



BERRIGAN SHIRE

BAROOGA • BERRIGAN • FINLEY • TOCUMWAL



## INSTRUMENT OF DELEGATION

Prepared by Executive

Adopted by Resolution - Council Meeting on Wednesday **18 May 2022**



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## COUNCIL'S AUTHORITY TO DELEGATE

Section 377 of the *Local Government Act 1993* (LG Act) provides:

### **377 General power of the council to delegate**

(1) A council may, by resolution, delegate to the general manager or any other person or body (not including another employee of the council) any of the functions of the council under this or any other Act, other than the following—

- (a) the appointment of a general manager,
- (b) the making of a rate,
- (c) a determination under section 549 as to the levying of a rate,
- (d) the making of a charge,
- (e) the fixing of a fee,
- (f) the borrowing of money,
- (g) the voting of money for expenditure on its works, services or operations,
- (h) the compulsory acquisition, purchase, sale, exchange or surrender of any land or other property (but not including the sale of items of plant or equipment),
- (i) the acceptance of tenders to provide services currently provided by members of staff of the council,
- (j) the adoption of an operational plan under section 405,
- (k) the adoption of a financial statement included in an annual financial report,
- (l) a decision to classify or reclassify public land under Division 1 of Part 2 of Chapter 6,
- (m) the fixing of an amount or rate for the carrying out by the council of work on private land,
- (n) the decision to carry out work on private land for an amount that is less than the amount or rate fixed by the council for the carrying out of any such work,
- (o) the review of a determination made by the council, and not by a delegate of the council, of an application for approval or an application that may be reviewed under section 82A of the *Environmental Planning and Assessment Act 1979*,
- (p) the power of the council to authorise the use of reasonable force for the purpose of gaining entry to premises under section 194,
- (q) a decision under section 356 to contribute money or otherwise grant financial assistance to persons,
- (r) a decision under section 234 to grant leave of absence to the holder of a civic office,
- (s) the making of an application, or the giving of a notice, to the Governor or Minister,
- (t) this power of delegation,
- (u) any function under this or any other Act that is expressly required to be exercised by resolution of the council.

(1A) Despite subsection (1), a council may delegate its functions relating to the granting of financial assistance if—

- (a) the financial assistance is part of a specified program, and
- (b) the program is included in the council's draft operational plan for the year in which the financial assistance is proposed to be given, and
- (c) the program's proposed budget for that year does not exceed 5 per cent of the council's proposed income from the ordinary rates levied for that year, and
- (d) the program applies uniformly to all persons within the council's area or to a significant proportion of all the persons within the council's area.

(2) A council may, by resolution, sub-delegate to the general manager or any other person or body (not including another employee of the council) any function delegated to the council by the Departmental Chief Executive except as provided by the instrument of delegation to the council.



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*(3) A council may delegate functions to a joint organisation only with the approval, by resolution, of the board of the joint organisation.*



## INTRODUCTION

This instrument of delegation should be construed as operating in a manner which is valid and within the powers conferred on the Council under the LG Act.

References to the Chief Executive Officer or CEO are references to the general manager appointed under the LG Act.

In accordance with Section 377 of the *Local Government Act 1993* the Berrigan Shire Council (**Council**) by resolution at its meeting of **18 May 2022** delegated its powers, authorities, duties and functions as set out in:

- Part 1: Delegation to Committees of Council, and Delegation to the Mayor; and
- Part 2: Delegation to the Chief Executive Officer.

All Council delegations are subject to the following limitations:

1. the delegated power, authority, duty or function being performed in accordance with Council policy; and
2. the delegated power, authority, duty or function being performed in accordance with the Law.

The delegations of Council will remain in force until they are revoked or amended by a resolution of Council.

Council notes that the Chief Executive Officer may delegate his or her powers, authorities, duties and functions at his or her discretion within the limitations set by section 378 of the LG Act.



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**PART 1**

**DELEGATION TO COMMITTEES OF COUNCIL**

Committees of Council have no delegations except for those provided by resolution of Council.



## DELEGATION TO THE MAYOR

The Mayor, and in the absence of the Mayor, the Acting Mayor for the period of the Mayor's absence, is delegated authority under Section 377 of the LG Act to exercise and/or perform on behalf of the Council the following powers, authorities, duties and functions:

1. Conferring Powers or Duties under the *Local Government Act 1993*

To give effect to the Law, Council's adopted policies, resolutions and directions, provided that such delegation is not sub-delegated without the specific approval of Council or as prescribed under the LG Act.

2. Powers or Duties under other Legislation

If, under any other Act other than the *Local Government Act 1993*, a function is conferred or imposed on the Mayor of Council, the function is taken to be conferred or imposed on the Council and the Mayor of the Council has delegated authority to exercise and/or perform on behalf of the Council the powers, authorities, duties and functions as prescribed under that other Act.

3. Preside at Meetings and Functions of Council

To preside at all meetings of the Council, Committees, Community Committees and Public Meetings convened by the Council at which the Mayor is present unless the Mayor otherwise appoints another Councillor or person to perform this function.

4. Negotiations on Behalf of Council

In conjunction with the Chief Executive Officer, to participate in negotiations on behalf of the Council with third parties and in connection with the sale, purchase and lease of land and buildings. This function is subject to the limitation that no contractual agreement is to be entered into without a resolution of Council.

5. Represent Council – Government and Other Forums

To represent the Council on regional organisations and at inter-governmental forums at regional, State and Commonwealth level. To represent the Council, in conjunction with the Chief Executive Officer, at other forums where it is appropriate that the Mayor should present the Council's position.

6. Sign and Execute Documents

To sign correspondence and other documents. This function is subject to the limitation that execution of any documents under Council Seal must be carried out in compliance with clause 400 of the Local Government (General) Regulation 2005.



7. Issue Media Releases

To make media statements and issue media releases in respect of Council Resolutions, recommendations and decisions subject to prior consultation with the Chief Executive Officer. Councillors are at liberty to make personal comment at any time.

8. Manage the Chief Executive Officer's Contract

To act as Council's delegate for the purpose of the day-to-day management of the Chief Executive Officer's contract.

9. Appoint the Acting Chief Executive Officer

On the recommendation of the Chief Executive Officer, to appoint one of the Council's Directors to the temporary position of Acting Chief Executive Officer for a period no longer than to the date of the next Council Meeting, when the Council will either endorse the temporary appointment for such additional time as is necessary or appoint another Director to the temporary position.





## PART 2

### DELEGATION TO THE CHIEF EXECUTIVE OFFICER

The Chief Executive Officer, and in the absence of the Chief Executive Officer their nominee as the Acting Chief Executive Officer for the period of the Chief Executive Officer's absence, is delegated authority under Section 377 of the LG Act, to exercise and/or perform on behalf of Council the powers, authorities, duties and functions of the Council subject to the following:

1. The Chief Executive Officer is restrained from carrying out any of those functions of Council excluded from delegation by operation of Section 377(1) of the LG Act; and
2. The Chief Executive Officer is entitled to carry out any functions delegated to the Council by the Departmental Chief Executive or the Minister, subject to any express limitations imposed by the Departmental Chief Executive or Minister.

