



GEORGE TOWN COUNCIL

# DELEGATIONS

Delegations by Council

Reviewed: April 2020

# DELEGATIONS TO GENERAL MANAGER

Pursuant to

Section 22 of the Local Government Act 1993; and

Section 64 of the Local Government Act 1993

and

Section 6 of the Land Use Planning & Approvals Act 1993

and

Section 8 of the Building Act 2016

and

Section 124 of the Local Government (Highways) Act 1982

Pursuant to the powers of the Local Government Act 1993 (the LGA) the Council hereby delegates the exercise and performance of its functions and powers to the General Manager on the following conditions:

- 1: Each delegation is subject to the condition or restrictions (if any) referred to in the table to this delegation;
- 2: Each delegation is subject to such policies, policy guidelines and directions as the Council may from time to time approve;
- 3: Each delegation is subject to the provision of any Act;
4. Subject to the Council in writing, delegating with or without conditions to the General Manager any of its functions or powers (Section 22 of the LGA), other than its power of delegation unless authorised by the Council and the powers referred to in Section 22(3) of the LGA; and
5. Unless prohibited by Section 22(2) of the Local Government Act 1993 or otherwise prohibited, authorise that those powers and functions delegated to the General Manager by the Council may be sub-delegated by the General Manager pursuant to Section 64 of the Local Government Act subject to the condition or restrictions (if any) referred to in the table to this delegation.
6. Each delegation includes any person acting in the delegated positions.

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The George Town Council pursuant to a resolution of Council 452/14 dated 17<sup>th</sup> December 2014, 004/15 dated 21<sup>st</sup> January 2015, 236/15 dated 15<sup>th</sup> July 2015, 270/16 dated 19<sup>th</sup> October 2016, 036/17 dated 15<sup>th</sup> February 2017, 264/17 dated 20<sup>th</sup> September 2017, 096/18 dated 18<sup>th</sup> July 2018 and 149/19 dated 27<sup>th</sup> August 2019 hereby approved these delegations.

Signed on the ..... day of ..... 2019.

.....  
Mayor

.....  
General Manager

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**No. 1                      Local Government Act 1993**

<b>Statutory Reference</b>	<b>Function of Power</b>	<b>Conditions or Restrictions</b>
S.19 Corporation of Council	Affixing of Common Seal.	<ol style="list-style-type: none"> <li>1. No authority for the General Manager to sub-delegate</li> <li>2. To comply with the provisions of the LGA relating to the Common seal. To comply with any policies and procedures of the Council relating to the Common Seal.</li> </ol>
S.73 Source of funds	Raise funds in accordance with the provisions of Section 73 of the <i>Local Government Act 1993</i> .	<ol style="list-style-type: none"> <li>1. No authority for the General Manager to sub-delegate</li> <li>2. Disposal of surplus plant, equipment and materials subject to the value of such items not exceeding a value of \$100,000.</li> </ol>
S. 74 Expenditure	Expend funds in accordance with the provisions of Section 74 of the <i>Local Government Act 1993</i> .	In accordance with amounts included in the approved Annual Plan and Budget and for those activities under the control of the appropriate Officer to the maximum value allocated in accordance with the <i>financial and procurement delegations to staff</i> . Any purchase over this amount is to be authorised by the General Manager. All plant and equipment purchases including motor vehicles are to be authorised by the General Manager.
S. 76 Writing off bad debts	Power to write off bad debts owed to the Council in accordance with the provisions of Section 76 of the <i>Local Government Act 1993</i> .	The General Manager may write-off up to a \$5,000.00 single debt. Any write-off up to \$2,500.00 by a sub-delegated Council officer.

**No. 1**

**Local Government Act 1993**

<b>Statutory Reference</b>	<b>Function of Power</b>	<b>Conditions or Restrictions</b>
S. 77 Grants & Benefits	Power to approve a pecuniary or non pecuniary benefit or grant.	<ol style="list-style-type: none"> <li>1. No authority for the General Manager to Sub-Delegate.</li> <li>2. The General Manager may only approve any such grant or pecuniary or non pecuniary benefit upon receiving application setting out the purpose, nature, date and location of the national sporting event for which the grant is sought or details of academic assistance sought or Council fee or service charge for which assistance is sought.</li> <li>3. That only one (1) grant per applicant per calendar year can be approved by the General Manager in accordance with Council Policy.</li> <li>4. That a copy of the grant application must be included in a quarterly Council Information report.</li> <li>5. The total expenditure for the financial year under this delegation must be reported under the "Grants &amp; Benefits" section of the Annual report.</li> </ol>
S. 78 Borrowings	Borrowings in accordance with the provisions of Section 78 of the <i>Local Government Act 1993</i> .	Subject to budget approval.
S. 81 Authorised deposit taking institute accounts	Bank Accounts – in accordance with the provisions of Section 81 of the <i>Local Government Act 1993</i> .	General Manager to consider the rate of credit fund interest and cost of account establishment.
S. 92 Adjustment of amount payable	Supplementary rate adjustment in accordance with the provisions of Section 92 of the <i>Local Government Act 1993</i> .	General Manager to consider the cost of recovering the new amount as opposed to its benefit.
S. 124 Instalment of payments	Postponement of payment in accordance with the provisions of Section 124 of the <i>Local Government Act 1993</i> .	Nil Conditions or restrictions.

