ombudsman within 14 days where the disclosure is determined not to be public interest disclosure.	Delegation	X	X	X		21-Oct-24	Minute 211/24
6	62A(1) Role of principal officer	All of the Principal Officer's responsibilities in accordance with this section	Delegation	X		X		21-Oct-24	Minute 211/24
7	62A(2) Role of principal officer	Appointment as a public interest disclosure officer	Appointment	X		X	(1) Appointed for a period not exceeding three (3) years (s 62A(3)). (2) The Principal Officer must ensure the Officer to be appointed has the skills or knowledge to fulfil the role	21-Oct-24	Minute 211/24
8	64 Matters that do not have to be investigated	The Public Body's powers to decide not to investigate a disclosed matter referred to in section 63(a) in accordance with this section	Delegation	X	X	X		21-Oct-24	Minute 211/24
9	65(1) Decision by public body not to investigate	The Public Body's function of notifying the person who made the disclosure and the Ombudsman within 14 days of deciding not to investigate	Delegation	X	X	X		21-Oct-24	Minute 211/24
10	68 Referral to Ombudsman by public body	The Public Body's powers to 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	70 Provision of information to Ombudsman	The Public Body's function of giving the Ombudsman in writing any information it has, and any findings, preliminary or otherwise, in respect to a disclosed matter.	Delegation	X	X	X		21-Oct-24	Minute 211/24
12	72(1) Notice of referral	The Public Body's function of giving notice to the person who made the disclosure of the referral of investigation to the Ombudsman	Delegation	X	X	X		21-Oct-24	Minute 211/24
13	74 Information about progress of investigation	The Public Body's function of giving reasonable information about the investigation at the request of the person who made the disclosure or the Ombudsman, within 28 days.	Delegation	X	X	X		21-Oct-24	Minute 211/24

			Nature	Given by	Given to		Conditions or Restrictions	Decision	Evidence of Authorisation / Delegation
			Appointment, Delegation or Authorisation	Council / Public Body General Manager / Principal Officer	General Manager	Director - Corporate Services		Date(s) of Delegation / Authorisation	Resolution Number
No.	Provision (hyperlinked to legislation)	Function or Power					Notes		
14	76(1) Report on investigation	The Public Body's function of notifying in writing (a) the Ombudsman of findings of the investigation and the steps (if any) taken under section 75; and (b) the relevant person or body of the steps taken under section 75	Delegation	X	X	X		21-Oct-24	Minute 211/24
15	77(1) Report to person making disclosure	The Public Body's function of informing the person who made the disclosure of the findings and steps (if any) taken under section 75 within a reasonable time after completion of the investigation.	Delegation	X	X	X		21-Oct-24	Minute 211/24
16	77A(1) Investigations to be completed within 6 months	The Public Body's function of completing an investigation not more than 6 months from the date of determination that the disclosure is a public interest disclosure	Delegation	X	X	X		21-Oct-24	Minute 211/24
17	77A(2) Investigations to be completed within 6 months	The Public Body's powers to 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
18	77A(4) Investigations to be completed within 6 months	The Public Body's function of referring the public interest disclosure to the Ombudsman if investigation is not complete within time specified in 77A(1), or any extension	Delegation	X	X	X		21-Oct-24	Minute 211/24

Right to Information Act 2009

Back to CONTENTS

This Register is maintained in compliance with sections 22(4) and 64(2) of the Local Government Act 1993 (Tas).

Legislation Version: 6 November 2024

Notes on Legislation

- s5 delegated officer means a person specified in an instrument of delegation in accordance with section 24
- s5 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
- s5 principal officer means ... (c) in relation to a Council, the General Manager of that Council
- s5 public authority means ... (c) a council...or ... (h) a council-owned company; ...
- s21 A decision in respect of an application for information made to a public authority is to be made by - (b) the principal officer of the public authority; or (c) a delegated officer.
- s 23(2) The principal officer of a public authority may appoint an officer to assist him or her with the functions specified in subsection (1).

Principal officer or Minister may delegate his or her functions

authority 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.

s 24 (3) The principal officer of a public authority must not delegate to a person the performance or exercise of his or her functions or powers under this Act **unless the principal officer is satisfied that the person has the skills and knowledge necessary to perform or exercise those functions or powers.**

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.

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 and is taken to have been done by or to the principal officer.

(1) The principal officer of a public

(2) A delegation may be for a period not exceeding 3 years.

(4) Notwithstanding any delegation under this

(5) Any act or thing done by or to a delegate while acting in the

NB: this Act addresses the power to delegate in detail and therefore the general provisions of the Acts Interpretation Act 1931 will not apply.

No.	Provision (hyperlinked to legislation)	Function or Power	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	Notes	Date(s) of Delegation / Authorisation	Resolution Number
1	10 Electronic information	The Public Authority's powers to refuse an application pursuant to section 13 for information in an electronic form if (a) the information cannot be produced using the normal computer hardware and software and technical expertise of the public authority; and (b) producing it would substantially and unreasonably divert the resources of the public authority from its usual operations	Delegation	X	X	X	A delegation may be for a period not exceeding 3 years (s. 24(1)). GM must be satisfied that the person has the skills and knowledge necessary to perform or exercise the function or power. Delegated period of three (3) years (period 23 October 2023 to 22 October 2026)	20-Jul-20	Minute 109/20