If a function is conferred or imposed on an employee of Council under any other legislation, the function is deemed to be conferred or imposed on the Council and is delegated to the Chief Executive Officer.

For the avoidance of doubt, the delegated authority conferred or imposed upon the Chief Executive Officer includes the delegated functions of Council as provided in the Schedule. The Schedule is not intended to be an exhaustive list of all powers, authorities, duties and functions delegated to the Chief Executive Officer. Rather it is to be relied upon as providing guidance to those most commonly relied upon powers, authorities, duties and functions.



## SCHEDULE

Code	Delegation
CEO001	Approve an appointment in accordance with Council's Recruitment and Selection Policy and Procedure where the conditions of offer have been enhanced in accordance with the Attraction and Retention Guidelines.
CEO002	Determine matters included in Business Papers of Council and Committees
CEO003	Invite Groups or Individuals to Address Council or Committee Meetings
CEO004	To lay information to prosecute offenders under the relevant Acts and Regulations and any other applicable legislation.
CEO005	Authorise Council Employees (or other persons) to Enter Premises for the purpose of enabling Council to exercise its functions under any Act, subject to compliance with relevant legislation.
CEO006	To determine matters relating to minor unauthorised works where initially identified by an objector or otherwise discovered by Council, where they would have likely received consent/approval if initially sought having regard to Council's controls.
CEO007	To issue Infringement Notices under: <ul style="list-style-type: none"> <li>(a) <i>Local Government Act 1993</i></li> <li>(b) <i>Road Rules 2014</i></li> <li>(c) <i>Companion Animals Act 1998</i></li> <li>(d) <i>Companion Animals Regulations 2008</i></li> <li>(e) <i>Road Transport (General) Regulation 2013</i></li> <li>(f) <i>Roads Act 1993</i></li> <li>(g) <i>Impounding Act 1993</i></li> <li>(h) <i>Protection of the Environment Operations Act 1997</i></li> <li>(i) <i>Protection of the Environment Operations (Clean Air) Regulations 2010</i></li> <li>(j) <i>Protection of the Environment Operations (Noise Control) Regulations 2008</i></li> <li>(k) <i>Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2019</i></li> <li>(l) <i>Protection of the Environment Operations (Waste) Regulations 2005</i></li> <li>(m) <i>Swimming Pools Act 1992</i></li> <li>(n) <i>Road Transport (Mass, Loading and Access) Regulation 200</i></li> <li>(o) <i>Rural Fires Act 1997</i></li> <li>(p) <i>Rural Fires Regulation 2013</i></li> <li>(q) <i>Environmental Planning &amp; Assessment Act 1979</i></li> <li>(r) <i>Environmental Planning and Assessment Regulation 2000</i></li> <li>(s) <i>Food Act 200</i></li> <li>(t) <i>Food Regulations 201</i></li> <li>(u) <i>Graffiti Control Act 2008</i></li> <li>(v) <i>Crown Lands Management Act 2016</i></li> <li>(w) <i>Crown Land (General Reserves) By-law 2006</i></li> <li>(x) <i>Public Health Act 2010</i></li> <li>(y) <i>Public Health Regulation 2012</i></li> <li>(z) <i>Boarding Houses Act 2012</i></li> <li>(aa) <i>Road Regulations 2008</i></li> </ul>
CEO008	Act as the Nominated Senior Officer for the purposes of the <i>State Records Act 1998</i> .



CEO009	Administer the provisions and functions of the Children's Guardian Act 2019 and associated Regulation.
CEO012	Authority to select and requisition the purchase of all historical resources within the amounts voted.
CEO013	To issue Orders and Emergency Orders as prescribed by Section 124 of the <i>Local Government Act 1993</i> and Schedule 5 of the <i>Environmental Planning and Assessment Act 1979</i> .
CEO014	To approve or refuse professional certification from an Accredited in respect of Complying Development or Building Certification where that Certifier is accredited to undertake that particular type of work.
CEO015	Sign Section 10.7 Certificates and Related Correspondence – <i>Environmental Planning and Assessment Act 1979</i>
DEG001	To obtain quotations and to authorise the purchase of, and issue official orders for goods, works and services required for the functioning of the Council and to incur expenditure for such goods, works and services (excluding that for the purchase of major items or works, plant, and/or motor vehicles) provided that and subject to: a) due provision has been made in the approved Budget for the incurring of such expenditure; b) or the incurring of such expenditure is otherwise authorised as per Council's policy; and c) the delegate not accepting tenders which are required by the <i>Local Government Act 1993</i> to be invited by Council.
DEG002	Award Tenders to a Value of \$250,000.00 in accordance with Section 377(1)(i) of the <i>Local Government Act 1993</i> .
DEG003	To authorise the payment of salaries and wages subject to two signatories for each authorisation.
DEG004	Sign and Countersign Electronic Funds Transfers (EFT), Direct Debits and Cheques drawn on Council's Bank Account
DEG005	Approve Payment to Contractors and Creditors including the release of any retention money, bank guarantee or bond held by Council as security.
DEG006	Check and Certify the Annual Statutory Accounts
DEG007	To authorise expenditure outside the budget approved by Council in order to undertake urgent works to reduce or eliminate a significant health or safety hazard.
DEG008	Authority to Require the Lodgement of a Cash Bond or Bank Guarantee Including the authority for the release of Cash Bonds or Bank Guarantees
DEG009	Negotiate Council's Overdraft Limit
DEG010	Sell or Dispose of Old Materials, Spoilt or Obsolete Equipment
DEG011	To authorise the writing off uncollectable debts (for charges and sundry debtors) up to a maximum amount of \$20,000.00.
DEG012	Authorise the Issue of Accounts for Services provided by Council
DEG013	To apply for borrowings from financial institutions following a Resolution of Council in accordance with section 377(1)(f) of the <i>Local Government Act 1993</i> .
DEG014	Engage Consultants to assist Council projects subject to compliance with the <i>Local Government Act 1993</i> and the Law.
DEG015	Arrange the investment of money as per Council's Investments Policy that is not for the time being required by the Council for any other purpose. Any money may only be invested in a form of investment notified by order of the Minister and published in the Government Gazette.