## No. 1 Local Government Act 1993

Statutory Reference	Function of Power	Conditions or Restrictions
S. 126 Condition of postponement	Power to grant postponement of the payment of rates in accordance with the provisions of Section 126 of the <i>Local Government Act 1993</i> .	Request for postponement of the payment of rates must be received in writing addressed to the General Manager.
S. 133 – 136 Recovery of Rates (Division 10)  Recovery of rates  Recovery from certain person  Rents under lease, & c. for unpaid rates  Indemnity	Power to recover unpaid rates.	In accordance with the provisions of Sections 133 – 136 of the <i>Local Government Act 1993</i> .
S. 137 – 140 Sale of Land for Unpaid Rates (Division 11)  Sale of Land for unpaid rates Title vests in purchaser Application of money from sale Procurement if Council cannot sell land	Power to recover unpaid rates.	Authority to implement the provisions of sections 137 – 140 of the <i>Local Government Act 1993</i> .

## No. 1 Local Government Act 1993

Statutory Reference	Function of Power	Conditions or Restrictions
S. 189 Closure of local highways	Power to allow a person to conduct a market and to close a local highway or part of a local highway for the purpose of any such market in accordance with the provisions of Section (189) 1 of the <i>Local Government Act 1993</i> .	Under Section 189 (2) the General Manager has a duty to publish a notice of intention in a public newspaper if it is intended that a local highway or any part of a local highway is to be closed.
S. 190 Objections	In accordance with the provisions of Section 190 of the <i>Local Government Act 1993</i> .	The General Manager must consider vehicular access to affected properties.
S.197 Sale or destruction of unclaimed animals	Power to sell, give away, or destroy an impounded animal in accordance with the provisions in Section 197 of the <i>Local Government Act 1993</i> .	The General Manager shall not give an impounded animal back to its owner who bears the liability for its impounding nor to where the animal might in all probability be subject to cruelty.
S.198 Destruction of animals	Power to arrange for an impounded animal to be destroyed in accordance with the provisions of Section 198 of the <i>Local Government Act 1993</i> .	The General Manager shall not arrange for an impounded animal to be destroyed without advice from a qualified veterinary surgeon.
S. 200 Abatement Notices	Power to determine whether a nuisance exists and to serve notices or display a copy of such notice in accordance with the provisions of Section 200 (1) and 200 (2) of the <i>Local Government Act</i> .	This power does not extend to the determination of court action occurring.
S. 207 Remission of fees and charges	Remit all or part of any fee or charge paid or payable in accordance with the provisions of Section 207 of the <i>Local Government Act 1993</i> .	Where it can be determined that the amount charged is incorrect or circumstances exist which deserves consideration of a remission.
S 333A Tenders	Power to invite tenders for any contract Council intends to enter into for the supply of provisions of goods or services in accordance with Council's Code for Tenders and Contracts September 2017 and in accordance with the provisions in Section 333A of the <i>Local Government Act 1993</i> .	All tender information shall be uniformly supplied to all tenderers.

