

CENTRAL DARLING SHIRE COUNCIL



REGISTER OF DELEGATIONS

13 OCTOBER 2021

Instruments of Delegation in this Document

- Ageing and Disability Commissioner Act 2019
- Annual Holidays Act 1944
- Biodiversity Conservation Act 2016
- Biodiversity Conservation Regulation 2017
- Biosecurity Act 2015
- NSW Boarding Houses Act 2012
- NSW Building and Development Certifiers Act 2018
- NSW Building and Development Certifiers Regulation 2020
- Building Products (Safety) Act 2017
- NSW Cemeteries and Crematoria Act 2013
- Cemeteries and Crematoria Regulation 2014
- Civil and Administrative Tribunal Act 2013
- Coastal Management Act 2016
- Community Land Development Act 1989
- Companion Animals Act 1998
- Companion Animals Regulation 2018
- Contaminated Land Management Act 1997
- Conveyancing Act 1919
- Crown Land Management Act 2016
- Crown Land Management Regulation 2018
- Dams Safety Act 2015
- NSW Disability Inclusion Act 2014
- NSW Disability Inclusion Regulation 2014
- District Court Act 1973
- Electricity Supply Act 1995
- Environmental Planning and Assessment (Savings, Transitional and Other Provisions) Regulation 2017
- Environmental Planning and Assessment Act 1979
- Environmental Planning and Assessment Regulation 2000
- Fines Act 1996
- Fire and Emergency Services Levy Act 2017
- Fire Brigades Act 1989
- NSW Firearms Regulation 2017
- Fisheries Management Act 1994
- Fluoridation of Public Water Supplies Act 1957
- Food Act 2003
- Food Regulation 2015
- Gas and Electricity (Consumer Safety) Act 2017
- Government Information (Public Access) Act 2009
- Graffiti Control Act 2008
- Greater Sydney Commission Act 2015
- Greyhound Racing Act 2017

- NSW Growth Centres (Development Corporations) Act 1974
- Health Records and Information Privacy Act 2002
- Heavy Vehicle (Mass, Dimension and Loading) National Regulation (NSW)
- Heritage Act 1977
- Heritage Regulation 2012
- Impounding Act 1993
- Independent Commission Against Corruption Act 1988
- Industrial Relations Act 1996
- Lake Macquarie Smelter Site (Perpetual Care of Land) Act 2019
- Land Acquisition (Just Terms Compensation) Act 1991
- Land and Environment Court Act 1979
- Land and Environment Rules 2007
- Library Act 1939
- Library Regulation 2018
- Liquor Act 2007
- Liquor Regulation 2018
- Local Court Act 2007
- Local Government (General) Regulation 2005
- Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005
- Local Government Act 1993
- NSW Local Land Services Act 2013
- NSW Marine Estate Management Act 2014
- Motor Vehicle Sports (Public Safety) Regulation 2010
- National Parks and Wildlife Act 1974
- National Parks and Wildlife Regulation 2019
- NSW Natural Resources Access Regulator Act 2017
- Long Service Leave Act 1955
- NSW Marine Pollution Act 2012
- Road Transport Act 2013
- Sydney Water Act 1994
- Ombudsman Act 1974
- Pesticides Act 1999
- Pesticides Regulation 2017
- Plumbing and Drainage Act 2011
- Plumbing and Drainage Regulation 2017
- Poisons and Therapeutic Goods Regulation 2008
- Privacy and Personal Information Protection Act 1998
- Protection of the Environment (Clean Air) Regulation 2010
- Protection of the Environment (General) Regulation 2009
- Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2019
- Protection of the Environment Operations Act 1997
- Public Health (Tobacco) Act 2008

- Public Health Act 2010
- Public Health Regulation 2012
- Public Interest Disclosures Act 1994
- Public Works and Procurement Act 1912
- Public Works and Procurement Regulation 2019
- NSW Real Property Act 1900
- Residential Tenancies Regulation 2019
- Road Transport (General) Act 2005
- Road Transport (General) Regulation 2013
- Road Transport (Safety and Traffic Management) Act 1999
- Roads Act 1993
- Rural Fires Act 1997
- Rural Fires Regulation 2013
- Rural Lands Protection Act 1998
- Service NSW (One-Stop Access to Government Services) Act 2013
- NSW Small Business Commissioner Act 2013
- NSW State Debt Recovery Act 2018
- State Emergency and Rescue Management Act 1989
- State Emergency Service Act 1989
- State Records Act 1998
- Strata Schemes (Freehold Development) Act 1973
- Strata Schemes (Leasehold Development) Act 1986
- Strata Schemes Development Act 2015
- Strata Schemes Development Regulation 2016
- Strata Schemes Management Act 2015
- Strata Schemes Management Regulation 2016
- Supreme Court Act 1970
- Swimming Pools Act 1992
- Swimming Pools Regulation 2018
- Taxation Administration Act 1996
- Transport Administration Act 1988
- Trees (Disputes Between Neighbours) Act 2006
- Trustee Act 1925
- Valuation of Land Act 1916
- Valuation of Land Regulation 2012
- Waste Avoidance and Resource Recovery (Container Deposit Scheme) Regulation 2017
- NSW Water Management Act 2000
- Water Supply (Critical Needs) Act 2019

Delegation Sources

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- Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2019
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- Valuation of Land Regulation 2012
- Waste Avoidance and Resource Recovery (Container Deposit Scheme) Regulation 2017
- Water Management Act 2000
- Water Supply (Critical Needs) Act 2019

Positions

Abbreviation	Position	Name
ACO	Ranger/Animal Control Officer	
DBS	Director Business Services	
DDSS	Deputy Director Shire Services	
DSS	Director Shire Services	
EHO/BS	Environmental Health Officer/Building Surveyor	
GM	General Manager	
HRO	Human Resources Officer	
IO	Inspections Officer	
RO	Rates Officer	
SP	Senior Planner	
UE	Utilities Engineer	

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Final Approval

The General Manager has final approval over all sub-delegations assigned to other positions.

Ageing and Disability Commissioner Act 2019

Ageing and Disability Commissioner Act 2019			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation –	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Section 14	Exchange of information Providing relevant information to the Ageing and Disability Commissioner for the purposes of enabling or assisting the Commissioner's exercise of its functions.	DBS	
Section 14	Exchange of information Entering into an information sharing arrangement with the Ageing and Disability Commissioner and requesting and disclosing information with the Commissioner in accordance with that agreement.	DBS	This applies only to the extent that the information is reasonably necessary in the exercise of functions of the Commissioner, or the functions of the Council

Annual Holidays Act 1944

Annual Holidays Act 1944			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation - all functions under the Annual Holidays Act 1944 Exercise of all functions of council under the Act that may be legally delegated.	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Section 3	Annual leave Entering into agreements with council employees regarding annual leave.	DBS, DSS, GM	
Section 9	Holiday record Keeping a holiday record in a form approved by the Minister.	DBS	
Section 14A	Annual holidays for local council workers	GM	

Annual Holidays Act 1944

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Entering into agreements with council employees regarding payment arrangements for annual leave.		