DEG016	Write off accrued interest on rates and charges in accordance with section 567 of the <i>Local Government Act 1993</i> .
DEG017	To make arrangements with debtor for payment to be made by reasonable and satisfactory instalments.
DEG018	To authorise the refund of all over-payments subject to appropriate certification.
DEG019	To authorise the refund of all or part of the fees paid for development or where the application is either not proceeded with or is withdrawn subsequent to assessment and where that application has been the responsibility of a more junior officer. Note: Authorising officer is not to be the officer recommending refund.
DEG020	To grant rebates of rates to qualified rateable persons in accordance with the provisions of the <i>Local Government Act 1993</i> .
DEG021	To Approve Credit Notes
DEG022	To refund trust fund deposits upon appropriate certification and recommendation.
DEG023	To complete all financial certifications required by <i>the Local Government Act 1993</i> and <i>Local Government Act (General) Regulation 2005</i> .
DEG024	To waive or reduce non-business activity fees (pursuant to 610E of the <i>Local Government Act 1993</i> ) up to a maximum of \$20,000.00 in any one transaction in accordance with those categories described in the current adopted Operational Plan and in line with the requirements of any applicable Council policy.
DEG025	To reduce water and wastewater consumption charges in accordance with the Undetected Leak Policy for Water and Wastewater Charges up to a maximum of \$10,000.00.
DEG026	Approve or refuse the appointment, engagement, or promotion of staff, subject to compliance with section 337 of the <i>Local Government Act 1993</i> for Senior Staff, and approve or refuse the use of a recruitment consultant.
DEG027	Approve or refuse payment of allowances and employment entitlements and benefits in accordance with the <i>Local Government (State) Award 2020</i> and applicable employment contracts.
DEG028	Approve salary step progression for staff in accordance with the Agreement and Council's Reward and Recognition Framework Policy and the <i>Local Government (State) Award 2020</i> .
DEG029	Approve Performance Bonus payments for staff in accordance with Council's Policies.
DEG030	To dismiss employees or consultants/contractors, subject to consultation with Council prior to the dismissal of senior staff in accordance with section 337 of the <i>Local Government Act 1993</i> .
DEG031	Approve or refuse education assistance to staff in accordance with Council's Career Enhancement Procedure.
DEG032	Approve or refuse flexible work arrangements for staff in accordance with Council's Policies.
DEG033	Approve a Report of Injury to Council's Workers Compensation Insurer



DEG034	<p>Approve or refuse leave having due regard to the proper functioning of the Council and maintenance of appropriate levels of service to the public and compliance with Council's Policies including:</p> <ul style="list-style-type: none"> <li>(a) Long service (all types);</li> <li>(b) Annual;</li> <li>(c) Sick (Full Pay);</li> <li>(d) Carers;</li> <li>(e) Bereavement;</li> <li>(f) Jury service;</li> <li>(g) Trade union training leave;</li> <li>(h) Union conference leave;</li> <li>(i) Parental/maternity leave;</li> <li>(j) Emergency services (up to 5 days per calendar year);</li> <li>(k) Defence Force Reserve;</li> <li>(l) Study leave (if education assistance already approved);</li> <li>(m) Leave without pay;</li> <li>(n) Concurrent parental leave;</li> <li>(o) Purchased annual leave;</li> <li>(p) Approved leave of absence;</li> <li>(q) Sick (Half Pay);</li> <li>(r) Health and Wellbeing leave; and</li> <li>(s) Special leave with or without leave.</li> </ul>
DEG035	<p>Approve attendance at professional development programs and reasonable out of pocket expenses, with pay in the following cases:</p> <ul style="list-style-type: none"> <li>(a) Professional body where staff members are full members of a relevant professional body that is running a conference or meeting – a maximum of five days leave at any one time, with a maximum in any one year of 15 days;</li> <li>(b) Field days where it is considered that the machinery to be displayed is of some relevance to Council's operations, that senior staff directly associated with the purchase of Council's machinery be allowed to attend one day only;</li> <li>(c) Executive of a professional body where an employee is elected to the executive of a professional body, special leave must fit within the parameters laid down under the professional body category;</li> <li>(d) Attendance at refresher courses (for example, management courses) to be decided by Council in each particular case.</li> </ul>
DEG036	<ul style="list-style-type: none"> <li>(a) To approve or refuse the payment of domestic travel and subsistence expenses to staff in accordance with Council's Policies.</li> <li>(b) To approve or refuse the payment of international travel and subsistence expenses to staff in accordance with Council's Policies.</li> <li>(c) To approve or refuse overseas travel where it relates to training, operational or professional activities.</li> </ul>
DEG037	<p>To approve or refuse claims for the loss of personal property provided that such property was required for the normal performance of the staff member's duties in terms of Council's policy and practice and the personal property was lost or destroyed in the course of employment through no fault or negligence of the employee.</p>
DEG038	<p>To approve or refuse staff to engage, for remuneration, in private employment or contract work outside of the Council.</p>
DEG039	<p>To determine any requests for personal use of Council equipment for the undertaking of any work, and to determine in consultation with the relevant executive officer appropriate rental/hire charges for such use.</p>



DEG040	To refuse, approve or conditionally approve any request by an existing or previous employee of Council for the non-exclusive use of intellectual property of the Council created by the employee during the course of their employment with Council, providing there is no monetary or commercial benefit to the employee.
DEG041	Approve variations to the relevant industrial agreements for leave, allowances or conditions of employment for staff employed under the Local Government (State) Award 2020 in accordance with the relevant industrial relations legislation.
DEG042	Approve Council Employment Agreements in accordance with the Local Government (State) Award 2020
DEG043	Approve the appointment, engagement, or promotion of staff in accordance with Council's Policies.
DEG045	To reclassify all staff in accordance with Council's Reward and Recognition Framework or equivalent policies.
DEG046	Approve job status change/higher grade pay in short-term acting situations in accordance with Council's Policies.
DEG047	Approve or refuse the payment of overtime in accordance with the Local Government (State) Award 2020.
DEG048	To deal with industrial disputes within the terms of existing Industrial Instruments.
DEG049	To hear appeals by employees against decisions of other employees, in accordance with Council's Employee Grievance Procedure or similar policies.
DEG050	Employ Staff to fill Short Term Casual Vacancies
DEG051	To provide verbal references, or written references on Council letterhead, to a potential employer with the consent of a current or former employee. Without the consent of a current or former employee the only information that can be provided to a potential employer, is confirmation that the person has worked for Council, the duration of that work and the position occupied during that time.
DEG052	Authorise and Co-authorise Tax File Number (TFN) Declaration Forms
DEG053	(a) To make or authorise public statements (b) Issue media releases on matters involving the Council.
DEG056	(a) To reply to all routine correspondence that does not require the prior consideration of Council. (b) To exercise discretion in regard to referring correspondence to various Council officers for attention.
DEG058	To sign Contracts, Deeds and Agreements that do not require the Council Seal
DEG059	Sign Funding Applications once approved by Council
DEG060	Authority to negotiate and enter into any form of Lease, Licence, Memorandum of Understanding or other transaction for use of land or assets, subject to compliance with the <i>Local Government Act 1993</i> , and subject to making reasonable enquiries into the appropriate payments to be made to Council and consulting with Council's solicitor to determine the appropriate format of the legal agreement.
DEG062	To act as the Public Officer in relation to functions contained within section 343 of the <i>Local Government Act 1993</i> .
DEG063	Authority to approve the destruction of corporate documentation or the transfer of corporate documentation to State Records in accordance with Council's Records Disposal Schedule and the <i>State Records Act 1998</i> .
DEG064	Manage the Renewal and Maintenance of Domain Names and IP Addresses