**No. 2 Local Government (Building and Miscellaneous Provisions) Act 1993**

<b>Statutory Reference</b>	<b>Function of Power</b>	<b>Conditions or Restrictions</b>
S. 86 Security for payment	Power to require security for payments and execution of works before approving a plan or subdivision in accordance with the provisions of Section 86 of the <i>Local Government (Buildings &amp; Miscellaneous Provisions) Act 1993</i> .	No authority for the General Manager to sub-delegate.
S 89 (1) Approval of final plans by Council	Power to approve and seal final plans in accordance with the provisions of Section 89 (1) of the <i>Local Government (Buildings &amp; Miscellaneous Provisions) Act 1993</i> .	<ol style="list-style-type: none"> <li>1. No authority for the General Manager to sub-delegate.</li> <li>2. The General Manager may only approve and seal a final plan where it is in accordance with a planning permit.</li> <li>3. The General Manager is not to approve a final plan unless he/she has received advice that the application is compliant with all the relevant legislation.</li> </ol>
S. 91 (3) Corrections to final plans	Power to object to the making of a correction to a final plan by the Recorder of Titles in accordance with the provisions of Section 91(3) of the <i>Local Government (Buildings &amp; Miscellaneous Provisions) Act 1993</i> .	<ol style="list-style-type: none"> <li>1. No Authority for the General manager to sub-delegate.</li> <li>2. The General manager may only object to the making of a correction of a final plan upon advice that the application is compliant with all of the relevant legislation.</li> </ol>
S. 103 (4) Amendment of sealed plans	Power to make minor amendments to sealed plans where no person has asked to be heard pursuant to Section 103 (4) of the <i>Local Government (Buildings &amp; Miscellaneous Provisions) Act 1993</i> .	<ol style="list-style-type: none"> <li>1. No authority for the General Manager to sub-delegate</li> <li>2. The General manager may only amend sealed plans upon advice that the amendment complies with the relevant legislation.</li> </ol>
S. 107 Access Orders	Power to make an order requiring sub-divider to carry out access works in accordance with the provisions of Section 107 of the <i>Local Government (Building &amp; Miscellaneous Provisions) Act 1993</i> .	<ol style="list-style-type: none"> <li>1. No authority for the General Manager to sub-delegate.</li> <li>2. The General Manager may only make an order upon advice that the amendment complies with the relevant legislation.</li> </ol>
S. 108 Road Widening	Road widening in accordance with the provisions of Section 108 of the <i>Local Government (Building &amp; Miscellaneous Provisions) Act 1993</i> .	Nil Conditions or Restrictions.



## No. 2 Local Government (Building and Miscellaneous Provisions) Act 1993

Statutory Reference	Function of Power	Conditions or Restrictions
S. 110 Adhesions Order	Power to make adhesion orders in accordance with the provisions of Section 110 of the <i>Local Government (Building &amp; Miscellaneous Provisions) Act 1993</i> .	<ol style="list-style-type: none"> <li>1. No authority for the General Manager to sub-delegate.</li> <li>2. The General Manager may only make an adhesion order upon advice that the order complies with the relevant legislation.</li> </ol>
S. 115 Exemption	Power to exempt a subdivision from the provisions of Part 3 in accordance with the provisions of Section 115 of the <i>Local Government (Building &amp; Miscellaneous Provisions) Act 1993</i> .	<ol style="list-style-type: none"> <li>1. No authority for the General Manager to sub-delegate.</li> <li>2. The General Manager may only exempt a subdivision upon advice that the exemption complies with the relevant legislation.</li> </ol>
S. 246 Advertising Hoarding	Power to issue a license to erect an advertising hoarding in accordance with the provisions in Section 246 of the <i>Local Government (Building &amp; Miscellaneous Provisions) Act 1993</i> .	<ol style="list-style-type: none"> <li>1. No authority for the General Manager to sub-delegate.</li> <li>2. The General Manager may only issue a license upon advice that the structure complies with the relevant legislation.</li> </ol>
S. 247 Removal of Advertising Hoarding	Power to require the removal of an advertising hoarding in accordance with the provisions of Section 247 of the <i>Local Government (Building &amp; Miscellaneous Provisions) Act 1993</i> .	Nil Conditions or Restrictions.

### No. 3 Local Government (Highways) Act 1982

Statutory Reference	Function of Power	Conditions or Restrictions
S. 6 Making or Opening a Highway or Road	Power to make or opening municipal highways or roads within the Municipality including widening and extending in accordance with the provisions of Section 6 of the Local Government ( <i>Highways</i> ) Act 1982.	Does not apply to East Tamar Highway or other State Government owned roads.
S. 10 (2) Obligations on landowners opening highways	Power to approve a person to prepare plans and specifications for highways in accordance with the provisions of Section 10(2) of the <i>Local Government (Highways) Act 1982</i> .	Nil Conditions or Restrictions.
S. 10 (6) Obligations on landowners opening highways	Power to relieve an owner from having to carry out construction works in accordance with the provisions of Section 10 (6) of the <i>Local Government (Highways) Act 1982</i> .	Nil Conditions or Restrictions.
S. 19 Closure of local highways for public functions, &c.	Power to close a local highway, forbid the use of a local highway or grant licenses for the use of a closed local highway in accordance with the provisions of Section 19 of the <i>Local Government (Highways) Act 1982</i> .	Nil Conditions or Restrictions.
S. 20 Closure of parts of local highways for sale of goods, & c.	Power to close part of a local highway for the purpose of the sale of goods or entertainment on a Saturday, Sunday or statutory holiday in accordance with the provisions of Section 20 of the <i>Local Government (Highways) Act 1982</i> .	Nil Conditions or Restrictions.
S. 34 Drainage works	Power to make, cleanse and keep open Council drains and watercourses in and through land adjoining or near a local highway in accordance with the provisions of Section 34 of the <i>Local Government (Highways) Act 1982</i> .	Nil Conditions or Restrictions.
S. 35 Crossings over footpaths, table drains and gutters	Power to require an owner to carry out works to a vehicular crossing over a table-drain, gutter or footpath in accordance with the provisions of Section 35 of the <i>Local Government (Highways) Act 1982</i> .	Nil Conditions or Restrictions.