Biodiversity Conservation Act 2016

Biodiversity Conservation Act 2016			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation –Exercise of all functions given to council in its capacity as planning authority under the Act that may be legally delegated.	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993
Various	Exercising all functions of the Minister or the Environment Agency Head which have been delegated to council.	EHO/BS, SP	Under clause 14.3 of the Regulations the exercise of the functions of the Minister or the Environment Agency Head may be delegated to a local council or an employee of a local council under section 14.4 of the Act.
Section 5.9	<p>Requirements relating to entering into biodiversity stewardship agreements</p> <p>Entering into a biodiversity stewardship agreement with the Minister relating to land that is Crown land or lands of the Crown where the Council owns or has the control and management of the land.</p>	EHO/BS, SP	

Biodiversity Conservation Act 2016			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 5.10	Duration of biodiversity stewardship agreements Terminating a biodiversity stewardship agreement with the Minister in accordance with the Act.	EHO/BS, SP	Where the Council is party to the agreement as a public authority that owns or has the control and management of the land that is Crown land or lands of the Crown.
Section 5.11	Variation of biodiversity stewardship agreements Varying a biodiversity stewardship agreement by agreement with the Minister in accordance with the Act.	EHO/BS, SP	Where the Council is party to the agreement as a public authority that owns or has the control and management of the land that is Crown land or lands of the Crown.
Section 5.16	Proposals by public authorities affecting biodiversity stewardship sites Giving written notice of proposed development on a biodiversity stewardship site to the owner of the biodiversity stewardship site.	EHO/BS, SP	Council cannot delegate the function of making an application, or the giving of a notice, to the Minister administering the Act (see s.377(s) of the Local Government Act 1993).
Section 5.16	Proposals by public authorities affecting biodiversity stewardship sites	EHO/BS, SP	Where the Council is party to the agreement as a public authority that owns or has the control and management of the land that is Crown land or lands of the Crown.

Biodiversity Conservation Act 2016			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Terminating a biodiversity stewardship agreement if the agreement is varied under this section without the consent of the Council in the circumstances provided in the Act.		
Section 5.18	<p>Prospecting and mining on biodiversity stewardship sites</p> <p>Terminating a biodiversity stewardship agreement if the agreement is varied under this section without the consent of the Council in the circumstances provided in the Act.</p>	EHO/BS, SP	Where the Council is party to the agreement as a public authority that owns or has the control and management of the land that is Crown land or lands of the Crown.
Section 5.21	<p>General provisions relating to conservation agreements</p> <p>Entering into a conservation agreement with the Biodiversity Conservation Trust relating to land that is Crown land or lands of the Crown where the Council owns or has the control and management of the land.</p>	EHO/BS, SP	
Section 5.23	Duration and variation of conservation agreements	EHO/BS, SP	Where the Council is party to the agreement as a public authority that owns or has the control and management of the land that is Crown land or lands of the Crown.

Biodiversity Conservation Act 2016			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Varying a conservation agreement by agreement with the Biodiversity Conservation Trust in accordance with the Act.		
Section 5.23	Duration of conservation agreements Terminating a conservation agreement with the Biodiversity Conservation Trust in accordance with the Act.	EHO/BS, SP	Where the Council is party to the agreement as a public authority that owns or has the control and management of the land that is Crown land or lands of the Crown.
Section 5.25	Proposals by public authorities affecting land subject to conservation agreements Giving written notice of proposed development on land subject to a conservation agreement to the owner of the land.	GM	Council cannot delegate the function of making an application, or the giving of a notice, to the Minister administering the Act (see s.377(s) of the Local Government Act 1993).
Section 5.25	Proposals by public authorities affecting land subject to conservation agreements	EHO/BS, SP	Where the Council is party to the agreement as a public authority that owns or has the control and management of the land that is Crown land or lands of the Crown.

Biodiversity Conservation Act 2016			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Terminating a conservation agreement if the agreement is varied under this section without the consent of the Council in the circumstances provided in the Act.		
Section 5.28	General provisions relating to wildlife refuge agreements Entering into a wildlife refuge agreement with the Biodiversity Conservation Trust relating to land that is Crown land or lands of the Crown where the Council owns or has the control and management of the land.	EHO/BS, SP	
Section 5.30	Duration and variation of wildlife refuge agreements Varying a wildlife refuse agreement by agreement with the Biodiversity Conservation Trust in accordance with the Act.	EHO/BS, SP	Where the Council is party to the agreement as a public authority that owns or has the control and management of the land that is Crown land or lands of the Crown.
Section 5.30	Duration of wildlife refuge agreements	EHO/BS, SP	Where the Council is party to the agreement as a public authority that owns or has the control and management of the land that is Crown land or lands of the Crown.

Biodiversity Conservation Act 2016			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Terminating a wildlife refuge agreement with the Biodiversity Conservation Trust in accordance with the Act.		
Section 5.32	Proposals by public authorities affecting land subject to wildlife refuge agreements Giving written notice of proposed development on land subject to a wildlife refuge agreement to the owner of the land.	GM	Council cannot delegate the function of making an application, or the giving of a notice, to the Minister administering the Act (see s.377(s) of the Local Government Act 1993).
Section 5.32	Proposals by public authorities affecting land subject to wildlife refuge agreements Terminating a wildlife refuge agreement if the agreement is varied under this section without the consent of the Council in the circumstances provided in the Act.	EHO/BS, SP	Where the Council is party to the agreement as a public authority that owns or has the control and management of the land that is Crown land or lands of the Crown.
Section 6.6	Miscellaneous provisions relating to biodiversity offsets scheme	GM	The purchase or sale of biodiversity credits may be subject to the restrictions in s.377 of the Local Government Act.

Biodiversity Conservation Act 2016			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Participating in the biodiversity offsets scheme, including by purchasing, holding, transferring and retiring biodiversity credits.		
Section 8.5	<p>Application for biodiversity certification</p> <p>Entering into an agreement with any person in connection with an application for biodiversity certification, including for the payment of any costs and expenses incurred.</p>	EHO/BS, SP	
Section 8.16	<p>Biodiversity certification agreements</p> <p>Entering into a biodiversity certification agreement with the Minister.</p>	EHO/BS, SP	
Section 13.22	<p>Recovery of costs, expenses and compensation after offence proved</p> <p>Recovering from an offender the incurred costs and expenses or damage in the Land and Environment Court in connection with:</p>	GM	

Biodiversity Conservation Act 2016			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	(i) the prevention, control, abatement or mitigation of any damage to animals or plants, or their habitat, caused by the commission of an offence, or (ii) making good any resulting damage to animals or plants or their habitat, or (b) a person (including a public authority) has, by reason of the commission of the offence, suffered loss of or damage to property or has incurred costs and expenses in preventing or mitigating, or in attempting to prevent or mitigate, any such loss or damage.		

Biodiversity Conservation Regulation 2017

Biodiversity Conservation Regulation 2017			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation – Exercise of all functions of council under the Regulation that may be legally delegated.	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Various	General delegation – Exercising all functions of the Minister or the Environment Agency Head which have been delegated to council.	EHO/BS, SP	Under clause 14.3 of the regulations the exercise of the functions of the Minister or the Environment Agency Head may be delegated to a local council or an employee of a local council under section 14.4 of the Act.
Clause 5.8	Reimbursement of site establishment costs of owner or Minister by holder of mining or petroleum authority on termination or variation of biodiversity stewardship agreement Recovering any money required to be paid to the Council by a person or body under this provision, as a debt in a court of competent jurisdiction.	GM	

Biodiversity Conservation Regulation 2017

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Clause 5.9	<p>Reimbursement provisions with respect to termination or variation of conservation agreements following grant of mining or petroleum authority</p> <p>Recovering any money required to be paid to the Council by a person or body under this provision, as a debt in a court of competent jurisdiction.</p>	GM	

Biosecurity Act 2015

Biosecurity Act 2015			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	<p>General delegation – all functions under the Biosecurity Act 2015</p> <p>Exercise of all functions of council under the Act that may be legally delegated.</p>	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Section 295	<p>Recovery of costs, expenses and compensation</p> <p>Recovering the amount of any costs and expenses incurred by reason of the commission of a proven offence or the amount of the loss or damage caused by an offender by commencing Court proceedings</p>	GM	
Section 371	Functions of the local control authority	EHO/BS, SP	Functions of the local control authority are to be exercised in accordance with any requirements specified in the Regulations and any directions (not inconsistent with the Regulations) given by the Secretary