DEG065	Manage the renewal and maintenance of Australian Communications and Media Authority radio transmission licences as they apply to Council and in accordance with the <i>Radiocommunications Act 1992</i> (Cth).
DEG066	(a) Appoint management/employer representatives to the Staff Consultative Committee and the Health and Safety Committee (b) Consider and determine matters arising from the Staff Consultative Committee and the Health and Safety Committee.
DEG067	To respond and liaise with the Minister and his/her representatives and the department in relation to correspondence, inquiries or requests for information.
DEG068	Determine Applications under the <i>Government Information (Public Access) Act 2009</i> : (a) Proactive release of information; (b) Informal access to information; (c) To determine formal applications for access to Council information under the <i>Government Information (Public Access) Act 2009</i> . (d) Review formal applications.
DEG069	Act as Code of Conduct Complaints Coordinator and Alternate Complaints Coordinator
DEG070	To receive and Investigate Complaints under the Internal Reporting (Public Interest Disclosures Policy) and to authorise action to be taken by the appropriate officer in regard to any complaints or requests received.
DEG071	Receive and Investigate Privacy Complaints
DEG072	To receive complaints and authorise investigation under the Child Protection Policy and to determine the action to be taken by the appropriate officer in regard to any complaints or requests received.
DEG073	Investigate Complaints about Staff under Child Protection Policy
DEG074	Investigate Complaints about Family Day Carers under Child Protection Policy. Note: Carers are also known as Educators
DEG075	To authorise action to be taken by the appropriate officer in regard to any complaints or requests received, where the complaint is from an internal source.
DEG076	To authorise action to be taken by the appropriate officer in regard to any complaints or requests received, where the complaint is from an external source.
DEG077	(a) Approve the viewing and/or retrieval of stored CCTV footage; (b) Approve installation of new CCTV cameras; (c) Maintain the register of fixed CCTV camera locations.
DEG078	(a) To lay information, to initiate or carry on, to act on behalf of Council and to negotiate on matters in issue between parties in any proceedings in any Court or Tribunal, including but not limited to, the Local, District or Supreme Courts of any State or Territory, any Industrial Relations Tribunal or Commission, and the Land and Environment Court; and (b) To instruct and engage Council's Solicitors and Counsel where considered necessary. (c) To authorise the issue or withdrawal of any penalty infringement notices or complaint or the institution of any proceedings for the recovery of any penalty or the making of any order for or in respect of any offence, nuisance, or any other matter or thing whatsoever which the Council might be entitled to recover or seek under any Act or Regulation.
DEG081	To authorise the issue of 'on-the-spot' penalty infringement notices and to commence Court proceedings where necessary.
DEG082	To determine the fee to be charged for the provision of Council's employees as witnesses and/or the supplying of information for Court cases in accordance with Council's fees and charges adopted by Resolution of Council.





DEG083	Issue Notices of Intention to Issue Orders under section 124 and section 132 the <i>Local Government Act 1993</i> .
DEG084	Issue Notices of Intention to Issue Orders and Orders under the <i>Environmental Planning and Assessment Act 1979</i> .
DEG085	Issue Prevention Notices, Clean up Notices or Prohibition Notices under the <i>Protection of the Environment Operations Act 1997</i> .
DEG086	Issue Notices of Intention, Notices and Declarations under the <i>Companion Animals Act 1998</i> .
DEG087	Issue Orders, Directions and Notices under the <i>Roads Act 1993</i> .
DEG088	<p>(a) To determine development applications (including applications made pursuant to Section 4.55 and Section 4.56 of the <i>Environmental Planning and Assessment Act 1979</i>, Complying Development Applications and Subdivision applications) that comply with relevant Acts and Regulations together with Council's LEP and DCP, any other relevant DCP and Council policies and no material objections have been received.</p> <p>(b) To determine development applications (including applications made pursuant to Section 4.55 and Section 4.56 of the <i>Environmental Planning and Assessment Act 1979</i> and Subdivision applications as (a) above except where approval of the application would result in a material adverse impact on a person who made a written objection to the application due to non-compliance with a development standard in Council's LEP. Delegated approval is permissible if that objection can be resolved through a condition of consent or has been addressed by way of amendment to plans.</p> <p>(c) To determine applications made pursuant to Section 4.55 and Section 4.56 of the <i>Environmental Planning and Assessment Act 1979</i>, and relevant Regulations, where objections have been received but those objections do not raise any issues not covered when the original application was determined</p> <p>(d) To determine applications made pursuant to and in accordance with Section 4.55 and Section 4.56 of the <i>Environmental Planning and Assessment Act 1979</i>, and relevant Regulations, where objections have been received but those objections do not raise any issues not covered when the original application was determined.</p> <p>(e) To determine Modification Applications pursuant to the <i>Environmental Planning and Assessment Act 1979</i>.</p> <p>Note:</p> <p>(1) Notwithstanding subclauses (a) and (b) above, any development application or application to modify a consent must be referred to Council for determination, following a written request from at least two Councillors to the General Manager and/or CEO.</p> <p>(2) Notwithstanding subclauses (a) and (b) above, any development application or application to modify a consent that, in the opinion of the Director Planning &amp; Environment, is of significant public interest or where any determination may result in major policy implications must be referred to Council for determination.</p>
DEG089	Where the Council has approved a subdivision/development subject to the construction of a storm water drainage works that revert to the care, control and management of Council by the applicant, to approve such works upon submission of all necessary plans and documentation.
DEG090	To approve or refuse all connections from private property to Council's storm water systems where those works are for the sole benefit of the development and do not revert to the core control and management of the Council.





DEG091	To implement any work, service or action provided for in the adopted Delivery Program / Operational plan without further reference to Council except for: <ul style="list-style-type: none"> <li>• the acceptance of tenders which are required under the <i>Local Government Act 1993</i> to be invited by the Council, and</li> <li>• the determination of project priorities where lump sum funding for a program has been provided.</li> </ul>
DEG092	Authority to engage contractors to remove derelict vehicles from roads, road reserves and public places in accordance with the <i>Impounding Act 1993</i> and <i>Public Spaces (Unattended Property) Act 2021</i> .
DEG093	<ul style="list-style-type: none"> <li>• To approve applications for street stalls, button days, appeals but excluding door-knock appeals.</li> <li>• To approve applications for street stalls within the area in accordance with Council's policy and practice.</li> <li>• To issue busking permits subject to Council's policies and conditions.</li> </ul>
DEG094	To approve applications to film/photograph in Council's parks, reserves and public places subject to the conditions and fees determined by Council.
DEG095	To approve or refuse applications for the casual use of parks in accordance with policies and subject to approved fees (if any).
DEG096	To issue notices under the <i>Local Government Act 1993</i> Act for the recovery of rates. To approve alternative options for the collection of outstanding rates, including collection of rent in lieu of rates, issuing of proceedings, accepting exchange of land and such other alternatives available to Council under the <i>Local Government Act 1993</i> .
DEG097	Authority to: <ol style="list-style-type: none"> <li>amend the rate and valuation books/records where such amendment is necessary by reason of change of ownership, occupancy or address;</li> <li>insert in the rate book the name of a rate or person whose land has not been valued because of an omission by the Valuer General in terms of the provisions of the <i>Local Government Act 1993</i>;</li> <li>insert the name of any person who ought to have been rated or who since the making of the rate has become liable to be rated;</li> <li>strike out the name of any person who ought not to have been rated;</li> <li>raise or reduce the sum of rates owing due to error;</li> <li>include any land which ought to have been rated;</li> <li>to write off accrued interest to a maximum of \$50.</li> </ol>
DEG098	To take all necessary legal action at any time for the recovery of unpaid rates and charges and unpaid sundry debtors in accordance with the <i>Local Government Act 1993</i> .
DEG099	To issue notices under the <i>Local Government Act 1993</i> for the recovery of outstanding rates by requiring the payment of rent to Council in lieu of rates.
DEG100	To resolve claims on Council's behalf <ol style="list-style-type: none"> <li>up to the excess on insurance policies</li> <li>above the level of the excess applicable to each insurance policy where an insurance claim is not made or an insurance claim is not accepted by the insurer, or</li> <li>there is no insurance in place.</li> </ol>
DEG101	To authorise and sign notices to quit to tenants whose rent arrears exceed four weeks, or to take such alternative action necessary to manage tenants and recover outstanding rent or payments.