### No. 3 Local Government (Highways) Act 1982

Statutory Reference	Function of Power	Conditions or Restrictions
S. 36 Fencing of Streets in towns	Power to require an owner to fence in accordance with the provisions of Section 36 of the <i>Local Government (Highways) Act 1982</i> .	Nil Conditions or Restrictions.
S. 52 Projections on to highways, & c.	Power to remove or alter an obstruction to the safe and convenient passage along a local highway in accordance with the provisions of Section 52 of the <i>Local Government (Highways) Act 1982</i> .	Nil Conditions or Restrictions.
S. 54 Names of highways, & c.	Power to put up names of highways in accordance with the provisions of section 54 of the <i>Local Government (Highways) Act 1982</i>	Nil Conditions or Restrictions.

**No. 4 Heavy Vehicle National Law (Tasmania) Act 2013 & Heavy Vehicle National Law (Queensland)**

<b>Statutory Reference</b>	<b>Function of Power</b>	<b>Conditions or Restrictions</b>
S.16 Road Manager	Declaration to be the road manager <i>in accordance with the requirements of Section 16 of the Heavy Vehicle National Law (Tasmania) Act 2013.</i>	Nil Conditions or Restrictions.
S.156 Deciding request for consent generally	Power to decide request for consent generally <i>in accordance with the requirements of Section 156 of the Heavy Vehicle National Law (Tasmania) Act 2013.</i>	Nil Conditions or Restrictions.
S.158 Action pending consultation with third party	Power to undertake action pending consultation with third party <i>in accordance with the requirements of Section 158 of the Heavy Vehicle National Law (Tasmania) Act 2013.</i>	Nil Conditions or Restrictions.
S.159 Deciding request for consent if route assessment required	Power to decide request for consent if route assessment required <i>in accordance with the requirements of Section 159 of the Heavy Vehicle National Law (Tasmania) Act 2013.</i>	Nil Conditions or Restrictions.
S.160 Imposition of road conditions	Power to impose road conditions <i>in accordance with the requirements of Section 160 of the Heavy Vehicle National Law (Tasmania) Act 2013.</i>	Nil Conditions or Restrictions.
S.161 Imposition of travel conditions	Power to impose travel conditions <i>in accordance with the requirements of Section 161 of the Heavy Vehicle National Law (Tasmania) Act 2013.</i>	Nil Conditions or Restrictions.
S.162 Imposition of vehicle conditions	Power to impose vehicle conditions <i>in accordance with the requirements of Section 162 of the Heavy Vehicle National Law (Tasmania) Act 2013.</i>	Nil Conditions or Restrictions.
S.167 Expedited procedure for road manager's consent for renewal of mass or dimension authority	Power to Expedite procedure for road manager's consent for renewal of mass or dimension authority <i>in accordance with the requirements of Section 167 of the Heavy Vehicle National Law (Tasmania) Act 2013</i>	Nil Conditions or Restrictions.
S.169 Granting limited consent for trial purposes.	Power to Grant limited consent for trial purposes <i>in accordance with the requirements of Section 169 of the Heavy Vehicle National Law (Tasmania) Act 2013.</i>	Nil Conditions or Restrictions.

**No. 4 Heavy Vehicle National Law (Tasmania) Act 2013 & Heavy Vehicle National Law (Queensland)**

<b>Statutory Reference</b>	<b>Function of Power</b>	<b>Conditions or Restrictions</b>
S.170 Renewal of limited consent for trial purposes	Power to provide a renewal of limited consent for trial purposes <i>in accordance with the requirements of Section 170 of the Heavy Vehicle National Law (Tasmania) Act 2013.</i>	Nil Conditions or Restrictions.
S.172 Requirements for statement explaining adverse decision of road manager	Power to provide a written statement explaining adverse decision of road manager <i>in accordance with the requirements of Section 172 of the Heavy Vehicle National Law (Tasmania) Act 2013.</i>	Nil Conditions or Restrictions.
S.173 Amendment or cancellation on Regulator's initiative	Power to amend or cancel on Regulator's initiative <i>in accordance with the requirements of Section 173 of the Heavy Vehicle National Law (Tasmania) Act 2013.</i>	Nil Conditions or Restrictions.
S.174 Amendment or cancellation on request by relevant road manager	Power to amend or cancel on request by relevant road manager <i>in accordance with the requirements of Section 174 of the Heavy Vehicle National Law (Tasmania) Act 2013.</i>	Nil Conditions or Restrictions.
S.176 Amendment or cancellation on application by permit holder	Power to amend or cancel on application by permit holder <i>in accordance with the requirements of Section 176 of the Heavy Vehicle National Law (Tasmania) Act 2013.</i>	Nil Conditions or Restrictions.
S.178 Amendment or cancellation on request by relevant road manager	Power to amend or cancel on request by relevant road manager <i>in accordance with the requirements of Section 178 of the Heavy Vehicle National Law (Tasmania) Act 2013.</i>	Nil Conditions or Restrictions.