Biosecurity Act 2015			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Preventing, eliminating, minimising and managing the biosecurity risk posed or likely or be posed by weeds in relation to land for which the Council is the local control authority		
Section 371	<p>Functions of the local control authority</p> <p>Developing, implementing, coordinating, and reviewing weed control programs in relation to land for which the Council is the local control authority</p>	EHO/BS, SP	
Section 371	<p>Functions of the local control authority</p> <p>Inspecting land for which the Council is the local control authority in connection with its weed control functions</p>	EHO/BS, SP	
Section 371	<p>Functions of the local control authority</p> <p>Keeping records of the exercise of the local control authority's functions under the Biosecurity Act</p>	EHO/BS, SP	

Biosecurity Act 2015			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 371	<p>Functions of the local control authority</p> <p>Reporting to the Secretary about the exercise of the local control authority's functions under the Act</p>	EHO/BS, SP	
Section 372	<p>Power to appoint authorised officers</p> <p>Appointing authorised officers to control weeds on the land for which Council is the local control authority</p> <p>Note: Part 8 of the Act sets out the powers of authorised officers.</p>	GM	<p>The appointment must be by instrument in writing and may apply to a specified person or to persons of a specified class.</p> <p>An appointment may be unconditional, or subject to conditions or limitations.</p> <p>An appointment has effect for the period specified in the instrument of appointment or, if no period is specified, until revoked.</p>
Section 372	Functions of the local control authority	EHO/BS, SP	A person appointed by a local control authority as an authorised officer may exercise the functions of an authorised officer (a) in relation to weeds only, and (b)

Biosecurity Act 2015			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Exercising the same functions as the Secretary with respect to any biosecurity direction given by, or any biosecurity undertaking executed by, an authorised officer appointed by Council		subject to Division 2, only in relation to land for which that local control authority is the local control authority
Section 373	Recovery of fees Recovering fees charged, or costs and expenses incurred in connection with the exercise of functions by an authorised officer appointed by the Council	GM	
Section 374	Joint exercise of functions Entering into arrangements with one or more local control authorities authorising an authorised officer appointed by any of the local control authorities to exercise their functions in relation to land for which any of those local control authorities have jurisdiction	GM	
Section 375	Delegation of functions under Act	GM	The council cannot delegate its power of delegation under s375(1) of the Biosecurity Act

Biosecurity Act 2015			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Sub-delegating any function conferred on the local control authority where authorised to do so by a written instrument of delegation and in accordance with any conditions or limitations which apply.		
Section 387	Collection and use of information Collecting and using information (including health and personal information) for the purpose of exercising a biosecurity risk function,	EHO/BS, SP	
Section 387	Collection, use and disclosure of information Disclosing information, including health and personal information, with or without the person's consent, to a public sector agency or, if the disclosure is reasonably necessary for them to exercise their biosecurity risk functions, to any other person. Note: Compliance with Section 9 of Privacy and Personal Information Protection Act 1998 is not required if compliance would detrimentally	EHO/BS, SP	

Biosecurity Act 2015			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	affect, or prevent, the exercise of the control authoritise biosecurity functions		
Section 387	<p>Collection, use and disclosure of information</p> <p>Requesting information from another person or entity engaged in the administration of the Act and certifying in writing that the information is required, or is reasonably necessary for exercising a biosecurity risk function.</p>	EHO/BS, SP	
Schedule 1 Clause 4	<p>Duty to control aquatic weeds</p> <p>Making orders to exempt the whole or part of a watercourse, river, or inland water in the area for which it is the local control authority from the operation of schedule 1 subclause 4(1) and/or 4(2) where the opinion has been formed that the depth or width of the relevant water body is such that, in the circumstances, it would be unreasonable to apply the provisions concerned</p>	EHO/BS, SP	

Biosecurity Act 2015			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Schedule 1 Clause 4	<p>Duty to control aquatic weeds</p> <p>Taking steps for the prevention, elimination, or minimisation of the biosecurity risk posed, or likely to be posed, by weeds located on a watercourse, river, or inland water in the area for which it the Council is the local control authority where an exemption has been granted by Council or the Secretary under the Act</p>	EHO/BS, SP	
Schedule 7 Clause 28	<p>Repeal of Noxious Weeds Act 1993</p> <p>On receipt of an application and the approved fee, issuing certificates stating whether there are any weed control notices in force issued by or on behalf of the Council in respect of particular land the amount of any expenses due or payable to the Council under the repealed Act in connection with any weed control notices, and whether the land is subject to any charge arising out of the control of weeds issued under the repealed Act and how much the charge is.</p>	EHO/BS, SP	

NSW Boarding Houses Act 2012

Boarding Houses Act 2012			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation – all functions under the Boarding Houses Act 2012 Exercise of all functions of council under the Act that may be legally delegated.	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Section 16	Initial compliance investigations Arranging for an initial compliance investigation to be conducted for each registered boarding house located in the council's area.	GM	Entry may only be made at a reasonable hour in the daytime or at any hour during which business is in progress or is usually carried on at the premises.
Section 19	Initial compliance investigations	GM	

Boarding Houses Act 2012			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Giving the proprietor or manager of the premises of a registered boarding house written notice of the council's intention to enter the premises to conduct an initial compliance investigation.		
Section 20	<p>The use of force</p> <p>Authorising the use of force for the purpose of gaining entry to any premises to undertake an initial compliance investigation</p>	GM	<p>The authorisation must:</p> <ul style="list-style-type: none"> (a) must be in writing, and (b) must be given in respect of the particular entry concerned, and (c) must specify the circumstances which are required to exist before force may be used. <p>A person authorised to enter premises must do as little damage as possible</p>
Section 21	Initial compliance investigations	GM	

Boarding Houses Act 2012			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	<p>Giving notice to such persons or authorities as appear to be relevant to the council in the circumstances where a person authorised to enter a premises to carry out an inspection of a boarding house:</p> <p>(a) uses force for the purpose of gaining entry to the premises, or</p> <p>(b) enters the premises in an emergency without giving written notice to the proprietor or manager.</p>		
Section 22	<p>Initial compliance investigations</p> <p>Providing other means of access in place of any taken away or interrupted by a person authorised by it to carry out an inspection.</p>	GM	
Section 23	<p>Initial compliance investigations</p> <p>Charging and recovering an approved fee under section 608 (Previous Council fees for services) of the Local Government Act 1993 for the conduct of an initial compliance investigation.</p>	GM	Council cannot delegate the function of making the charge: s377(1)(d) of the Local Government Act 1993.

Boarding Houses Act 2012			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 24	<p>Initial compliance investigations</p> <p>Paying compensation for any damage caused by any person authorised by the council to enter premises to inspect a registered boarding house.</p>	GM	
Section 25	<p>Initial compliance investigations</p> <p>Authorising a person (other than a council employee) to enter the premises of a registered boarding house, including any part of the premises used for residential purposes for the purpose of conducting an initial compliance investigation.</p> <p>(note: the authority must bear the signature of the general manager)</p>	GM	<p>the authority must be a written authority which is issued by the council and which:</p> <p>(a) states that it is issued under this Act, and</p> <p>(b) gives the name of the person to whom it is issued, and</p> <p>(c) describes the nature of the powers conferred and the source of the powers, and</p> <p>(d) states the date (if any) on which it expires, and</p> <p>(e) describes the kind of premises to which the power extends, and</p>

Boarding Houses Act 2012

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
			(f) bears the signature of the general manager of the council.
Section 94	<p>Exchange of information</p> <p>Entering into an information sharing arrangement with an Act administrator (a Minister administering the Act, the Director-General or the Commissioner for Fair Trading, Department of Finance and Services) for the purposes of sharing or exchanging any information that is held by the administrator or the council.</p>	GM	
Section 99	<p>Proceedings for offences</p> <p>Commencing proceedings in the Local Court or Land and Environment Court for an offence against a provision of Part 2 of the Act or Regulations for that Part.</p>	GM	