No.	Provision (hyperlinked to legislation)	Function or Power	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 Tolpuitt		Date(s) of Delegation / Authorisation	Resolution Number
2	12(2) Information to be provided apart from Act	The Public Authority's powers to disclose information to the public as (a) a required disclosure; or (b) a routine disclosure; or (c) an active disclosure; or (d) an assessed disclosure.	Delegation	X	X	X	A delegation may be for a period not exceeding 3 years (s. 24(1)). GM must be satisfied that the person has the skills and knowledge necessary to perform or exercise the function or power. Delegated period of three (3) years (period 23 October 2023 to 22 October 2026)	20-Jul-20	Minute 109/20
3	12(3)(c) Information to be provided apart from Act	The Principal Officer's powers to refuse an application if the information subject to the application is otherwise available, or will become available.	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
4	13 (5) (6) (7) (8) Application for assessed disclosure of information	(5) The Public Authority's function of providing the minimum information as prescribed in the regulations to applicant about its assessment procedure for application of assessed disclosure. (6) The Public Authority's function of taking reasonable steps to assist the person to make an application which complies with this section. (7) The Public Authority's powers to negotiate to refine or redirect the application. (8) The Public Authority's function of making available to a person general details of the information in the possession of the public authority if requested to do so or if it is appropriate	Delegation	X	X	X	A delegation may be for a period not exceeding 3 years (s. 24(1)). GM must be satisfied that the person has the skills and knowledge necessary to perform or exercise the function or power. Delegated period of three (3) years (period 23 October 2023 to 22 October 2026)	20-Jul-20	Minute 109/20
5	14 (1) Transfer of applications	The Public Authority's powers to transfer an application for disclosure of information in accordance with the requirements of this section	Delegation	X	X	X	A delegation may be for a period not exceeding 3 years (s. 24(1)). GM must be satisfied that the person has the skills and knowledge necessary to perform or exercise the function or power. Delegated period of three (3) years (period 23 October 2023 to 22 October 2026)	20-Jul-20	Minute 109/20
6	15 Time within which applications for assessed disclosure of information are to be decided	The Public Authority's powers of responding to an application for assessed disclosure within the timeframes set out in this section	Delegation	X	X	X	A delegation may be for a period not exceeding 3 years (s. 24(1)). GM must be satisfied that the person has the skills and knowledge necessary to perform or exercise the function or power. Delegated period of three (3) years (period 23 October 2023 to 22 October 2026)	20-Jul-20	Minute 109/20
7	16 Charges for information	The Public Authority's powers to waive the application fee in accordance with this section	Delegation	X	X	X	A delegation may be for a period not exceeding 3 years (s. 24(1)). GM must be satisfied that the person has the skills and knowledge necessary to perform or exercise the function or power. Delegated period of three (3) years (period 23 October 2023 to 22 October 2026)	20-Jul-20	Minute 109/20

No.	Provision (hyperlinked to legislation)	Function or Power	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 Tolpuitt		Date(s) of Delegation / Authorisation	Resolution Number
							Notes		
8	17 Deferment of provision of information	The Public Authority's powers to defer providing information in accordance with the requirements of this section	Delegation	X	X	X	A delegation may be for a period not exceeding 3 years (s. 24(1)). GM must be satisfied that the person has the skills and knowledge necessary to perform or exercise the function or power. Delegated period of three (3) years (period 23 October 2023 to 22 October 2026)	20-Jul-20	Minute 109/20
9	18 Provision of information	The Public Authority's powers to - (4) provide information in a particular form if the applicant has indicated a preference for receiving the information in that particular form; and (5) provide information of a medical or psychiatric nature concerning the person making the request to be provided a nominated medical practitioner	Delegation	X	X	X	A delegation may be for a period not exceeding 3 years (s. 24(1)). GM must be satisfied that the person has the skills and knowledge necessary to perform or exercise the function or power. Delegated period of three (3) years (period 23 October 2023 to 22 October 2026)	20-Jul-20	Minute 109/20
10	19 Requests may be refused if resources unreasonably diverted	The Public Authority's powers to refuse to provide the information without identifying, locating or collating the information if satisfied the work involved would substantially and unreasonably divert the resources of the public authority from its other work having regard to the matters in Schedule 3	Delegation	X	X	X	A delegation may be for a period not exceeding 3 years (s. 24(1)). GM must be satisfied that the person has the skills and knowledge necessary to perform or exercise the function or power. Delegated period of three (3) years (period 23 October 2023 to 22 October 2026)	20-Jul-20	Minute 109/20
11	20 Repeat or vexatious applications may be refused	The Public Authority's powers to refuse a repeat or vexatious application pursuant to this section	Delegation	X	X	X	A delegation may be for a period not exceeding 3 years (s. 24(1)). GM must be satisfied that the person has the skills and knowledge necessary to perform or exercise the function or power. Delegated period of three (3) years (period 23 October 2023 to 22 October 2026)	20-Jul-20	Minute 109/20
12	21(1) Decision to be made on behalf of public authority by authorised person	The Principal Officer's powers to make a decision in respect of an application for information	Delegation	X	X	X	A delegation may be for a period not exceeding 3 years (s. 24(1)). GM must be satisfied that the person has the skills and knowledge necessary to perform or exercise the function or power. Delegated period of three (3) years (period 23 October 2023 to 22 October 2026)	20-Jul-20	Minute 109/20
13	22 Reasons to be given	The Public Authority's function of giving an applicant written notice of a decision pursuant to subsection (1) in accordance with the requirements of this section	Delegation	X	X	X	A delegation may be for a period not exceeding 3 years (s. 24(1)). GM must be satisfied that the person has the skills and knowledge necessary to perform or exercise the function or power. Delegated period of three (3) years (period 23 October 2023 to 22 October 2026)	20-Jul-20	Minute 109/20
14	23(1) Other responsibilities of principal officer	The Principal Officer's functions as set out in this subsection (1)	Delegation	X	X	X	A delegation may be for a period not exceeding 3 years (s. 24(1)). GM must be satisfied that the person has the skills and knowledge necessary to perform or exercise the function or power. Delegated period of three (3) years (period 23 October 2023 to 22 October 2026)	20-Jul-20	Minute 109/20