## No. 5 Environmental Management and Pollution Control Act 1994

Statutory Reference	Function of Power	Conditions or Restrictions
21	Power to appoint an employee of the council to be a council officer for the purpose of this Act in accordance with the provisions of Section 21 of the <i>Environmental Management and Pollution Control Act 1994</i> .	Nil conditions or restrictions.

## No. 6 Burial and Cremation Act 2002

Statutory Reference	Function of Power	Conditions or Restrictions
S51	Powers of authorised officer/s to enter premises in accordance with the provisions of Section 51 of the <i>Burial and Cremation Act 2002</i> .	Nil conditions or restrictions.

## No. 7 Land Use Planning and Approvals Act 1993

Statutory Reference	Function of Power	Conditions or Restrictions
S. 30IA – Urgent Amendments: Amendments to correct errors, inconsistencies with the Act and other Planning Schemes and anomalies.	Power to send Urgent Amendments directly to the Tasmanian Planning Commission without the need for a S35 report to Council in accordance with the provisions of Section 30IA of the <i>Land Use Planning &amp; Approvals act 1993</i> .	Nil Conditions or Restrictions.
S.33 Amendments to the Planning Scheme	Power to send Section 33 reports directly to the Tasmanian Planning Commission when there are no representations received during the Statutory consultation period in accordance with the provisions of Section 33 of the <i>Land Use Planning &amp; Approvals Act 1993</i> .	There are no representations to the Planning Scheme dispensation.
S. 43A Application for a permit when amendment requested	Power to accept a combined application for a permit and an amendment to the planning scheme in accordance with the provisions of Section 43A of the <i>Land Use Planning &amp; Approvals Act 1993</i> .	There are no representations to the amendment.
S.39(2) Representations in respect of Draft Amendments	Power to send Section 43A reports directly to the Town Planning Commission when there are no representations received during the public consultation period in accordance with the provisions of Section 39(2) of the <i>Land Use Planning &amp; Approvals Act 1993</i> .	Nil Conditions or Restrictions.

## No. 7 Land Use Planning and Approvals Act 1993

Statutory Reference	Function of Power	Conditions or Restrictions
S. 53(5A) Power to Extend a Permit	Power to extend an existing permit for a period of 2 years if it has not been substantially commenced in accordance with the provisions of Section 535(A) of the <i>Land Use Planning &amp; Approvals Act 1993</i> .	Restricted to a maximum of two (2) only extensions of time.  Ability for Team Leader Community and Development Services to issue and sign these permits.
S. 54 Additional Information	Power to require an applicant to provide additional information before considering an application for a planning permit in accordance with the provisions of Section 54 of the <i>Land Use Planning &amp; Approvals Act 1993</i> .	Nil Conditions or Restrictions.
S. 55 Correction of mistakes	Power to amend a planning permit where there is a mistake in accordance with the provisions of Section 55 of the <i>Land Use Planning &amp; Approvals Act 1993</i> .	Nil Conditions or Restrictions.
S. 56 Minor amendments to a permit	Power to make minor amendments to planning permits in accordance with the provisions of Section 56 (2) of the <i>Land Use Planning &amp; Approvals Act 1993</i> .  This power is delegated along with the duty to service notices in accordance with the provisions of Section 56 (3) and 56 (4) of the <i>Land Use Planning &amp; Approvals Act 1993</i> .	Nil Conditions or Restrictions.
S. 57 Applications for discretionary permits	Power to approve with or without conditions applications for discretionary permits where no representations have been received against the application in accordance with the provisions of Section 57 of the <i>Land Use Planning &amp; Approvals Act 1993</i>	Nil Conditions or Restrictions.