NSW Building and Development Certifiers Act 2018

Building and Development Certifiers Act 2018			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation – all functions under the Building and Development Certifiers Act 2018 Exercise of all functions of council under the Act that may be legally delegated.	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Section 107	Investigation of councils acting as certifier Giving written notice to the Chief Executive of the Office of Local Government and to the Secretary of the things done or proposed to be done to give effect to any recommendations contained in a report under s.107 of the Building and Development Certifiers Act 2018 and making submissions with respect to any matter contained in the report.	EHO/BS, SP	
Section 108	Exchange of information Entering into an arrangement with the Secretary for the purpose of sharing or exchanging information.	EHO/BS, SP	

Building and Development Certifiers Act 2018

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 112	<p>Responsibilities carrying out certain prescribed certification work</p> <p>Engaging a registered individual or a registered body corporate to carry out certification work on behalf of the Council.</p> <p>Notes</p> <p>Certification work is all certification work other than under the Strata Schemes Development Act 2015, the Swimming Pools Act 1992 or the Environmental Planning and Assessment Act 1979 for subdivision work or for a structure that does not have a classification under the Building Code of Australia (cl.61 of the Building and Development Certifiers Regulation 2020)</p>	EHO/BS, SP	

NSW Building and Development Certifiers Regulation 2020

Building and Development Certifiers Regulation 2020			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation – all functions under the Building and Development Certifiers Regulation 2020 Exercise of all functions of council under the Regulation that may be legally delegated.	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Various	Part 8 – Councils General delegation – all functions under Part 8 of the Building and Development Certifiers Regulation 2020. Exercise of all functions of a council under Part 8 of the Building and Development Certifiers Regulation 2020 that may be legally delegated.	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Regulation 62	Part 8 – Councils Notice of certain matters to be given to Secretary	EHO/BS, SP	

Building and Development Certifiers Regulation 2020			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	<p>Providing written notice to the Secretary of the date on which a registered certifier is employed or engaged or ceases to be employed or engaged by the council to undertake certification work on behalf of the council.</p> <p>Notes</p> <p>Notice is to be given in writing within 7 days of the relevant event.</p>		
Regulation 62	<p>Part 8 – Councils</p> <p>Notice of certain matters to be given to Secretary</p> <p>Providing the Secretary with the registration number of a registered certifier engaged or employed by the council to carry out certification work on behalf of the council.</p> <p>Notes</p> <p>Notice is to be given in writing within 7 days of the relevant event.</p>	EHO/BS, SP	

Building Products (Safety) Act 2017

Building Products (Safety) Act 2017			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	<p>General delegation – all functions under the Building Products (Safety) Act 2017</p> <p>Exercise of all functions of council under the Act that may be legally delegated.</p>	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Various	<p>Delegation of Secretarial functions</p> <p>Exercise of all of the functions of the Secretary delegated to Council.</p>	EHO/BS, SP	<p>A delegate of the Secretary (council) may sub-delegate a function if authorised in writing to do so by the Secretary.</p> <p>If the Secretary delegates functions subject to conditions or limitations, any sub-delegation by the delegate is taken to be subject to the same conditions and limitations, and any further conditions or limitations imposed by the delegate.</p>

Building Products (Safety) Act 2017			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 9	<p>Building Product Prohibition</p> <p>Prohibiting the use of a specified building product in a building if the Council is satisfied on reasonable grounds that the use is unsafe in the circumstances provided in the Act, in accordance with the procedure in the Act.</p>	EHO/BS, SP	The Council may only delegate this function if it has been delegated this function of the Secretary pursuant to section 89 of the Act.
Section 12	<p>Amendment or Revocation of a Ban</p> <p>Amending a building product use ban or revoking a building product use ban, by written notice published on the internet.</p>	EHO/BS, SP	The Council may only delegate this function if it has been delegated this function of the Secretary pursuant to section 89 of the Act.
Section 13	<p>Call for public submissions</p> <p>Calling for public submissions on whether a building product use ban is warranted and the terms or proposed terms of the ban, by written notice published on the internet.</p>	EHO/BS, SP	The Council may only delegate this function if it has been delegated this function of the Secretary pursuant to section 89 of the Act.

Building Products (Safety) Act 2017			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 14	<p>Notice of imposition of building product use ban</p> <p>Giving notice of a building product use ban to the manufacturer of the building product concerned, in accordance with the Act.</p>	EHO/BS, SP	The Council may only delegate this function if it has been delegated this function of the Secretary pursuant to section 89 of the Act.
Section 18	<p>Identification and notification of particular affected buildings</p> <p>Issuing a notice that a particular building is or may be an affected building in accordance with the Act.</p>	EHO/BS, SP	The Council may only delegate this function if it has been delegated this function of the Secretary pursuant to section 89 of the Act.
Section 19	<p>General</p> <p>Issuing a general building safety notice that a class of buildings may be affected buildings, in accordance with the Act.</p>	EHO/BS, SP	The Council may only delegate this function if it has been delegated this function of the Secretary pursuant to section 89 of the Act.
Section 20	Power of relevant enforcement authority to order rectification	EHO/BS, SP	The Council may only delegate this function where it is the relevant enforcement authority for the purposes of the Act (defined in s.16).

Building Products (Safety) Act 2017			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Making a building product rectification order requiring the owner of a building to do such things as are necessary in the circumstances and for the purposes provided for in the Act.		
Section 24	Amendment or revocation of notices Amending or revoking an affected building notice or a general building safety notice by issuing a further notice to the parties listed in the Act.	EHO/BS, SP	The Council may only delegate this function if it has been delegated this function of the Secretary pursuant to section 89 of the Act.
Section 25	Revocation of affected building notice Revoking an affected building notice if the Council is satisfied the building concerned has been made safe, or the building is not an affected building.	EHO/BS, SP	The Council may only delegate this function if it has been delegated this function of the Secretary pursuant to section 89 of the Act.
Section 27	Building Product Undertaking	EHO/BS, SP	The Council may only delegate this function if it has been delegated this function of the Secretary pursuant to section 89 of the Act.

Building Products (Safety) Act 2017			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Accepting a written undertaking given by a person if the person has contravened, or the Council suspects that the person has contravened or is likely to contravene, a requirement imposed by or under the Act.		
Section 30	<p>Application for order requiring compliance with building product undertaking</p> <p>Applying to the Supreme Court for an order if a person contravenes a building product undertaking.</p>	EHO/BS, SP	The Council may only delegate this function if it has been delegated this function of the Secretary pursuant to section 89 of the Act.
Section 31	<p>Withdrawal or variation of building product undertaking</p> <p>Withdrawing or varying a building product undertaking in accordance with the Act.</p>	EHO/BS, SP	The Council may only delegate this function if it has been delegated this function of the Secretary pursuant to section 89 of the Act.
Section 34	<p>Building product investigation.</p> <p>Authorising an investigation to ascertain whether a use of a building product in a building is unsafe or to ascertain the location of any building</p>	EHO/BS, SP	The Council may only delegate this function if it has been delegated this function of the Secretary pursuant to section 89 of the Act.

Building Products (Safety) Act 2017

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	in which a building product has been used in a way that is or may be unsafe.		
Section 35	<p>Consultation</p> <p>Giving the manufacturer or importer of the building product that is the subject of a building product investigation notice of the investigation and an opportunity to make submissions by giving notice in accordance with the Act.</p>	EHO/BS, SP	The Council may only delegate this function if it has been delegated this function of the Secretary pursuant to section 89 of the Act.
Section 36	<p>Publication and use of results of building product investigation</p> <p>Imposing or amending a building product use ban, as the Council considers appropriate, to reflect the results of a building product investigation.</p> <p>Publishing a notice of the results of a building product investigation, in accordance with the Act.</p>	EHO/BS, SP	The Council may only delegate this function if it has been delegated this function of the Secretary pursuant to section 89 of the Act.