No.	Provision (hyperlinked to legislation)	Function or Power	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 Tolpuitt		Date(s) of Delegation / Authorisation	Resolution Number
							Notes		
15	33 Public interest test	The Principal Officer's powers to decide whether information is exempt pursuant to the requirements of this section	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
16	36(2) Personal information of person	The Principal Officer's function to consider whether disclosure of the information concerned may be reasonably expected to be of concern to the third party and to give written notice to the third party in accordance with the requirements of this section	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	36(3) & (5) - Personal information of person	The Public Authority's function, after receipt of a person's view and decision to provide the information, by notice in writing given to that person, to notify that person of the decision subject to the requirements of subsection (4) and the Public Authority's powers to provide the information in accordance with subsection (5)	Delegation	X	X	X	A delegation may be for a period not exceeding 3 years (s. 24(1)). GM must be satisfied that the person has the skills and knowledge necessary to perform or exercise the function or power. Delegated period of three (3) years (period 23 October 2023 to 22 October 2026)	20-Jul-20	Minute 109/20
18	37(2) Information relating to business affairs of third party	The Principal Officer's function to consider whether disclosure of the information concerned may be reasonably expected to be of substantial concern to the third party and to give written notice to the third party in accordance with the requirements of this section	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	37(3) & (5) - Information relating to business affairs of third party	The Public Authority's function, after receipt of a third party's view in subsection 2(f), decides to disclose the information, the public authority must, by notice in writing given to the third party, notify the third party of the decision in accordance with the requirements of subsection (4) and the Public Authority's powers to provide the information in accordance with subsection (5)	Delegation	X	X	X	A delegation may be for a period not exceeding 3 years (s. 24(1)). GM must be satisfied that the person has the skills and knowledge necessary to perform or exercise the function or power. Delegated period of three (3) years (period 23 October 2023 to 22 October 2026)	20-Jul-20	Minute 109/20
20	43(4)& (5) - Internal review	The Principal Officer's function to review the decision and make a fresh decision or arrange for a delegated officer, other than the delegated officer who made the decision, to review the decision and make a fresh decision, with a decision on review to be given in the same manner as a decision in respect of the original application	Delegation	X	X	X	A delegation may be for a period not exceeding 3 years (s. 24(1)). GM must be satisfied that the person has the skills and knowledge necessary to perform or exercise the function or power. Delegated period of three (3) years (period 23 October 2023 to 22 October 2026)	20-Jul-20	Minute 109/20

Roads and Jetties Act 1935

Back to CONTENTS

This Register is maintained in compliance with sections 22(4) and 64(2) of the *Local Government Act 1993* (Tas).

Legislation Version: 1 July 2025

s3 **road authority** , used in relation to a State highway or subsidiary road, means the Minister, and, used in relation to any other road, means the Council having the control of such road

Notes on Delegation

(1) A Council, in writing, may delegate with or without conditions to the General Manager, Controlling Authority, a Council Committee or a Special Committee, any of its functions or powers under any Act: s.22 *Local Government Act 1993* (Tas) (subject to restrictions), other than the power of delegation (unless authorised by the Council) and the specific powers referred to in subsection 22(3) of the *Local Government Act 1993* (Tas).

(2) The General Manager, in writing, may delegate to an employee of the Council - (a) any functions or powers under any Act, other than the 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 which has been delegated may, notwithstanding the delegation, be exercised by the delegator: s.23AA(6) *Acts Interpretation Act 1931* (Tas).

(6) 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 (hyperlinked to legislation)	Function or Power	Nature	Given by	Given To		Conditions or Restrictions	Decision	Evidence of Authorisation / Delegation
			Appointment, Delegation or Authorisation	Council Local Authority Road Authority General Manager	General Manager	Director - Infrastructure	Notes	Date(s) of Delegation / Authorisation	Resolution Number
1	11(1)(b) Maintenance of State highways, &c. in cities, &c.	The Council (as the Local Authority) responsibility for maintaining and reconstructing the remainder of the State highway or subsidiary roads not referred to in subsection (1)(a), including drainage and shoulders but not culverts and bridges	Delegation	X	X	X		20-Jul-20	Minute 109/20
2	11(2) Maintenance of State highways, &c., in cities, &c.	The Council's power to enter into an agreement with the Minister to maintain or reconstruct a State highway or subsidiary road other than in accordance with s. 11(1)	Delegation	X	X	X		20-Jul-20	Minute 109/20
3	28 Acquisition of land for quarry, &c.	The Road Authority's power to 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