**No. 7 Land Use Planning and Approvals Act 1993**

<b>Statutory Reference</b>	<b>Function of Power</b>	<b>Conditions or Restrictions</b>
S. 57(2) Applications for discretionary permits	Power to refuse applications for permits where such applications could no lawfully be approved in accordance with the provisions of Section 57(2) of the Land Use Planning & Approvals Act 1993.	Nil Conditions or Restrictions.
S. 57 (5) Application for discretionary permits	Power to extend the period of time for the making of representations relating to an application for a discretionary permit in accordance with the provisions of Section 57 (5) of the <i>Land Use Planning &amp; Approvals Act 1993</i> .	Nil Conditions or Restrictions.
S. 58 (2) Application for other permits	Power to extend the time to consider an application by agreement with an applicant in accordance with the provisions of Section 58 (2) of the <i>Land Use Planning &amp; Approvals Act 1993</i> .	Nil Conditions or Restrictions.
S. 59 (2) (A) Application for other permits	Power to further extend the time to consider an application by agreement with the applicant in accordance with the provisions of Section 59 (2) (A) of the <i>Land Use Planning &amp; Approvals Act 1993</i> .	Nil Conditions or Restrictions.
S. 59(7) Failure to determine an application for permit	Power to make determination in relation to an application for a discretionary planning permit where time periods in which to do so under the provisions of Sections 57 and 58 of the Land Use Planning & Approvals Act 1993 have expired but where no application under Section 59(3) has been made by the applicant in accordance with the provisions of Section 59(7) of the <i>Land Use Planning &amp; Approvals Act</i> .	Nil Conditions or Restrictions.

## No. 7 Land Use Planning and Approvals Act 1993

Statutory Reference	Function of Power	Conditions or Restrictions
S.65A Infringement Notices	Power to issue an infringement notice in accordance with the provisions of 65A of the <i>Land Use Planning &amp; Approvals Act 1993</i> .	Nil Conditions or Restrictions.
S.65B Notice of Intention to Issue Enforcement Notice	Power to give notice in writing where a land owner is suspected to have contravened S.60ZB and S.63(2) in accordance with the provisions of Section 65B of the <i>Land Use Planning &amp; Approvals Act 1993</i> .	Nil Conditions or Restrictions.
S.65C Enforcement Notice	Power to issue an enforcement notice in accordance with the provisions of Section 65C of the <i>Land Use Planning &amp; Approvals Act 1993</i> .	Nil Conditions or Restrictions.
S.65F Notice of Intention to Cancel a Permit to be issued before a Permit Cancelled	Where it is considered that there are grounds on which a permit in force may be cancelled in accordance with the provisions of Section 65F of the <i>Land Use Planning &amp; Approvals Act 1993</i> .	Nil Conditions or Restrictions.
S.65G Cancellation of permit	A permit in relation to land may only be cancelled under subsection 1 on any one of the grounds referred to in this section in accordance with the provisions of Section S.65G of the <i>Land Use Planning &amp; Approvals Act 1993</i> .	Must comply with the requirements of S.65G.
Div. 4B – Authorised Officers S.65I – Delegation to Authorised Officer under LUPA	Authorisation delegated by the General Manager to Team Leader Community and Development Services in respect to both the administration and enforcement of the Planning Scheme.	Nil Conditions or Restrictions.
S.71 Part 5 Agreements	Authorisation to enter into Part 5 Agreements with the owner of land which is covered by the relevant planning scheme.	Nil Conditions or Restrictions.

## No. 8 Roads and Jetties Act 1935

Statutory Reference	Function of Power	Conditions or Restrictions
S. 40 Power to make drains on adjoining land	Power to make, cleanse and keep open drains or watercourses in and through land adjoining or near any road in accordance with the provisions of Section 40 of the <i>Roads and Jetties Act 1935</i> .	Nil Conditions or Restrictions.
S. 44 Culverts to be constructed by owners at entrances to lands adjoining roads	Power to require an owner of land to construct a culvert over a table-drain, gutter or road in accordance with the provisions of Section 44 of the <i>Roads and Jetties Act 1935</i> .	Nil Conditions or Restrictions.
S.41 Timber growing near roads may be cut down: Consent of owner required in certain cases	Power to cut down and remove any indigenous timber growing or standing within 23 metres of the centre of any road of which Council has the care in accordance with the provisions of <i>S41 of the Roads and Jetties Act 1935</i> .	Nil Conditions or Restrictions.
S.42 Hedges, &c., obstructing view of traffic to be cut or trimmed	Power to require the reduction in height of any obstruction in accordance with the provisions of <i>S42 of the Roads and Jetties Act 1935</i> .	Nil Conditions or Restrictions..
S.47 Road metal, & c., may be placed on side of road	Power to store road metal or other materials, or any vehicle or plant in connection with the construction or maintenance of any road in accordance with the provisions of <i>S47 of the Roads and Jetties Act 1935</i> .	Nil Conditions or Restrictions.
S.47A Warning gantries for bridges with overhead members	Power to erect Warning gantries for bridges with overhead members in accordance with the provisions of <i>Section 47A of the Roads and Jetties Act 1935</i>	Nil Conditions or Restrictions.
S.48A Removal and disposal of abandoned articles	Power to remove and an abandoned article in accordance with the provisions of <i>Section 48A of the Roads and Jetties Act 1935</i>	Nil Conditions or Restrictions.
S.49 Obstructing roads: Notice to remove obstructions	Power to require the removal of any obstructions in accordance with the provisions of <i>S49 of the Roads and Jetties Act 1935</i>	Nil Conditions or Restrictions.