Building Products (Safety) Act 2017

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 39	<p>Product Assessment</p> <p>Ordering a person to conduct a product assessment in relation to a building product, and to provide to the Council a product assessment report about that assessment, in accordance with the Act.</p>	EHO/BS, SP	The Council may only delegate this function if it has been delegated this function of the Secretary pursuant to section 89 of the Act.
Section 40	<p>Taking of required actions</p> <p>Taking any action that is reasonably necessary to conduct or complete a product assessment where a person has failed to do so.</p>	EHO/BS, SP	The Council may only delegate this function if it has been delegated this function of the Secretary pursuant to section 89 of the Act.
Section 40	<p>Recovery of costs</p> <p>Requiring the liable person under section 40 to pay a reasonable fee for action taken by the Council under the section, by notice in writing.</p>	EHO/BS, SP	The Council may only delegate this function if it has been delegated this function of the Secretary pursuant to section 89 of the Act.

Building Products (Safety) Act 2017			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 41	<p>Use of product assessment report</p> <p>Imposing or amending a building product use ban as the Council considers appropriate having regard to a product assessment report.</p>	EHO/BS, SP	The Council may only delegate this function if it has been delegated this function of the Secretary pursuant to section 89 of the Act.
Section 41	<p>Publication of product assessment report</p> <p>Publishing a product assessment report.</p>	EHO/BS, SP	The Council may only delegate this function if it has been delegated this function of the Secretary pursuant to section 89 of the Act.
Section 53	<p>Compensation</p> <p>Compensating all interested parties for damage caused by an authorised officer in exercising a power to enter premises, or a power to break open or otherwise access a thing for the purposes of examination or inspection, but not any damage caused by the exercise of any other power.</p>	GM	The Council may only delegate this function if it has been delegated this function of the Secretary pursuant to section 89 of the Act.

Building Products (Safety) Act 2017			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 74	Appointment of Authorised Officers Appointing any person (including a class of persons) as an authorised officer.	GM	The Council may only delegate this function if it has been delegated this function of the Secretary pursuant to section 89 of the Act.
Section 74	Appointment of Authorised Officers Revoking or amending an appointment of an authorised officer by instrument in writing	GM	The Council may only delegate this function if it has been delegated this function of the Secretary pursuant to section 89 of the Act.
Section 86	Information Sharing Arrangement Entering into an arrangement with the Secretary for the purposes of sharing or exchanging information relating to the purposes provided for in the Act.	GM	
Section 86	Exchange of Information	EHO/BS, SP	

Building Products (Safety) Act 2017

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Requesting and receiving information held by the Secretary to the extent that the information is reasonably necessary to the exercise of the Secretary's functions under the Act, the administration or execution of this Act or to protect the safety of a person or property.		
Section 86	<p>Exchange of Information</p> <p>Disclosing information to the Secretary to the extent that the information is reasonably necessary to the exercise of the Secretary's functions or to prevent or eliminate a safety risk that may arise from the use of a building product in a building.</p>	EHO/BS, SP	
Section 86	<p>Investigations</p> <p>Referring a matter to the Secretary or conducting an investigation into a matter jointly with the Secretary.</p>	EHO/BS, SP	
Section 87	Permits	GM	The Council may only delegate this function if it has been delegated this function of the Secretary pursuant to section 89 of the Act.

Building Products (Safety) Act 2017			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Issuing, varying or revoking a permit to a person that authorises the person to engage in any specified conduct in accordance with the Act.		

NSW Cemeteries and Crematoria Act 2013

Cemeteries and Crematoria Act 2013			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	<p>General delegation – all functions under the Cemeteries and Crematoria Act 2013</p> <p>Exercise of all functions of council under the Act that may be legally delegated.</p> <p>(Note: councils have functions under the act as a ‘council’, ‘government agencies’ and ‘cemetery operators’)</p>	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Section 15	<p>Arrangement with the Cemeteries Agency</p> <p>Entering into arrangements with the cemeteries agency with respect to the exercise of functions of authorised officers under the Act.</p>	DSS, EHO/BS	
Section 27	Cemeteries and Crematoria Register	DSS, EHO/BS	

Cemeteries and Crematoria Act 2013			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Notifying the Cemeteries Agency of certain matters for inclusion on the Cemeteries and Crematoria Register.		
Section 32	Interment industry schemes Consulting with and making submissions to the Minister on the establishment of an interment industry scheme.	DSS, EHO/BS	
Section 28	Codes of practice Consulting with the Cemeteries Agency on the preparation of a code of practice by the Agency for the purpose of providing guidance on any interment matter or other matter encompassed by the objects of the Act.	DSS, EHO/BS	
Section 33	Improvement notices Complying with an improvement notice issued to the council by the Cemeteries Agency.	DSS, EHO/BS	

Cemeteries and Crematoria Act 2013

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 36	Short term orders Complying with a short term order issued to the council by the Cemeteries Agency.	DSS, EHO/BS	
Section 41	Performance reporting Reporting to the Cemeteries Agency on the council's performance in managing the cemeteries and on such other matters as the Cemeteries Agency considers appropriate where required to do so by the Cemeteries Agency.	DSS, EHO/BS	
Section 42	Keeping of records Keeping such records (including accounting records) as may be prescribed by the regulations or as may be required by the Cemeteries Agency by notice in writing to the council.	DSS, EHO/BS	
Section 43	Reports	DSS, EHO/BS	

Cemeteries and Crematoria Act 2013

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Providing reports to the Cemeteries Agency in the form, at such times and concerning such matters or specifying such information, as may be required by the Cemeteries Agency by notice in writing to the council.		
Section 43	<p>Reports and information</p> <p>Giving information or forwarding specified records to the Cemeteries Agency where required to do so by the Agency.</p>	DSS, EHO/BS	
Section 46	<p>Interment rights</p> <p>Permitting:</p> <ul style="list-style-type: none"> - the interment of the remains of the person to whom it relates at the site in a cemetery identified in, or in accordance with, the interment right, and - the interment in accordance with the cultural or religious practice applicable to the part of the cemetery in which the interment site is located at the time the interment right is granted, and - a memorial to the deceased person to be erected at the site with the approval of the council, 	DSS, EHO/BS	

Cemeteries and Crematoria Act 2013

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	<p>and leaving:</p> <ul style="list-style-type: none"> - the remains undisturbed in perpetuity (or, in the case of a renewable interment right, until such time as the remains may be disturbed or removed in accordance with the Act) unless disturbance or removal at an earlier time is requested or authorised by the holder of the interment right, and - any memorial to the deceased person lawfully erected at that site, with the permission of the council, undisturbed (provided the interment right remains in force and the memorial is kept in good repair) until such time as the memorial may be disturbed in accordance with the Act unless disturbance at an earlier time is requested or authorised by the holder of the interment right. 		
Section 46	<p>Interment rights</p> <p>Ensuring that any remains of a person that are disturbed or removed are dealt with in accordance with any cultural or religious practices applicable to the remains.</p>	DSS, EHO/BS	

Cemeteries and Crematoria Act 2013

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Notes: Clause 5 of the Regulation sets out the process for making enquiries to ascertain whether any cultural or religious practices apply to the remains of a deceased person.		
Section 47	<p>Interment rights</p> <p>Granting an interment right entitling the person or persons to whom it is granted the exclusive right of interment in a specified interment site either in perpetuity or for a specified period (determined in accordance with s54 of the Act).</p>	DSS, EHO/BS	
Sections 49 and 50	<p>Interment rights</p> <p>Where a person becomes the holder of an interment right as a result of a bequest or intestacy, amending the council's cemetery register (on application) so as to indicate that the person has become the holder the interment right.</p>	DSS, EHO/BS	
Section 52	<p>Revocation of perpetual interment rights</p> <p>Revoking a perpetual interment right that the council or any other cemetery operator for the cemetery has granted where the right conferred by the perpetual interment right has not been exercised within 50 years after it was granted.</p>	DSS, EHO/BS	