No.	Provision (hyperlinked to legislation)	Function or Power	Nature	Given by	Given To		Conditions or Restrictions	Decision	Evidence of Authorisation / Delegation
			Appointment, Delegation or Authorisation	Council Local Authority Road Authority General Manager	General Manager	Director - Infrastructure	Notes	Date(s) of Delegation / Authorisation	Resolution Number
4	29 Intention to acquire land may be abandoned if compensation excessive	The Road Authority's power to withdraw the notice of intention to take the land in accordance with the provisions of this section	Delegation	X	X	X		20-Jul-20	Minute 109/20
5	32 Entry by Council upon land and staking out of same	The Road Authority's power, upon 7 days' written notice having been given, to enter upon the land and stake out in such manner it thinks necessary or expedient	Delegation	X	X	X		20-Jul-20	Minute 109/20
6	33 Rental of land	The Road Authority's power to contract and agree with the owner of land for the rental of such land in accordance with this section	Delegation	X	X	X		20-Jul-20	Minute 109/20
7	34 Use of uncultivated land for temporary road	The Road Authority's powers to 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 in accordance with this requirements of this section	Delegation	X	X	X		20-Jul-20	Minute 109/20
8	35 Taking of timber, &c., from land	The Road Authority's power of entering land and cutting down indigenous timber after giving 7 days notice in writing to the owner	Delegation	X	X	X		20-Jul-20	Minute 109/20
9	36 Quarries, &c. to be fenced and filled up or otherwise secured	The Road Authority's powers to cause all quarries and pits which have been opened up or used upon any land by it to be fenced or otherwise secured and kept so fenced or secured so long as the same shall continue open and in use; and upon ceasing to use the same shall, if required by the owner or occupier of such land, cause the same to be filled up, sloped down, or otherwise secured.	Delegation	X	X	X		20-Jul-20	Minute 109/20
10	37 Fences to be restored	The Road Authority's responsibility to well and sufficiently restore any fence temporarily taken down	Delegation	X	X	X		20-Jul-20	Minute 109/20
11	38 Deviations to be fenced	The Road Authority's responsibility to cause any road which has been diverted through any land to be well and sufficiently fenced where it so passes.	Delegation	X	X	X		20-Jul-20	Minute 109/20
12	40 Power to make drains on adjoining lands	All of the Road Authority's powers and function in relation to this section including the making, cleansing, and keeping 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. This includes the power to enter land for the purposes of this section.	Delegation	X	X	X		20-Jul-20	Minute 109/20

No.	Provision (hyperlinked to legislation)	Function or Power	Nature	Given by	Given To		Conditions or Restrictions	Decision	Evidence of Authorisation / Delegation
			Appointment, Delegation or Authorisation	Council Local Authority Road Authority General Manager	General Manager	Director - Infrastructure	Notes	Date(s) of Delegation / Authorisation	Resolution Number
13	41(1) Timber growing near roads may be cut down: Consent of owner required in certain cases	The Road Authority's powers to cut down and remove any indigenous timber growing or standing within 23 metres of the centre of any road of which it has the care, control, or management, making good all damage or injury to the fences, hedges, ditches, walls, or any other thing upon the land on which such timber may be growing or standing.	Delegation	X	X	X		20-Jul-20	Minute 109/20
14	42(1) Hedges, &c., obstructing view of traffic to be cut or trimmed	The Road Authority's powers to give a property owner 21 days notice in writing to reduce the height of or cut or trim a fence, construction, hedge, tree or vegetation if in accordance with the provisions of this section.	Delegation	X	X	X		20-Jul-20	Minute 109/20
15	42(2) Hedges, &c., obstructing view of traffic to be cut or trimmed	The Road Authority's powers to cause such fence, construction, hedge, tree or vegetation to be reduced in height or otherwise cut or trimmed if the owner or occupier fails to comply with the notice in section 42(1), and the Road Authority's powers to recover the expenses from so doing	Delegation	X	X	X		20-Jul-20	Minute 109/20
16	44(1) Culverts to be constructed by owners at entrances to lands adjoining roads	The Road Authority's power to give to the owner of any land adjoining any road a notice in writing requiring such owner, within a time to be specified in the notice, to construct to the satisfaction of the Road Authority across the table-drain or gutter of such road, at or opposite to any entrance to such land which is used or intended to be used for vehicular traffic to or from such land, a culvert of such a nature and of such dimensions as shall be specified in the notice, and as will allow the free passage through such culvert of any water which may reasonably be expected to flow along such table-drain or gutter and into such culvert when so constructed.	Delegation	X	X	X		20-Jul-20	Minute 109/20
17	44(2) Culverts to be constructed by owners at entrances to lands adjoining roads	The Road Authority's powers to cause such culvert to be constructed if the owner fails to comply with the notice in section 44(1), and the Road Authority's powers to recover the expenses incurred in such construction	Delegation	X				20-Jul-20	Minute 109/20
18	45(2) Power of Minister in certain cases to erect gates across roads	The Council's powers to continue to maintain such gate, or such gate and cattle-guard, coming under the care, control or management of Council, and to construct and maintain a cattle-guard at one side of such gate	Delegation	X	X	X		20-Jul-20	Minute 109/20
19	46(1) Damage caused by overweight vehicles	The Road Authority's power to recover the amount of such expenses incurred by reason of damage arising from excessive weight or extraordinary traffic passing in accordance with this section	Delegation	X				20-Jul-20	Minute 109/20