**No. 8            Roads and Jetties Act 1935**

<b>Statutory Reference</b>	<b>Function of Power</b>	<b>Conditions or Restrictions</b>
S.50A Scaffolding	Power to approve/prohibit the erection of any scaffolding or boarding in a street in a town in accordance with the provisions of <i>S50A of the Roads and Jetties Act 1935</i>	Nil Conditions or Restrictions.
S.50B Excavations	Power to approve/prohibit any excavation in accordance with the provisions of <i>S.50B of the Roads and Jetties Act 1935</i>	Nil Conditions or Restrictions.

**No. 9 Building Act 2016**

<b>Statutory Reference</b>	<b>Function of Power</b>	<b>Conditions or Restrictions</b>
S.27(3) & (4) Records of permit authority	Power to make information retained pursuant to S.27(2) available to the persons specified in S.27(3), and to provide a copy of that information upon payment of a fee in accordance with <i>Section 27 of the Building Act 2016</i> .	Nil Conditions or Restrictions.
S.265(3) & (4) Failure to comply with emergency, building or plumbing order	Power to perform works where there has been failure to comply with an emergency, building or plumbing order, including the power to: (a) enter on the land where the work is to be done with the appropriate equipment; and (b) exclude other persons from the place where the work is being done; and (c) if anything is to be altered, determine the form of the alteration so far as it was not previously specified; and (d) if anything is to be taken down, demolished or removed, determine in what condition the remainder is to be left; and (e) carry away to some convenient place any materials removed; and (f) sell any materials so carried away and deduct the proceeds from the cost of the work In accordance with <i>Section 265 of the Building Act 2016</i> .	Nil Conditions or Restrictions.
S.266 Possession of building	Power to take proceedings to obtain possession of a building or temporary structure if any occupier fails to allow any person to do work pursuant to S.265 in accordance with <i>Section 266 of the Building Act 2016</i> .	Nil Conditions or Restrictions.

**No. 9 Building Act 2016**

Statutory Reference	Function of Power	Conditions or Restrictions
S.267(1) & (2) Demolition order	Power to serve an order to demolish building work in accordance with <i>Section 267 of the Building Act 2016</i> .	Nil Conditions or Restrictions.
S.269(1) Recovery of performance costs	Power to enter land or a building and perform the required work in accordance with <i>Section 269 of the Building Act 2016</i> .	Nil Conditions or Restrictions
S.269(2) Recovery of performance costs	Power to make an application to recover the cost of performing any work, and to impose a charge on land in accordance with <i>Section 269 of the Building Act 2016</i> .	Nil Conditions or Restrictions
S.271(1) Purchasing buildings and materials	Power to sell a building for removal or after demolishing a building, sell the materials on the materials on the premises for removal in accordance with <i>Section 271 of the Building Act 2016</i> .	Nil Conditions or Restrictions
S.271(2) Purchasing buildings and materials	Power to grant the purchaser of a building sold pursuant to S.271(1) all of the powers Council has under <i>Section 265 of the Building Act 2016</i> .	Nil Conditions or Restrictions

**No. 10 Building Regulations 2016**

<b>Statutory Reference</b>	<b>Function of Power</b>	<b>Conditions or Restrictions</b>
R.43(1) Plumbing work involving network utility operator's stormwater drainage systems	Power to provide written consent for works proposed pursuant to r.43(1) and in accordance with <i>Regulation 43 of the Building Regulations 2016</i> .	Nil Conditions or Restrictions.
R.43(3) Plumbing work involving network utility operator's stormwater drainage systems	Power if not satisfied that a stormwater drainage system is sealed in accordance with the Act, to enter the premises and perform any work necessary in accordance with <i>Regulation 43 of the Building Regulations 2016</i> .	Nil Conditions or Restrictions.
R.43(5)(a) Plumbing work involving network utility operator's stormwater drainage systems	Power to recover costs as a charge under the <i>Local Government Act 1993</i>	Nil Conditions or Restrictions.

**No. 11 Food Act 2003**

<b>Statutory Reference</b>	<b>Function of Power</b>	<b>Conditions or Restrictions</b>
101(2)	Power to appoint an authorised officers for the purposes of this Act in accordance with the provisions of Section 101(2) of the <i>Food Act 2003</i> .	Nil Conditions or Restrictions.