Cemeteries and Crematoria Act 2013

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 52	Revocation of perpetual interment rights Giving notice of the council's intention to revoke a perpetual interment right.	DSS, EHO/BS	
Section 52	Revocation of perpetual interment rights Negotiating with the holder of a perpetual interment right for the sale or retention of the right.	DSS, EHO/BS	
Section 53	Revocation of perpetual interment rights Electing whether to grant the former holder of a perpetual interment right that was revoked by the council a perpetual interment right for an alternative site or to pay that person compensation.	DSS, EHO/BS	

Cemeteries and Crematoria Act 2013

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 53	Revocation of perpetual interment rights Paying compensation to the former holder of a perpetual interment right where the council has revoked that right.	DSS, EHO/BS	
Section 53	Revocation of perpetual interment rights Ensuring that any report on the council's accounts contains an estimate of its contingent liability with respect to any interment rights it has revoked.	DSS, EHO/BS	
Section 54	Grant and renewal of renewable interment rights Granting and renewing renewable interment rights in relation to specified interment sites in a cemetery operated by the council. Notes: If a renewable interment right agreement is ended within the cooling off period then the fee must be refunded under clause 10 of the Regulations.	DSS, EHO/BS	
Section 54	Grant and renewal of renewable interment rights	DSS, EHO/BS	

Cemeteries and Crematoria Act 2013

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	<p>Giving notice to the holder if a renewable interment right and each person (if any) shown on the council's register as a secondary contact with respect to the holder of the right that the right is due to expire, that it can be renewed and the fee for doing so.</p> <p>Notes: Clause 7 of the Regulation sets out the steps required to give written notice</p>		
Section 55	<p>Re-use of interment sites and removal of memorials</p> <p>Where two years have passed since a renewable interment right for a site within a cemetery operated by the council has expired, re-using and/or removing a memorial at the site.</p> <p>Notes: Before re-using or removing a memorial on an interment site the council must:</p> <ul style="list-style-type: none"> (a) seek the advice (if any) required by section 69 (2) of the Act of the heritage advisory committee for the cemetery concerned, and (b) give notice of the council's intention to re-use the interment site or remove the memorial in the Gazette and in a newspaper circulating throughout the State or in a manner approved in writing by the Minister, and (c) take reasonable steps to give notice of the council's intention to re-use the interment site or remove the memorial to the holder of the interment right and each person (if any) 	DSS, EHO/BS	

Cemeteries and Crematoria Act 2013

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	shown in the council's register as a secondary contact with respect to the holder listed in the register, and (d) in the case of the removal of a memorial—taking reasonable steps to give notice of the steps that the person can take to reclaim the memorial		
Section 55	Re-use of interment sites and removal of memorials Where the council re-uses an interment site, ensuring that the human remains of a deceased person are dealt with in accordance with any cultural or religious practice applicable in the part of the cemetery in which the interment site is located when the human remains were originally interred.	DSS, EHO/BS	
Section 56	Granting interment rights Granting interment rights in respect of a site in a cemetery.	DSS, EHO/BS	
Section 56	Granting interment rights Seeking the approval of the Cemeteries Agency for the grant or transfer an interment right to a person where the granting or transfer of the interment right will result in the	DSS, EHO/BS	

Cemeteries and Crematoria Act 2013

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	person holding (including jointly holding) interment rights in respect of more than 2 interment sites in the cemetery for which the interment right is sought or sought to be transferred.		
Section 58	Transfer of interment rights Transferring an interment right from one person or 2 or more persons as joint holders to one person or 2 or more other persons as joint holders.	DSS, EHO/BS	
Section 58	Transfer of interment rights Entering into arrangements with the holder of an interment right for the transfer of the interment right to the council.	DSS, EHO/BS	
Section 60	Refusal of grant or transfer of interment rights Determining whether or not to refuse to grant or transfer an interment right where, in the council's opinion, the grant or transfer would tend to create a monopoly or encourage dealing in interment rights.	DSS, EHO/BS	

Cemeteries and Crematoria Act 2013

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 61	Determining the holder of an interment right Determining whether or not a person holds or does not hold an interment right.	DSS, EHO/BS	
Section 61	Determining the holder of an interment right Giving notice and taking any other reasonable steps to determine the holder of an interment right before making such a determination.	DSS, EHO/BS	
Section 63	Register of interment rights, memorials, cremations and interments Keeping a register of interment rights, memorials, cremations, interments and such other events as may be prescribed by the regulations ('the council's cemetery register').	DSS, EHO/BS	
Section 63	Register of interment rights, memorials, cremations and interments Making the council's cemetery register available for public inspection free of charge.	DSS, EHO/BS	

Cemeteries and Crematoria Act 2013

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 63	Register of interment rights, memorials, cremations and interments Amending the council's cemetery register to remove inaccuracies or to record changes as a result of a transfer, revocation or death of the holder of an interment right.	DSS, EHO/BS	
Section 63	Register of interment rights, memorials, cremations and interments Where the council ceases to direct the operations of a cemetery, ensuring that the council's cemetery register is sent to the Cemeteries Agency or otherwise disposed of as the Cemeteries Agency directs.	DSS, EHO/BS	
Section 64	Register of interment rights, memorials, cremations and interments Keeping all certificates, permits and other documents relating to any cremation carried out by it and mark them with a number corresponding to the number allocated to the cremation in the council's cemetery register.	DSS, EHO/BS	
Section 64	Register of interment rights, memorials, cremations and interments	DSS, EHO/BS	

Cemeteries and Crematoria Act 2013

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Destroying certificates, permits and other documents relating to any cremation after 15 years from the date of the cremation to which they relate.		
Section 64	Register of interment rights, memorials, cremations and interments When a crematorium is closed, sending all registers and documents relating to the cremations that have taken place at the crematorium to the Cemeteries Agency or otherwise disposing of them as the Cemeteries Agency may direct.	DSS, EHO/BS	
Section 65	Certificates of interment rights Issuing and replacing certificates for interment rights.	DSS, EHO/BS	
Section 66	Orders for exhumations Issuing orders for exhumations.	DSS, EHO/BS	

Cemeteries and Crematoria Act 2013

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 67	Orders for interment Issuing orders for interments.	DSS, EHO/BS	
Section 67	Orders for interment Setting down the procedure to be followed to obtain an order for interment.	DSS, EHO/BS	
Section 68	Hours of burial Determining the times at which internments are to take place.	DSS, EHO/BS	
Section 69	Heritage advisory committee Establishing and seeking the advice of a heritage advisory committee.	DSS, EHO/BS	
Schedule 4, clause 3	Conversion of cemeteries into public parks	DSS, EHO/BS	

Cemeteries and Crematoria Act 2013			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Giving notice of a resolution by the council to apply for the conversion of the whole or any part of land within a cemetery into a public park.		
Schedule 4, clause 5	Conversion of cemeteries into public parks Furnishing information to the Minister in relation to an application by the council for the whole or any part of the land within a cemetery to be declared a public park.	DSS, EHO/BS	
Schedule 4, clause 9	Conversion of cemeteries into public parks Maintaining as a rest park land converted from a cemetery to a public park and for which the council is the sole Crown land manager.	DSS, EHO/BS	
Schedule 4, clause 10	Conversion of cemeteries into public parks Depositing s burial register and/or supplementary burial register for land converted from a cemetery to a public park at the Mitchell Library, Sydney.	DSS, EHO/BS	