No.	Provision (hyperlinked to legislation)	Function or Power	Nature	Given by	Given To		Conditions or Restrictions	Decision	Evidence of Authorisation / Delegation
			Appointment, Delegation or Authorisation	Council Local Authority Road Authority General Manager	General Manager	Director - Infrastructure	Notes	Date(s) of Delegation / Authorisation	Resolution Number
20	46(2) Damage caused by overweight vehicles	The Road Authority's powers to enter into an agreement for the payment to it of compensation in respect of such expenses	Delegation		X	X		20-Jul-20	Minute 109/20
21	47 Road metal, &c., may be placed on side of road	The Road Authority's powers to 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 in accordance with the provisions of this section	Delegation		X	X		20-Jul-20	Minute 109/20
22	47A Warning gantries for bridges with overhead members	The Road Authority's powers to erect warning gantries and crash-beam gantries in accordance with the provisions of this section	Delegation		X	X		20-Jul-20	Minute 109/20
23	48(1) Power of Road Authority, with the consent of the Governor, to permit tramway or railway along or across road	The Road Authority's powers to grant authority to any person to lay down, construct, and maintain a tramway or railway along or across any road under its control with the consent of the Governor, subject to such terms and conditions as may be recommended by the Council and approved by the Governor.	Delegation		X	X		20-Jul-20	Minute 109/20
24	48A Removal and disposal of abandoned articles	The Road Authority's powers to remove an article which has been abandoned without lawful authority from that highway or road in accordance with the provisions of this section	Delegation		X	X		20-Jul-20	Minute 109/20
25	48B Power to remove vehicles causing obstruction or danger	The Road Authority's powers to move, keep or impound any vehicle (and anything in, on or attached to the vehicle) in accordance with the provisions of this section	Delegation		X	X		20-Jul-20	Minute 109/20
26	49 Obstructing roads: Notice to remove obstructions	The Road Authority's powers to give 21 days' notice in writing to take down such thing as set out in this section, and the Road Authority's powers to recover the expenses incurred by the Road Authority if such person defaults on complying with such notice	Delegation		X	X		20-Jul-20	Minute 109/20
27	50B Excavations	The Council's powers to give consent to a person making any excavation, vault or cellar beneath a street in a town	Delegation	X		X		20-Jul-20	Minute 109/20
28	51 Laying down timber, &c., on roads	The Road Authority's powers to authorise a person to undertake the actions set out in this section	Delegation		X	X		20-Jul-20	Minute 109/20

Strata Titles Act 1998

[Back to CONTENTS](#)

Legislation Version: 5 November 2021

This Register is maintained in compliance with sections 22(4) and 64(2) 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, Controlling Authority, a Council Committee or a Special Committee, any of its functions or powers under any Act: s.22 *Local Government Act 1993* (Tas) (subject to restrictions), other than the power of delegation (unless authorised by the Council) and the specific powers referred to in subsection 22(3) of the *Local Government Act 1993* (Tas).

(2) The General Manager, in writing, may delegate to an employee of the Council - (a) any functions or powers under any Act, other than the 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 which has been delegated may, notwithstanding the delegation, be exercised by the delegator: s.23AA(6) *Acts Interpretation Act 1931* (Tas).

(6) 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 (hyperlinked to legislation)	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 - Community & Development Services	Town Planner	Notes	Date(s) of Delegation / Authorisation	Resolution Number
1	31(2A) Application for, and grant of, certificate of approval	The Council's power to issue, or refuse to issue, a certificate of approval	Delegation	X	X	X	X		20-Jul-20	Minute 109/20
2	31(2B) Application for, and grant of, certificate of approval	The Council's power to give the applicant notice in writing specifying requiring further information in order to determine the application and to decide whether the information is satisfactory or give the applicant notice in writing specifying that the information is not satisfactory and require further information	Delegation	X	X	X	X		20-Jul-20	Minute 109/20

			Nature	Given by	Given to			Conditions or restrictions	Decision	Evidence of Authorisation / Delegation
			Appointment, Delegation or Authorisation	Council	General Manager	General Manager	Director - Community & Development Services	Town Planner		
No.	Provision (hyperlinked to legislation)	Function or power							Date(s) of Delegation / Authorisation	Resolution Number
3	31(3) Application for, and grant of, certificate of approval	The Council's powers to satisfy itself of the matters in subsections (a) - (d) inclusive before issuing a certificate of approval	Delegation	X	X	X	X		20-Jul-20	Minute 109/20
4	31(4) Application for, and grant of, certificate of approval	The Council's powers to return sketches, plans and models to the applicant	Delegation	X	X	X	X		20-Jul-20	Minute 109/20
5	31(6) Application for, and grant of, certificate of approval	The Council's powers to refuse an application for a certificate of approval if the proposal is for a subdivision	Delegation	X	X	X	X		20-Jul-20	Minute 109/20
6	31AA Requirement for staged development scheme	The Council's powers to refuse the application on the ground that an application for a staged development scheme under section 38 should be made	Delegation	X	X	X	X		20-Jul-20	Minute 109/20
9	36(1) Application for Council approval	The Council's authority to receive an application for approval of a staged development scheme	Delegation	X	X	X	X		20-Jul-20	Minute 109/20
10	37(1)(a) Approval of scheme in principle	The Council's powers to require specific changes to the proposed scheme	Delegation	X	X	X	X		20-Jul-20	Minute 109/20
11	37(1)(b) Approval of scheme in principle	The Council's powers to require the demolition or alteration of buildings on the site of the proposed staged development	Delegation	X	X				20-Jul-20	Minute 109/20
12	37(2)(a) Approval of scheme in principle	The Council's powers to approve the staged development unconditionally	Delegation	X	X	X	X		20-Jul-20	Minute 109/20
13	37(2)(b) Approval of scheme in principle	The Council's powers to approve the staged development scheme subject to specified conditions	Delegation	X	X	X	X		20-Jul-20	Minute 109/20
14	37(2)(c) Approval of scheme in principle	The Council's powers to refuse to approve the staged development scheme	Delegation	X	X	X	X		20-Jul-20	Minute 109/20
15	37(4) Approval of scheme in principle	The Council's powers to issue a certificate of approval	Delegation	X	X	X	X		20-Jul-20	Minute 109/20
16	41(2) Progressive development	The Council's powers to 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
17	42(2) Application for variation of scheme	The Council's authority to receive an application	Delegation	X	X	X	X		20-Jul-20	Minute 109/20
18	42(5) Application for variation of scheme	The Council's power to 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	X		20-Jul-20	Minute 109/20