DEG102	Approve or Refuse to grant Council's consent to a third party development application that may traverse or Impact upon Council Land
DEG103	To authorise repairs/maintenance of Council's buildings, equipment and plant within the limits approved in the annual budget.
DEG104	To requisition and authorise the expenditure of funds for the repair, maintenance and replacement of Council's plant, equipment and vehicles.
DEG105	To let or hire any of the Council's public works, plant, machinery and equipment in accordance with rates determined by Council.
DEG106	Suspend or cancel the operation of an Alcohol-Free Zone in accordance with section 645 of the <i>Local Government Act 1993</i> .
DEG107	Authority to contribute on behalf of Council half the cost of fencing a boundary common to land owned by Council or under the Council's care, control and management subject to two quotations being obtained and subject to compliance with the <i>Dividing Fences Act 1991</i> , where applicable.
DEG108	Operate and Maintain the Council Airport in accordance with all applicable legislative requirements and Council's applicable operation manual
DEG109	Operate and Maintain Council's Waste Management Centre (Landfill) in accordance with all applicable legislative requirements
DEG110	Operate and maintain Council's Cemetery/Crematorium in accordance with all applicable legislative requirements
DEG111	Operate and Maintain Council's Children's Services in accordance with all applicable legislative requirements
DEG112	Exercise the Powers of Council's Impounding Officer
DEG113	Approve or refuse an application for a Vegetation Removal Permit under the State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017, or an application under any other applicable Environmental Planning Instrument, to prune, top, lop or remove trees or vegetation either on the applicant's property or Council's property, subject to the payment of any required fee.
DEG114	To issue parking infringement notices on behalf of Council for offences listed in the fixed penalty handbook
DEG115	(a) To withdraw Penalty Infringement Notices where those notices are technically flawed. (b) To withdraw from prosecution proceedings relating to penalty infringement notices following consideration of representations. Note – Not to be the originator or signatory to the Penalty Notice.
DEG116	To approve temporary road closures where: <ul style="list-style-type: none"> <li>• The temporary road closure is not more than two consecutive days.</li> <li>• Transport for NSW approves the Traffic Management Plan and grants a road occupancy licence (as required).</li> <li>• The NSW Police approve the closure.</li> <li>• The application complies with Council's Conditions of Closure.</li> </ul>



DEG117	<p>To undertake the following sign adjustments:</p> <ul style="list-style-type: none"> <li>• Change existing parking restriction times to Council's standard times;</li> <li>• Move existing signs to a more visible location (for example, move a sign hidden behind a tree trunk);</li> <li>• Install "repeater"/additional signs (for example, where there are existing parking restrictions signs, install an additional sign in the middle to emphasise the restrictions).</li> <li>• Change old "No Standing" signs to "No Parking" signs as per the Australian Road Rules</li> </ul>
DEG118	<p>To install and refuse an application for the following Special Use Zones:</p> <ul style="list-style-type: none"> <li>• Works Zones</li> <li>• Loading Zones</li> <li>• Mail Zones</li> <li>• Motorcycle Parking</li> <li>• Bus Zone</li> <li>• Taxi Zone</li> <li>• Police Vehicles Zone</li> <li>• Disabled Parking</li> <li>• Temporary Bus Zones (for example, railway buses).</li> </ul> <p>Approval for the installation of all these Special Use Zones will be granted only where the NSW Police agree to the installation. In addition, approval for the installation of Mail Zones will be granted only where Australia Post agree to the installation; and approval for the installation of Bus Zones will be granted where Transport for NSW agree to the installation.</p>
DEG119	<p>To approve the installation of individual Traffic Facilities projects, where:</p> <ul style="list-style-type: none"> <li>• the individual Traffic Facility project forms part of that financial year's Traffic Facilities Program which has previously been approved.</li> <li>• after conducting a survey of local residents, the majority favours the proposed traffic facility design.</li> <li>• Subject to compliance with any applicable Council policies.</li> </ul>
DEG120	<p>To approve the installation of warning signs, where:</p> <ul style="list-style-type: none"> <li>• The definition of warning sign is as defined in the Australian Standard (AS1742.1-2014)</li> <li>• The proposed sign can be found in Section 3 Warning Signs of the Australian Standard (AS1742.1-2014)</li> <li>• The NSW Police agree with the installation.</li> </ul>
DEG121	<p>To approve or refuse an application for signs or line marking across a driveway, where the NSW Police agree with the approval or refusal.</p>
DEG122	<p>Approve or Refuse an Application for Traffic Bollards</p>
DEG123	<p>To approve or refuse the construction of vehicular crossings and/or restoration works on Council land or over Council controlled road reserves.</p>
DEG124	<p>To approve the installation of additional street lighting facilities and associated charges.</p>
DEG125	<p>To approve and sign the grant or removal of a positive covenant or restriction contained in any positive covenant, easement and/or section 88B instrument under the <i>Conveyancing Act 1919</i>, and to suspend the operation of any regulatory instrument in reliance upon section 3.16 of the <i>Environmental Planning and Assessment Act 1979</i> and subject to any Council Policy and the Law.</p>