Cemeteries and Crematoria Act 2013

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Schedule 4, clause 10	Conversion of cemeteries into public parks Where the burial register for land converted from a cemetery to a public park is incomplete, compiling a supplementary burial register.	DSS, EHO/BS	
Schedule 4, clause 10	Conversion of cemeteries into public parks Where a burial register for land converted from a cemetery to a public park does not exist, compiling a supplementary burial register for the cemetery and, where required, furnishing a certified copy to the Minister.	DSS, EHO/BS	
Schedule 4, clause 10	Conversion of cemeteries into public parks Converting a cemetery declared to be a public park into a rest park and erecting a memorial indicating the sacred nature of the area and that the burial register may be inspected at the Mitchell Library, Sydney.	DSS, EHO/BS	
Schedule 4, clause 11	Conversion of cemeteries into public parks	DSS, EHO/BS	

Cemeteries and Crematoria Act 2013			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Preserving and removing monuments on land converted from a cemetery to a public park.		
Schedule 4, clause 11	Conversion of cemeteries into public parks Advertising the council's intention to remove a monument on land converted from a cemetery to a public park.	DSS, EHO/BS	
Schedule 4, clause 13	Conversion of cemeteries into public parks Causing any remains or ashes unearthed or disturbed to be reverently interred anywhere within the land converted from a cemetery to a public park.	DSS, EHO/BS	
Schedule 4, clause 14	Conversion of cemeteries into public parks Maintaining any buildings that were in existence on land converted from a cemetery to a public park at the date of conversion.	DSS, EHO/BS	

Cemeteries and Crematoria Act 2013

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Schedule 4, clause 14	Conversion of cemeteries into public parks Agreeing with a groundsman for the use of a dwelling on land converted from a cemetery to a public park as a caretaker's residence.	DSS, EHO/BS	
Schedule 4, clause 14	Conversion of cemeteries into public parks Using a dwelling on land converted from a cemetery to a public park, and the land within the curtilage of the dwelling and bounded by a substantial fence, for such other purposes and subject to such terms and conditions as the Minister may approve in writing.	DSS, EHO/BS	
Schedule 4, clause 14	Conversion of cemeteries into public parks Seeking the approval of the Minister the use by the council of a dwelling on land converted from a cemetery to a public park, and the land within the curtilage of the dwelling.	DSS, EHO/BS	

Cemeteries and Crematoria Regulation 2014

Cemeteries and Crematoria Regulation 2014			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation – all functions under the Cemeteries and Crematoria Regulation 2014 Exercise of all functions of council under the Regulation that may be legally delegated.	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Clause 13	Removing memorials after expiry of renewable interment right Carrying out the process for removing memorials after the expiry of the renewable interment right, including retaining a memorial to a deceased person for 5 years at a secure site and taking reasonable steps to give notice to the person's next of kin of the Council's intention to remove a memorial	GM	

Civil and Administrative Tribunal Act 2013

Civil and Administrative Tribunal Act 2013			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	<p>General delegation – all functions under the Civil and Administrative Tribunal Act 2013</p> <p>Exercise of all functions of council under the Act that may be legally delegated.</p>	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Section 40	<p>Commencement of proceedings</p> <p>Making an application or appeal to the Civil and Administrative Tribunal in the time and manner prescribed by enabling legislation or the procedural rules.</p>	GM	
Part 6	<p>Appeals</p> <p>Appealing to the Civil and Administrative Tribunal under enabling legislation or appealing a decision of the Civil and Administrative Tribunal.</p>	GM	

Civil and Administrative Tribunal Act 2013			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 79	<p>Making and determination of external appeal</p> <p>Making an appeal to the Civil and Administrative Tribunal where council is entitled to do under enabling legislation.</p>	GM	
Section 80	<p>Making of internal appeals</p> <p>Making an appeal to the Appeal Panel of the Civil and Administrative Tribunal against an internally appealable decision, where council is a party to the proceedings in which the decision is made.</p>	GM	
Section 83	<p>Appeals against appealable decisions</p> <p>Appealing against any decision made by the Civil and Administrative Tribunal in the proceedings to the Supreme Court on a question of law.</p> <p>Notes: An appealable decision of the Tribunal for the purposes of this delegation includes:</p>	GM	

Civil and Administrative Tribunal Act 2013			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	(a) any decision made by an Appeal Panel in an internal appeal, (b) any decision made by the Civil and Administrative Tribunal in an external appeal, (c) any decision made by the Civil and Administrative Tribunal in proceedings in which a civil penalty has been imposed by the Tribunal in exercise of its enforcement or general jurisdiction.		
Section 83	Appeals against appealable decisions Appealing a civil penalty imposed on a council by the Civil and Administrative Tribunal in exercise of its enforcement or general jurisdiction to the appropriate appeal court for the appeal on a question of law.	GM	

Coastal Management Act 2016

Coastal Management Act 2016			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	<p>General delegation – all functions under the Coastal Management Act 2016</p> <p>Exercise of all functions of council under the Act that may be legally delegated.</p>	GM	<p>Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.</p> <p>Council can only delegate its functions under the Act to authorised officers or members of council staff: section 9 of the Act and regulation 16 of the Coastal Protection Regulation 2011.</p>
Part 3	<p>Coastal management programs and manual</p> <p>Exercising all functions of council under this Part 3 if the council's local government area, or part of the council's local government area, is included within the coastal zone.</p>	GM	

Coastal Management Act 2016			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 13	<p>Requirement for coastal management programs</p> <p>Preparing a coastal management program in accordance with this Part.</p> <p>Notes: The council must prepare a coastal management plan if directed to do so by the Minister.</p> <p>A coastal zone management plan (including any emergency action subplan in that plan) in force under the Coastal Protection former Act before the repeal date continues to have effect in respect of the local council to which it applied immediately before the repeal date until replaced by a coastal management program prepared and adopted under this Act.</p>	GM	
Section 16	<p>Consultation</p> <p>Undertaking consultation on a draft coastal management program in accordance with this section 16.</p>	GM	

Coastal Management Act 2016			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 17	Adoption, certification and gazettal of coastal management program Adopting a draft coastal management program and submitting it to the Minister for certification under this section and publishing it in the Gazette if certified.	GM	Note: under s.377 of the LG Act Council cannot delegate the function of applying to the Minister for approval
Section 18	Review of coastal management programs Reviewing the Council's coastal management program Notes: The review is to be undertaken at least once every 10 years in accordance with the coastal management manual.	GM	
Section 18	Review, amendment and replacement of coastal management programs Amending, replacing or repealing a coastal management program.	GM	

Coastal Management Act 2016			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Notes: a coastal management plan may be repealed by notice published in the Gazette		
Section 19	<p>Availability of coastal management programs</p> <p>Making a copy of a coastal management program available for inspection by the public without charge at the office of the council or on the council's website.</p>	GM	
Section 20	<p>Minister to prepare coastal management programs in certain circumstances</p> <p>Complying with a notice requiring the local council to provide the Minister with such information or records (or both) as the notice requires in connection with the preparation and adoption of a coastal management program.</p>	GM	
Section 22	<p>Implementation of coastal management program by local councils</p> <p>Giving effect to council's coastal management program having regard to the objects of the Coastal Management Act, including</p>	GM	

Coastal Management Act 2016			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	(a) preparing, developing and reviewing plans, strategies, programs and reports to which Part 2 of Chapter 13 of the Local Government Act 1993 applies, and (b) preparing planning proposals and development control plans under the Environmental Planning and Assessment Act 1979.		
Section 26	Performance audit of implementation of coastal management programs Complying with a notice requiring the local council to provide a NSW Coastal Council with such information or records (or both) as the notice requires in connection with a performance audit.	GM	

Community Land Development Act 1989

Community Land Development Act 1989			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation - all functions under the Community Land Development Act 1989 Exercising all of the functions of council under the Act that can legally be delegated.	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Sections 8 and 12	Community and precinct schemes Issuing certificates providing that a community plan of subdivision or precinct plan of subdivision of community land is not inconsistent with a development consent in respect of the land.	DSS, EHO/BS	
Sections 26	Community, precinct and neighbourhood schemes Approving development contracts and certifying development contracts.	DSS, EHO/BS	