			Nature	Given by	Given to			Conditions or restrictions	Decision	Evidence of Authorisation / Delegation
			Appointment, Delegation or Authorisation	Council	General Manager	General Manager	Director - Community & Development Services	Town Planner		
No.	Provision (hyperlinked to legislation)	Function or power							Date(s) of Delegation / Authorisation	Resolution Number
19	42(6) Application for variation of scheme	The Council's powers to: (a) approve the variation unconditionally; or (b) approve the variation subject to specified conditions; or (c) refuse to approve the variation	Delegation	X	X	X	X		20-Jul-20	Minute 109/20
20	45 Injunction	The Council's power, as an "interested person" under the Act, to apply to the Supreme Court for a mandatory injunction requiring the developer of a staged development scheme to complete the scheme in accordance with the terms of the scheme	Delegation	X	X				20-Jul-20	Minute 109/20
21	54(1)(a) Approval of Scheme	The Council's powers to require specific changes to the proposed community development scheme	Delegation	X	X	X	X		20-Jul-20	Minute 109/20
22	54(1)(b) Approval of Scheme	The Council's powers to require the demolition or alteration of buildings on the site of the proposed community development scheme	Delegation	X	X	X	X		20-Jul-20	Minute 109/20
23	54(2)(a) Approval of Scheme	The Council's powers to approve the proposed community development scheme unconditionally	Delegation	X	X	X	X		20-Jul-20	Minute 109/20
24	54(2)(b) Approval of Scheme	The Council's powers to approve the proposed community development scheme subject to specified conditions	Delegation	X	X	X	X		20-Jul-20	Minute 109/20
25	54(2)(c) Approval of Scheme	The Council's powers to refuse to approve the proposed community development scheme	Delegation	X	X	X	X		20-Jul-20	Minute 109/20
26	54(4) Approval of Scheme	The Council's powers to issue a certificate of approval	Delegation	X	X	X	X		20-Jul-20	Minute 109/20
27	57(2) Progressive development	The Council's powers to refuse to approve the development of a particular stage of the 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
28	58(2) Application for variation of scheme	The Council's authority to receive an application to vary a registered community development scheme	Delegation	X	X	X	X		20-Jul-20	Minute 109/20
29	58(5) Application for variation of scheme	The Council's powers to dispense with the consent of a present or prospective owner of lots in the community development scheme relation to a proposed variation if satisfied of certain matters.	Delegation	X	X	X	X		20-Jul-20	Minute 109/20
30	58(6) Application for variation of scheme	The Council's powers to: (a) approve the variation unconditionally; or (b) approve the variation subject to specified conditions; or (c) refuse to approve the variation.	Delegation	X	X	X	X		20-Jul-20	Minute 109/20

No.	Provision (hyperlinked to legislation)	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 - Community & Development Services	Town Planner	Notes	Date(s) of Delegation / Authorisation	Resolution Number
31	61 Injunction	The Council's power, as an "interested person" under the Act, to apply to the Supreme Court for a mandatory injunction requiring the developer of a community development scheme to complete the scheme in accordance with	Delegation	X	X				20-Jul-20	Minute 109/20
32	65(a) Assignment of interest in land subject to scheme	The Council's powers to receive written notice of an owner of land subject to a registered community development scheme proposal to sell or dispose of land subject to the scheme	Delegation	X	X				20-Jul-20	Minute 109/20
33	65(b)(i) Assignment of interest in land subject to scheme	The Council's powers to receive a written undertaking from the person who is to acquire the title to the land to develop the land in accordance with the registered community development scheme	Delegation	X	X				20-Jul-20	Minute 109/20
34	65(b)(ii) Assignment of interest in land subject to scheme	The Council's powers to receive from the person who is to acquire title to the land any security required for the development of land in accordance with the registered community development scheme.	Delegation	X	X				20-Jul-20	Minute 109/20
35	142(2)(b) Recording of certain orders	The Council's power, as an "interested person" under the Act, to apply to the Recorder to cancel any recording in the register of title referred to in section 33 of the <i>Land Titles Act 1980</i> which they are satisfied does not affect or has ceased to affect the land to which it purports to relate	Delegation	X	X				20-Jul-20	Minute 109/20

Strategic Infrastructure Corridors (Strategic and Recreational Use) Act 2016

Back to CONTENTS

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 (hyperlinked to legislation)	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	Notes	Date(s) of Delegation / Authorisation	Resolution Number
1	S.34 Powers and functions of corridor manager	Exercise the functions and powers that are imposed or conferred on the corridor manager by or under this or any other Act	Appointment and Delegation	X	X	Delegation as corridor manager, and authority to delegate	21-Oct-24	Minute 211/24

Traffic Act 1925

[Back to CONTENTS](#)

Legislation Version: 23 June 2023

This Register is maintained in compliance with sections 22(4) and 64(2) of the *Local Government Act 1993* (Tas).

Notes on Legislation

[s 3\(1\)](#) **issuing authority** in relation to a notice of demand or traffic infringement notice, includes - (c) an authorised officer.

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

[s 3\(2\)](#) (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.

Administration of Act

[9](#)

(2) Where, under this Act or the *Vehicle and Traffic Act 1999*, any power or right may be exercised by an authorised officer, or any act is authorised or required to be done by or in respect of an authorised officer, that power may be exercised, and that act may be done by or in respect of - (b) an officer of a local authority; authorised in writing by the Commission in that behalf.
(3) The Commission may only authorise an officer of a local authority to exercise a power or right in respect of, or in respect of the prevention of, prescribed offences within the municipal area of that local authority

[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

[43\(1\)](#) In this section - **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.

[43\(1\)](#) In this section - **relevant authority** means - (b) in relation to an authorised person who is an employee or agent of a Council, that Council.