DEG126	To determine public notification of applications: (a) To determine whether an application should be exempted from notification in accordance with Council policy. (b) To determine such persons who own land or who reside in properties that may be detrimentally affected by the development and to ensure such persons are notified in accordance with Council's policy.
DEG128	Act as registered certifier in accordance with the <i>Building and Development Certifiers Act 2018</i>
DEG129	To exercise Council's power to carry out work on private land, subject to the consent of the owner and/or a legal right for Council to carry out the works.
DEG130	To authorise a one-off variation to the restricted hours of building works where: (a) urgent building works to be carried out; (b) large cranes have to stand on streets; (c) the loading/unloading of materials and pouring of the concrete which would otherwise cause interference to traffic; and (d) the erection or removal of hoarding tower cranes, awnings and the like.
DEG132	To impose water restrictions on fixed hoses and sprinklers and to lift such restrictions when appropriate.
DEG133	To control Council's motor vehicle fleet in the following matters: (a) Authority to drive; (b) Private use of vehicles; (c) Council and user records; (d) Allocation of vehicles (e) Alternative user procedures initial equipment including tyres, general maintenance and cleaning of cars.
DEG134	To approve or refuse the issue of permits, certificates and approvals for activities that are required to be regulated under the provisions of <i>the Local Government Act 1993</i> and the Environmental Planning and Assessment Act 1979 or related legislation; including, but not limited to: <ul style="list-style-type: none"> <li>• Section 68 Approvals under the <i>Local Government Act 1993</i>;</li> <li>• all building information certificates, construction certificates, subdivision certificates, certificates of classifications and occupation certificates.</li> </ul>
DEG135	To determine applications for extensions of time in regard to use or development consent in accordance with the provisions of the <i>Environmental Planning and Assessment Act 1979</i> where the proposal generally complies with current planning controls.
DEG136	To issue Infringement Notices under the Self-Enforcing Infringement Notice Scheme relating to <i>Local Government Act 1993</i>
DEG137	To issue Infringement Notices under the Self-Enforcing Infringement Notice Scheme relating to <i>Road Rules 2014</i>
DEG138	To issue Infringement Notices under the Self-Enforcing Infringement Notice Scheme relating to <i>Companion Animals Act 1998</i>
DEG139	To issue Infringement Notices under the Self-Enforcing Infringement Notice Scheme relating to <i>Companion Animals Regulation 2018</i>
DEG140	To issue Infringement Notices under the Self-Enforcing Infringement Notice Scheme relating to <i>Road Transport (General) Regulation 2021</i>
DEG141	To issue Infringement Notices under the Self-Enforcing Infringement Notice Scheme relating to <i>Roads Act 1993</i>



DEG142	To issue Infringement Notices under the Self-Enforcing Infringement Notice Scheme relating to <i>Impounding Act 1993</i> and <i>Public Spaces (Unattended Property) Act 2021</i>
DEG143	To issue Infringement Notices under the Self-Enforcing Infringement Notice Scheme relating to <i>Protection of the Environment Operations Act 1997</i>
DEG144	To issue Infringement Notices under the Self-Enforcing Infringement Notice Scheme relating to <i>Protection of the Environment Operations (Clean Air) Regulation 2021</i> .
DEG145	To issue Infringement Notices under the Self-Enforcing Infringement Notice Scheme relating to <i>Protection of the Environment Operations (Noise Control) Regulation 2017</i> .
DEG146	To issue Infringement Notices under the Self-Enforcing Infringement Notice Scheme relating to <i>Protection of the Environment Operations (Waste) Regulation 2014</i> .
DEG147	To issue Infringement Notices under the Self-Enforcing Infringement Notice Scheme relating to <i>Swimming Pools Act 1992</i> .
DEG151	To issue Infringement Notices under the Self-Enforcing Infringement Notice Scheme relating to <i>Environmental Planning and Assessment Act 1979</i> .
DEG152	To issue Infringement Notices under the Self-Enforcing Infringement Notice Scheme relating to <i>Environmental Planning and Assessment Regulation 2000</i> , <i>Environmental Planning and Assessment Regulation 2021</i> and <i>Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021</i> .
DEG153	To issue Infringement Notices under the Self-Enforcing Infringement Notice Scheme relating to <i>Food Act 2003</i> .
DEG154	To issue Infringement Notices under the Self-Enforcing Infringement Notice Scheme relating to <i>Food Regulation 2015</i> .
DEG155	To issue Infringement Notices under the Self-Enforcing Infringement Notice Scheme relating to <i>Graffiti Control Act 2008</i> and <i>Graffiti Control Regulation 2014</i> .
DEG156	To issue Infringement Notices under the Self-Enforcing Infringement Notice Scheme relating to <i>Crown Land Management Act 2016</i> .
DEG158	To issue Infringement Notices under the Self-Enforcing Infringement Notice Scheme relating to <i>Public Health Act 2010</i> .
DEG159	To issue Infringement Notices under the Self-Enforcing Infringement Notice Scheme relating to <i>Public Health Regulation 2012</i> .
DEG160	To issue Infringement Notices under the Self-Enforcing Infringement Notice Scheme relating to <i>Boarding Houses Act 2012</i> .
DEG161	To issue Infringement Notices under the Self-Enforcing Infringement Notice Scheme relating to <i>Roads Regulation 2018</i> .
DEG162	To issue Infringement Notices under the Self-Enforcing Infringement Notice Scheme relating to <i>Biosecurity Act 2015</i> .
DEG163	(a) To act on Council's behalf in all matters relating to the administration of Impounding contracts and service provisions in accordance with Council policy and guidelines. (b) To administer the provisions of the <i>Companion Animals Act 1998</i> including the authorisations of prosecutions and consideration of appeals for leniency from on-the-spot fines.
DEG164	Determine Applications for Parking Permits
DEG165	To issue temporary resident parking permits in cases relating to carers' responsibilities or temporary medical restrictions, to a maximum of three months.



DEG166	<p>To change the number and/or location of resident parking, up to a total of ten parking spaces, where:</p> <ul style="list-style-type: none"> <li>• There are existing resident parking restrictions in the street.</li> <li>• The number of resident parking permits issued in the street exceeds or is one, two or three less than the number of resident parking spaces.</li> <li>• The installation of such parking will not make the entire street resident parking.</li> </ul> <p>To refuse an application for additional resident parking where the number of resident parking permits issued in the street is less than the number of resident parking spaces.</p>
DEG167	To approve, refuse or condition any application for school and community group visitation to Council owned or controlled properties.
DEG168	To approve applications for charity collections in the local business district(s).
DEG169	To order all supplies, materials, plant, equipment and vehicles upon the issue of an appropriate authorised requisition.
DEG170	To require owners or occupiers of land on which buildings are erected and which have frontages/entrances from roads, to mark the building, fence or road frontage with such numbers and in the manner and form that may from time to time be required.
DEG171	To approve or refuse applications for the removal of vehicular crossings.
DEG172	Sign as Owner of Council Properties for Applications for Development/Building Consent
DEG173	To determine the disposal price and time of disposal for Council's plant and equipment.
DEG174	<p>Authority to approve a sale price for Council plant, equipment or vehicles by public auction, tender or trade-in if:</p> <ul style="list-style-type: none"> <li>• the best offer is more than 10% below the reserve price; and / or</li> <li>• the reserve price has been set by consulting either a valuer, auctioneer, or professional book (i.e., Red Book); and / or</li> <li>• results from previous auctions for similar plant, equipment or vehicles has been considered</li> </ul> <p>(a) determine the reserve price and disposal method for IT equipment</p>
DEG175	To approve or refuse an application for Road Rules 2014 compliance signs (for example, 10m "No Stopping" restrictions at intersections), where the NSW Police agree with the approval or refusal.
DEG176	To Administer the Provisions of the <i>Roads Act 1993</i> , <i>Road Transport Act 2013</i> and Road Rules 2014 as they apply to Council subject to any applicable standards, protocols and directions from State Government departments and/or NSW Police.