**No. 12 Dog Control Act 2000**

<b>Statutory Reference</b>	<b>Function of Power</b>	<b>Conditions or Restrictions</b>
S. 64 Infringement Notices	Power to serve an infringement notice in accordance with Section 64 of the <i>Dog Control Act 2000</i> .	Nil Conditions or Restrictions.
S. 82 Delegation	Power to undertake duties associated with:  <b>Part 2</b> –Registration and identification <b>Part 3</b> – Control of Dogs <b>Part 4</b> – Legal proceedings <b>Part 5</b> – Miscellaneous in accordance with the provisions of Section 82 of the <i>Dog Control Act 2000</i>	The General Manager may delegate to any person any of his or her functions or powers under this Act other than this power of delegation.



**No. 13 Right to Information Act 2009**

<b>Statutory Reference</b>	<b>Function of Power</b>	<b>Conditions or Restrictions</b>
S. 21 Delegation	Delegation of power to make original decision on application for assessed disclosure Section 21.	The General Manager may delegate his powers and functions under Section 21 for a period not exceeding three (3) years to a delegate who has the skills and knowledge necessary to perform or exercise these functions and powers.
S. 43 Delegation	Delegation of power to conduct internal review under Section 43.	The General Manager may delegate his powers and functions under Section 43 for a period not exceeding three (3) years to a delegate who has the skills and knowledge necessary to perform or exercise these functions and powers.
S. 24 Delegation	Delegation of power to make original decision on application for assessed disclosure Section 21 and delegation of power to conduct internal review under Section 43.	The General Manager may delegate his powers and functions under Section 21 and Section 43 for a period not exceeding three (3) years to a delegate who has the skills and knowledge necessary to perform or exercise these functions and powers.

## No. 14 Miscellaneous Powers and Functions to the General Manager

No	Function of Power
1	To call for and accept quotations, tenders or auction the disposal of surplus or redundant plant, equipment or materials.
2	To institute, defend, abandon, settle or compromise any proceedings before any tribunal for the recovery of debts due to the Council or for breaches of any statutes affecting the Council, or to protect, recover or secure recompense for damage to or loss of any property of the Council.
3	To authorise and to institute proceedings for non-compliance with any order or notice lawfully made or given by or on behalf of the Council, and where such order or notice is not complied with, to authorise the carrying out of the necessary work where the Council has the power to do so.
4	To issue or publish or cause to be issued or published statements of fact relating to Council's activities or policies.
5	To seek legal advice and to complete affidavits on behalf of Council in accordance with Council decisions and/or policies.
6	To sign all contracts, leases and agreements on behalf of Council in accordance with Council policies.
7	To control and supervise all contracts and to approve expenditure authorised there under in the relevant budget, including contingency provisions.
8	To authorise the carrying out by Council of private works for other parties.
9	To determine the use of public roads for walk-a-thons, charitable collections or other like events.
10	To authorise the closure of roads or parts thereof temporarily for repairs or construction.
11	To authorise the total or partial release of bonds, guarantees and security deposits where the relevant Team Leader has certified that the work or thing which the bond, guarantee or security deposit relates has been satisfied in whole or in part and to call on any bonds, guarantees or security deposits where the work secured has not been carried out in accordance with Council requirements.
12	To authorise the use of Council's plant and equipment in emergencies at the request of the State Emergency Services, Tasmania Police or the State Fire Authority.
13	To make payments and donations in keeping with Council policy.
14	To approve or disapprove, upon written application, requests to consume intoxicating liquor on Council reserves or premises.
15	To lend materials from Council stores stock in emergency circumstances as determined by the General Manager subject to the provisions of a written acknowledgement of receipt of an undertaking to replace within a set time.
16	Power to approve demolition of buildings not classified by the National Trust or Heritage listed.
17	To approve conditionally or otherwise all temporary signs and hoardings.
18	Authority to appoint "Authorised Officers" or "Council Officers" where such are required to be appointed under the Local Government Act 1993 or any other Act and to issue "Certificates of Authority" to those officers where required.

**No. 14            Miscellaneous Powers and Functions to the General Manager**

<b>No</b>	<b>Function of Power</b>	<b>Conditions or Restrictions</b>
19	The affixing of the Common Seal as per the following conditions:  1. To sign and seal documents requiring the use of the Common Seal on behalf of Council and to attest to the execution of documents sealed by Council.  2. A quarterly information report detailing the Use of Council's Seal is to be made available to Councillors.	Provided the use of the Common Seal sealed document is necessary to implement a decision of Council, or is otherwise required under an Act to be used.