Notes on Delegation

(1) A Council, in writing, may delegate with or without conditions to the General Manager, Controlling Authority, a Council Committee or a Special Committee, any of its functions or powers under any Act: s.22 *Local Government Act 1993* (Tas) (subject to restrictions), other than the power of delegation (unless authorised by the Council) and the specific powers referred to in subsection 22(3) of the *Local Government Act 1993* (Tas).

(2) The General Manager, in writing, may delegate to an employee of the Council - (a) any functions or powers under any Act, other than the 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 which has been delegated may, notwithstanding the delegation, be exercised by the delegator: s.23AA(6) *Acts Interpretation Act 1931* (Tas).

(6) 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 (hyperlinked to legislation)	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 - Infrastructure			
Notes										
1	41CA(2) Declaration of road for use by personal mobility devices	The Council's power, as the road authority for a speed-limited road, by notice published in the <i>Gazette</i> , to 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.	Delegation	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	41CA(5) Declaration of road for use by personal mobility devices	The Council's power, as a road authority , to publish a copy of the declaration under subsection (2) on a website of the road authority and to ensure that a copy of the declaration remains on the website while the declaration remains in force.	Delegation						X	
3	43(2) Removal of things obstructing public streets	The Council's power, as authorised person , to remove, take to a place of safety 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
4	43(3), (4), (5) Removal of things obstructing public streets	The Council's powers, as relevant authority , to notify article's owner of the Action taken to remove the article, and where Council is unable to inform the owner, or the owner does not pay the required expenses, to cause the article to be disposed of and to dispose of the balance proceeds of disposal as the relevant authority sees fit	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
5	43G Notice of demand	The Council's power, as issuing authority , to serve a notice of demand on the registered operator of a vehicle if the issuing authority is satisfied the driver committed a traffic offence	Delegation	X		X	X		20-Nov-23	Minute 196/23
6	43H Traffic infringement notices	The Council's power, as issuing authority , to serve on a person committing a prescribed offence a notice in respect of that offence or those offences	Delegation	X		X	X		20-Nov-23	Minute 196/23

Urban Drainage Act 2013

[Back to CONTENTS](#)

Legislation Version: 10 May 2024

This Register is maintained in compliance with sections 22(4) and 64(2) of the *Local Government Act 1993* (Tas).

Notes on Legislation

S3

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 purpose or in general.

S3

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, Controlling Authority, a Council Committee or a Special Committee, any of its functions or powers under any Act: s.22 *Local Government Act 1993* (Tas) (subject to restrictions), other than the power of delegation (unless authorised by the Council) and the specific powers referred to in subsection 22(3) of the *Local Government Act 1993* (Tas).

(2) The General Manager, in writing, may delegate to an employee of the Council - (a) any functions or powers under any Act, other than the 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 which has been delegated may, notwithstanding the delegation, be exercised by the delegator: s.23AA(6) *Acts Interpretation Act 1931* (Tas).

(6) 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 (hyperlinked to legislation)	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 - Infrastructure	Notes	Date(s) of Delegation / Authorisation	Resolution Number
1	5(4) Council to provide adequate public stormwater systems	The Council's power to lodge an appeal to the Appeal Tribunal	Delegation	X	X			20-Jul-20	Minute 109/20
2	5(6) Council to provide adequate public stormwater systems	The Council's function of complying with an order under subsection (3), or power to lodge an appeal in accordance with subsection (4).	Delegation	X	X			20-Jul-20	Minute 109/20
3	7 Negotiation for provision of stormwater services	The Council's powers to serve written notice relating to negotiations for provisions of stormwater services	Delegation	X	X			20-Jul-20	Minute 109/20

No.	Provision (hyperlinked to legislation)	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 - Infrastructure			Resolution Number
							Notes	Date(s) of Delegation / Authorisation	
4	11(1) Power of Council to adopt stormwater systems	The General Manager's powers to agree that if the works are constructed in accordance with the terms of the agreement, Council will declare works to be vested in the Council	Delegation	X		X		20-Jul-20	Minute 109/20
5	11(4) Power of Council to adopt stormwater systems	The General Manager's powers to require a person constructing a drain to construct it in a different way, to a greater hydraulic capacity or with different materials	Delegation	X				20-Jul-20	Minute 109/20
6	11(8) Power of Council to adopt stormwater systems	The Council's obligation under s 11(4) to pay extra costs incurred by person constructing the drain	Delegation	X	X			20-Jul-20	Minute 109/20
7	12 Council to maintain maps	Council's powers to maintain and make publicly available maps of public stormwater systems	Delegation	X	X			20-Jul-20	Minute 109/20
8	13(1) Protection of stormwater assets	The General Manager's power of granting consent as to protection of stormwater assets. Issuing of Notices requiring removal where consent has not been granted.	Delegation	X		X		20-Jul-20	Minute 109/20
9	13(2) Protection of stormwater assets	The General Manager's power of serving written notice requiring demolition, removal or remedy of works carried out where consent has not been granted.	Delegation					20-Jul-20	Minute 109/20
10	13(4) Protection of stormwater assets	The Council's powers to demolish, remove or remedy the building or construction and carry out any works necessary for restoring or reinstating the public stormwater system.	Delegation	X	X			20-Jul-20	Minute 109/20
11	13(5)(b) Protection of stormwater assets	The Council's power to recover expenses incurred by Council in carrying out the works to restore or reinstate the public stormwater system in a Court of a competent jurisdiction.	Delegation	X	X			20-Jul-20	Minute 109/20
12	14(1) Interference with public stormwater systems	The General Manager's power of granting consent to cause or permit works to be connected to a public stormwater system or alteration or removal of, or interference with, a public stormwater system.	Delegation	X				20-Jul-20	Minute 109/20
13	14(2) Interference with public stormwater systems	The General Manager's power of serving a written notice requiring the removal of a connection, rectification of damage or desist from discharging material into a public stormwater system where consent has not been granted.	Delegation					20-Jul-20	Minute 109/20
14	14(4) Interference with public stormwater systems	The Council's powers to 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
15	14(5)(b) Interference with public stormwater systems	The Council's power to recover expenses incurred by Council in carrying out the works under subsection (4) to restore or reinstate the public stormwater system in a Court of a competent jurisdiction.	Delegation	X	X			20-Jul-20	Minute 109/20
16	15(13) Power of authorised officers to carry out work on or adjacent to public land	The Council's powers to 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
17	16(9) Power of authorised officers to enter private land, &c.	The Council's powers to 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