DEG177	<p>Exercise Authority under the <i>Roads Act 1993</i> in connection with the assessment of Development Applications, Construction Certificates and Complying Development Certificates</p> <p>(a) Fix the levels of the public roads.</p> <p>(b) Determine levels of public roads after considering public submissions.</p> <p>(c) Direct restoration of road works.</p> <p>(d) Regulate traffic by means of barriers or notices.</p> <p>(e) Enter upon any land subject to the requirements of the <i>Roads Act 1993</i>.</p> <p>(f) Carry out inspections and investigations upon any land subject to the requirements of the <i>Roads Act 1993</i>.</p> <p>(g) Remove, place guard around any matter or thing within a road which in his opinion may be a danger to the public.</p> <p>(h) Direct any person causing an obstruction or danger in a road to remove such obstruction or danger (including the removal of redundant gutter crossing, kerbs and footpaths).</p> <p>(i) To approve or refuse the construction of vehicular crossings and/or restoration works.</p> <p>(j) Prevent the damage of or interface with any public road</p> <p>(k) Determine applications for hoarding permits.</p>
DEG178	Issue Approvals under Section 138 of the <i>Roads Act 1993</i> where Public Safety is an Issue
DEG181	<p>(a) To approve or refuse applications for Construction Certificates which comply in all respects with the requirements of the Building Code of Australia, the <i>Local Government Act 1993</i>, <i>Environmental Planning and Assessment Act 1979</i>, <i>Environmental Planning and Assessment Regulation 2000</i>, <i>Environmental Planning and Assessment Regulation 2021</i> and <i>Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021</i>, Council's Planning Controls and Policies and do not depart from the conditions and plans of the development consent.</p> <p>(b) To refuse an application for Construction Certificate proposing the erection of a building which does not comply with the requirements of either Council's LEP, the Building Code of Australia, the <i>Local Government Act 1993</i>, <i>Environmental Planning and Assessment Act 1979</i>, <i>Environmental Planning and Assessment Regulation 2000</i>, <i>Environmental Planning and Assessment Regulation 2021</i> and <i>Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021</i>, there under or relevant conditions of development consent.</p>
DEG182	To approve, refuse and sign all building information certificates and certificates of classifications and certificates of occupancies required under the <i>Local Government Act 1993</i> , <i>Environmental Planning and Assessment Act 1979</i> , <i>Environmental Planning and Assessment Regulation 2000</i> , <i>Environmental Planning and Assessment Regulation 2021</i> , <i>Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021</i> and/or the Building Code of Australia.
DEG183	To accept structural drawings, mechanical ventilation and other detailed drawings which comply with the requirements of the Building Code of Australia, <i>Local Government Act 1993</i> , <i>Environmental Planning and Assessment Act 1979</i> , <i>Environmental Planning and Assessment Regulation 2000</i> , <i>Environmental Planning and Assessment Regulation 2021</i> , <i>Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021</i> and related Australian Standards where an Engineers certification has been submitted (by a practising Engineer or accredited certifier) certifying the design criteria used, and compliance with the relevant statutory codes.





DEG184	To approve applications for strata/subdivision that comply with the <i>Local Government Act 1993, Environmental Planning and Assessment Act 1979, Environmental Planning and Assessment Regulation 2000, Environmental Planning and Assessment Regulation 2021, Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021</i> and the relevant provisions of the <i>Strata Schemes Development Act 2015</i> and associated regulations; and any development consent issued (including release of the Subdivision plans and Certificates), including signature/endorsement of linen plans.
DEG185	To review Notice of Determinations issued under delegated authority in accordance with the requirements of the <i>Local Government Act 1993, Environmental Planning and Assessment Act 1979, Environmental Planning and Assessment Regulation 2000, Environmental Planning and Assessment Regulation 2021</i> and <i>Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021</i> . Note: Reviewer is not to be original determiner or subordinate of original determined in accordance with limitation imposed by Section 377(1)(o) of the <i>Local Government Act 1993</i> .
DEG187	Exercise all powers of Council under the <i>Library Act 1939</i>
DEG188	Authorise the Purchase, De-commissioning and Donation of Library Books
DEG190	To approve all requests for the use of Council's community buses in accordance with Council's policy and fees and to grant discounts/rebates in accordance with policy.
DEG191	Approve the Consumption of Alcohol for Special Events at Council's Premises
DEG192	Perform the Functions in relation to Local Environmental Plans subject to the Minister delegating functions under Section 3.36 of the <i>Environmental Planning and Assessment Act 1979</i> and subject to Council resolving to accept the Ministerial delegation. Only those functions identified in the Ministerial delegation may be carried out.
DEG193	Exercise the Powers of the <i>State Emergency and Rescue Management Act 1989</i> as delegated under Section 378 of the <i>Local Government Act 1993</i> , to be the Chairperson of the Local Emergency Management Committee
DEG194	Administer the Provisions and Functions of the <i>Boarding House Act 2012</i> and associated Regulation
DEG195	Administer the Provisions and Functions of the <i>Children and Young Persons (Care and Protection) Act 1998</i> and associated Regulation
DEG196	Administer the Provisions and Functions of the <i>Children (Education and Care Services National Law Application) Act 2010</i> and associated Regulation
DEG197	Administer the Provisions and Functions of the <i>Community Land Development Act 1989</i> and associated Regulation
DEG198	Administer the Provisions and Functions of the <i>Companion Animals Act 1998</i> and associated Regulation
DEG199	Administer the Provisions and Functions of the <i>Conveyancing Act 1919</i> and associated Regulation
DEG200	Administer the Provisions and Functions of the <i>Crown Land Management Act 2016</i> and associated Regulation
DEG201	Administer the Provisions and Functions of the <i>Environmental Planning and Assessment Act 1979</i> and <i>Environmental Planning and Assessment Regulation 2000, Environmental Planning and Assessment Regulation 2021</i> and <i>Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021</i> .