No.	Provision (hyperlinked to legislation)	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 - Infrastructure	Notes	Date(s) of Delegation / Authorisation	Resolution Number
18	17 Power to undertake construction of public stormwater systems	The Council's powers to construct a public stormwater system it thinks is fit for purpose of meeting Council's obligations under the Act and to give owners of all land through, under or over which the public stormwater system is to pass 28 days' written notice of its intention to construct it	Delegation	X		X		20-Jul-20	Minute 109/20
19	18(3) Discharge of matter into public stormwater system	The General Manager's powers to grant permission to discharge anything other than stormwater into a public stormwater system	Delegation		X			20-Jul-20	Minute 109/20
20	20 Limits on connection point	A General Manager's powers to provide approval in relation to limits on connection points for public and private storm water systems	Delegation		X			20-Jul-20	Minute 109/20
21	21(1) Requirement to connect	A General Manager's powers to serve notice on the owner of a property requiring the owner to connect the property's private stormwater system to a public stormwater system	Delegation		X			20-Jul-20	Minute 109/20
22	21(3) Requirement to connect	The Council's powers to do the things the owner was required to do to connect to the public stormwater system and recover its reasonable costs for doing so	Delegation	X		X	X	20-Jul-20	Minute 109/20
23	22(1) Requirement to disconnect	A General Manager's powers to serve notice on the owner of a property requiring the owner to remove any existing connection between the property and the public stormwater system	Delegation		X			20-Jul-20	Minute 109/20
24	22(3) Requirement to disconnect	The Council's powers to do the things the owner was required to do to remove any existing connection to the public stormwater system and recover its reasonable costs for doing so	Delegation	X		X	X	20-Jul-20	Minute 109/20
25	23(2)(a) Property owners not to direct stormwater onto neighbouring properties	A General Manager's powers to issue a notice to the property owner to stop causing the nuisance	Delegation		X		X	20-Jul-20	Minute 109/20
26	23(2)(b) Property owners not to direct stormwater onto neighbouring properties	The Council's powers to carry out such works as may be necessary to rectify the nuisance	Delegation	X		X		20-Jul-20	Minute 109/20
27	23(3) Property owners not to direct stormwater onto neighbouring properties	The Council's powers to recover the costs of rectification in a Court of competent jurisdiction	Delegation	X		X		20-Jul-20	Minute 109/20

This Register is maintained in compliance with sections 22(4) and 64(2) 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, Controlling Authority, a Council Committee or a Special Committee, any of its functions or powers under any Act: s.22 *Local Government Act 1993* (Tas) (subject to restrictions), other than the power of delegation (unless authorised by the Council) and the specific powers referred to in subsection 22(3) of the *Local Government Act 1993* (Tas).
- (2)** The General Manager, in writing, may delegate to an employee of the Council - (a) any functions or powers under any Act, other than the 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 which has been delegated may, notwithstanding the delegation, be exercised by the delegator: s.23AA(6) *Acts Interpretation Act 1931* (Tas).
- (6)** 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 (hyperlinked to legislation)	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 - Corporate Services	Director - Community & Development Services		Date(s) of Delegation / Authorisation	Resolution Number
1	56C(2) Certain activities prohibited on public streets	The General Manager's powers to issue a permit to set up or use a stall, stand or vehicle on a public street for the purpose of - (a) selling any goods; or (b) a business, calling or employment.	Delegation	X		X	X		21-Oct-24 18-Aug-25	Minute 211/24 Minute 159/2025
2	56C(3) Certain activities prohibited on public streets	The General Manager's powers to consider the matters in subsection (3)	Delegation	X		X	X		21-Oct-24 18-Aug-25	Minute 211/24 Minute 159/2025

			Nature	Given by	Given to			Conditions or Restrictions	Decision	Evidence of Authorisation / Delegation
No.	Provision (hyperlinked to legislation)	Function or Power	Appointment, Delegation or Authorisation	Council General Manager	General Manager	Director - Corporate Services	Director - Community & Development Services	Notes	Date(s) of Delegation / Authorisation	Resolution Number
3	56C(4) Certain activities prohibited on public streets	The General Manager's powers to determine the form of the permit and the conditions necessary or expedient in the interests of public safety and convenience	Delegation	X		X	X		21-Oct-24 18-Aug-25	Minute 211/24 Minute 159/2025
4	56C(5) Certain activities prohibited on public streets	The General Manager's powers to cancel a permit with written notice	Delegation	X		X	X		21-Oct-24 18-Aug-25	Minute 211/24 Minute 159/2025

Miscellaneous Powers and Functions

[Back to CONTENTS](#)

Version: 29 July 2025

DELEGATIONS & AUTHORISATIONS

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

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

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