DEG202	Administer the Provisions and Functions of the <i>Fire and Rescue NSW Act 1989</i> and associated Regulation
DEG203	Administer the Provisions and Functions of the <i>Fluoridation of Public Water Supplies Act 1957</i> and associated Regulation
DEG204	Administer the Provisions and Functions of the <i>Food Act 2003</i> and associated Regulation
DEG205	Administer the Provisions and Functions of the <i>Government Information (Public Access) Act 2009</i> and associated Regulation
DEG206	Administer the Provisions and Functions of the <i>Graffiti Control Act 2008</i> and associated Regulation
DEG207	Administer the Provisions and Functions of the <i>Health Records and Information Privacy Act 2002</i> and associated Regulation
DEG208	Administer the Provisions and Functions of the <i>Heritage Act 1977</i> and associated Regulation
DEG209	Administer the Provisions and Functions of the <i>Impounding Act 1993, Public Spaces (Unattended Property) Act 2021</i> and associated Regulation
DEG210	Administer the Provisions and Functions of the <i>Library Act 1939</i> and associated Regulation
DEG211	Administer the Provisions and Functions of the <i>Liquor Act 2007</i> and associated Regulation
DEG212	Administer the Provisions and Functions of the <i>Local Government Act 1993</i>
DEG213	Administer the Provisions and Functions of the <i>Local Government (General) Regulation 2021</i>
DEG214	Administer the Provisions and Functions of the <i>Native Title (New South Wales) Act 1994</i> and associated Regulation together with the <i>Native Title Act 1993 (Cth)</i> to the extent of any inconsistency
DEG215	Administer the Provisions and Functions of the <i>Plumbing and Drainage Act 2011</i> and associated Regulation
DEG216	Administer the Provisions and Functions of the <i>Privacy and Personal Information Protection Act 1998</i> and associated Regulation
DEG217	Administer the Provisions and Functions of the <i>Protection of the Environment Operations Act 1997</i> and associated Regulation
DEG218	Administer the Provisions and Functions of the <i>Public Health Act 2010</i> and associated Regulation
DEG219	Administer the Provisions and Functions of the <i>Radiocommunications Act 1992 (Cth)</i> and associated Regulation
DEG221	Administer the Provisions and Functions of the <i>Roads Act 1993</i> and associated Regulation
DEG222	Administer the Provisions and Functions of the <i>Road Transport Act 2013</i> and <i>Road Transport (General) Regulation 2021</i>
DEG223	Administer the Provisions and Functions of the <i>Rural Fires Act 1997</i> and associated Regulation
DEG224	Administer the Provisions and Functions of the <i>State Emergency and Rescue Management Act 1989</i> and associated Regulation
DEG225	Administer the Provisions and Functions of the <i>State Records Act 1998</i> and associated Regulation



DEG226	Administer the Provisions and Functions of the <i>Swimming Pools Act 1992</i> and <i>Swimming Pools Regulation 2018</i>
DEG227	Administer the Provisions and Functions of the <i>Unclaimed Money Act 1995</i> and associated Regulation
DEG228	Administer the Provisions and Functions of the <i>Waste Avoidance and Resource Recovery Act 2001</i> and associated Regulation
DEG229	Administer the Provisions and Functions of the <i>Water Management Act 2000</i> and associated Regulation
DEG230	Administer the Provisions and Functions of the <i>Work Health and Safety Act 2011</i> and associated Regulation
DEG231	Administer the Provisions and Functions of the <i>Workers Compensation Act 1987</i> and associated Regulation
DEG232	Administer the Provisions and Functions of the <i>Workplace Injury Management and Workers Compensation Act 1998</i> and associated Regulation
DEG233	Administer the Provisions and Functions of the <i>Biosecurity Act 2015</i> and associated Regulation
DEG234	Administer the Provisions and Functions of the <i>Public Interest Disclosures Act 1994</i> and associated Regulation
DEG235	Administer the Provisions and Functions of the <i>Building and Development Certifiers Act 2018</i> and associated Regulation
DEG236	Administer the Provisions and Functions of the <i>Biodiversity Conservation Act 2016</i> and associated Regulation
DEG237	Administer the Provisions and Functions of the <i>Recreation Vehicles Act 1983</i> and associated Regulation
DEG238	Administer the Provisions and Functions of the <i>State Emergency Service Act 1989</i> and associated Regulation
DEG239	Administer the Provisions and Functions of the <i>Strata Schemes Development Act 2015</i> and <i>Strata Schemes Development Regulation 2016</i>
DEG240	Administer the Provisions and Functions of the <i>Community Land Management Act 2021</i> and associated Regulation
DEG241	Administer the Provisions and Functions of the <i>Contaminated Land Management Act 1997</i> and associated Regulation
DEG242	Administer the Provisions and Functions of the <i>Cemeteries and Crematoria Act 2013</i> and associated Regulation
DEG243	Administer the Provisions and Functions of the <i>Fines Act 1996</i> and associated Regulation
DEG244	Administer the Provisions and Functions of the <i>Heavy Vehicle National Law (NSW)</i> and associated Regulation
DEG245	Administer the Provisions and Functions of the <i>Land Acquisition (Just Terms Compensation) Act 1991</i> and associated Regulation
DEG246	Administer the Provisions and Functions of the <i>Land and Environment Court Act 1979</i> and associated Regulation
DEG248	Administer the Provisions and Functions of the <i>Ombudsman Act 1974</i> and associated Regulation
DEG249	Administer the Provisions and Functions of the <i>Public Works and Procurement Act 1912</i> and associated Regulation



DEG250	Administer the Provisions and Functions of the <i>Real Property Act 1900</i> and associated Regulation
DEG251	Administer the Provisions and Functions of the <i>Protection of the Environment Operations (Clean Air) Regulation 2021</i>
DEG252	Administer the Provisions and Functions of the <i>Protection of the Environment Operations (Waste) Regulation 2014</i>
DEG253	To commit and authorise expenditure within the area of operation and budget for which the delegate is responsible, subject to the limitations of other delegations, and in accordance with Council policies.
DEG259	Authority to exercise and/or perform on behalf of the Council the Council's delegable functions as an airport operator and/or an aviation industry participant under the <i>Aviation Transport Security Act 2004</i> and <i>Aviation Transport Security Regulation 2005</i>
DEG260	Authority on behalf of the Council as an aviation industry participant to undertake all functions in relation to a transport security program in accordance with Part 2 of the <i>Aviation Transport Security Act 2004</i> and in particular sections 18, 22, 23A and 26A.
DEG261	Administer the Provisions and Functions of the <i>Road Rules 2014</i>
DEG262	Administer the Provisions and Functions of the <i>Strata Schemes Management Act 2015</i> and <i>Strata Schemes Management Regulation 2016</i>
DEG263	Administer the Provisions and Functions of the <i>Children's Guardian Act 2019</i> and associated Regulation
DEG264	Administer the Provisions and Functions of the <i>Surveying and Spatial Information Act 2002</i>
DEG265	Administer the Provisions and Functions of the <i>Coastal Management Act 2016</i>
DEG266	Administer the <i>Community Land Development Act 2021</i>
DEG267	Administer the <i>Design and Building Practitioners Act 2020</i>



## GLOSSARY OF TERMS

<b>Authority</b>	Means any government (state or federal), government department, statutory corporation or other body having power to legally direct the Council or its officers.
<b>Department</b>	Means the Department of Premier and Cabinet, Office of Local Government, or any other future department (or combined department) carrying out the functions of the present Department of Premier and Cabinet, Office of Local Government for the State of New South Wales.
<b>Departmental Chief Executive</b>	Means the Departmental Chief Executive of the Department of Premier and Cabinet or the Departmental Chief Executive of any other government department which has the carriage of the administrative functions of the LG Act and the portfolio of Local Government.
<b>Law</b>	Means the requirements of all statutes, rules, ordinances, codes, regulations, proclamations, by-laws, environmental planning instruments, directions and consents of any Authority.
<b>LG Act</b>	Means the <i>Local Government Act 1993</i> .
<b>Minister</b>	Means the current Minister for Local Government or any future title given to a ministerial position of a future New South Wales State Government portfolio that includes governance of Local Government.