Community Land Development Act 1989			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 27	Community, precinct and neighbourhood schemes Approving applications for registration of an amendment to a development contract.	DSS, EHO/BS	
Section 72	Community, precinct and neighbourhood schemes Determining whether or not to consent to applications by neighbourhood associations to the Registrar-General for the termination of a neighbourhood scheme.	DSS, EHO/BS	
Schedule 1	Community, precinct and neighbourhood schemes Determining whether or not to consent to boundary adjustment plans.	DSS, EHO/BS	
Schedules 3 and 4	Community, precinct and neighbourhood schemes Requiring the making of certain by-laws.	DSS, EHO/BS	
Schedule 4	Community, precinct and neighbourhood schemes Approving neighbourhood management statements.	DSS, EHO/BS	

Community Land Development Act 1989			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Schedule 6 (converting community development lots), Schedule 7 (converting neighbourhood lots), schedule 8 (severing community development lots)	Community, precinct and neighbourhood schemes Determining whether or not to issue a certificate consenting to: the conversion of a community development lot to community property; the conversion of a neighbourhood lot to neighbourhood property or the severing of a community development lot from a community scheme.	DSS, EHO/BS	

Companion Animals Act 1998

Companion Animals Act 1998			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation - all functions under the Companion Animals Act 1998 Exercising all of the functions of council under the Act that can legally be delegated.	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Section 5	Appointing authorised officers Authorising council employees to be authorised officers for the purposes of the Companion Animals Act 1998.	DSS, GM	
Section 6A	General duties of Council Promoting awareness of the requirements of the Act with respect to the ownership of companion animals.	ACO, DSS, EHO/BS	
Section 6A	General duties of Council Taking appropriate steps to ensure that council is notified of the existence of all dangerous, menacing and restricted dogs that are ordinarily kept within its area.	ACO, DSS, EHO/BS	

Companion Animals Act 1998			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 10B	Registration and identification Giving notices requiring companion animals to be registered.	ACO, DSS, EHO/BS	
Section 11A	Registration and identification Taking reasonable steps to ascertain the ownership of companion animals killed as the result of being hit by a vehicle.	ACO, DSS, EHO/BS	
Section 11E	Notice requiring permit for companion animal Giving the owner of a companion animal a notice requiring the owner to apply for a permit in relation to that animal under Part 2A, Division 1 of the Companion Animals Act 1998.	ACO, DSS, EHO/BS	
Section 13	Control of dogs Declaring a public place to be an off-leash area.	ACO, DSS, EHO/BS	
Section 14 Section 30	Control of dogs and cats Ordering that dogs and cats are prohibited in certain public places.	ACO, DSS, EHO/BS	

Companion Animals Act 1998			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 20	Control of dogs Providing rubbish receptacles for the disposal of dog faeces.	ACO, DSS, EHO/BS	
Sections 31 and 32A	Control of dogs and cats Notifying the Director-General that an authorised officer of council has ordered the owner of a nuisance dog or cat to prevent the behaviour of the dog or cat which creates the nuisance.	ACO, DSS, EHO/BS	
Section 39	Dangerous and menacing dogs Revoking dangerous or menacing dog declarations, including.	ACO, DSS, EHO/BS	
Section 39	Dangerous and menacing dogs Giving notice of the council's decision to revoke a dangerous or menacing dog declaration to the owner of the dog.	ACO, DSS, EHO/BS	
Section 40	Dangerous and menacing dogs Notifying the Director-General of the revocation of a dangerous or menacing dog declaration.	ACO, DSS, EHO/BS	

Companion Animals Act 1998			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 58DA	Restricted dogs Revoking restricted dog declarations.	ACO, DSS, EHO/BS	
Section 58DA	Restricted dogs Giving notice to the Director-General of the council's decision to revoke a restricted dog declaration.	ACO, DSS, EHO/BS	
Sections 64 and 64A	Seized, surrendered or unclaimed animals Selling or destroying a seized, surrendered or unclaimed animal that have been delivered to a council pound.	ACO, DSS, EHO/BS	
Section 64	Seized, surrendered or unclaimed animals Adopting a policy in relation to the management of feral or infant companion animals.	ACO, DSS, EHO/BS	
Section 66	Seized, surrendered or unclaimed animals Transferring the proceeds of the sale of a seized surrendered or unclaimed animal.	ACO, DSS, EHO/BS	

Companion Animals Act 1998			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 66	Seized or surrendered animals Recovering from the owner of a seized or surrendered animal whole or part of the difference between the proceeds of the sale of the animal and the amount of associated fees, charges and expenses.	ACO, DSS, EHO/BS	
Section 67	Seized or surrendered animals Recovering from the owner of a seized or surrendered animal that is destroyed by the council associated release fees, maintenance charges and expenses.	ACO, DSS, EHO/BS	
Section 67A	Seized or surrendered animals Reporting to the Director-General on the activities of a council pound operated by the council or the council's agent.	ACO, DSS, EHO/BS	
Section 69F	Enforcement Providing authorised officers with identification cards.	ACO, DSS, EHO/BS	
Part 9	The Register of Companion Animals	ACO, DSS, EHO/BS	

Companion Animals Act 1998			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Managing the council's access to the Register of Companion Animals under Part 9 of the Companion Animals Act 1998, including granting and withdrawing approvals and adding, removing and reinstating records from the Register.		
Section 83C	General access by certain employees of local authorities Approving an employee or class of employees of the council to be eligible to access the Register of Companion Animals.	ACO, DSS, EHO/BS	
Section 83C	Withdrawing approval to access Register Withdrawing an approval under s.83C(1) of the Companion Animals Act 1998 and notifying the Office of Local Government of the withdrawal.	ACO, DSS, EHO/BS	
Section 83D	Limited access by contractors approval by local council Approving a person whom the Council engages to operate a council pound to be eligible to access the Register of Companion Animals.	ACO, DSS, EHO/BS	
Section 83D	Withdrawing an approval under s.83D(1) of the Companion Animals Act 1998 and notifying the Office of Local Government of the withdrawal.	ACO, DSS, EHO/BS	

Companion Animals Act 1998			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 85	<p>Companion Animals Fund</p> <p>Applying payments from the Companion Animals Fund to the council made by the Director-General to purposes that relate to the management and control of companion animals in the council's area.</p>	ACO, DSS, EHO/BS	
Section 95	<p>Issuing notices</p> <p>Allowing the payment of fees and charges by instalments or reducing or waiving fees and charges for persons in receipt of certain pensions, benefits or allowances.</p>	ACO, DSS, EHO/BS	

Companion Animals Regulation 2018

Companion Animals Regulation 2018			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Part 3	<p>General delegation – registering companion animals</p> <p>Registering companion animals. Includes associated functions such as cancelling registrations, reinstating registrations, satisfying notification requirements, etc.</p>	ACO, DSS, EHO/BS	
Regulation 19	<p>Registering companion animals</p> <p>Reinstating the registration of an animal.</p> <p>Note: Reinstating occurs by noting the reinstatement on the Register</p>	ACO, DSS, EHO/BS	Where the owner of a companion animal whose registration is cancelled under clause 19 pays the applicable registration fees within 14 days of being notified of the cancellation then the registration can be reinstated.
Regulation 20	<p>Registering companion animals</p> <p>Cancelling the registration of an animal that has ceased to be an assistance animal and for which the registration fee has not been paid including notifying the owner beforehand.</p>	ACO, DSS, EHO/BS	

Companion Animals Regulation 2018

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Note: Before cancelling the registration of an animal, the council must notify the owner of the animal in writing of the proposed cancellation and of any associated action proposed to be taken (including subsequent prosecution of the owner for being the owner of an unregistered animal).		
Regulation 20	Registering companion animals Notifying the Departmental Chief Executive of the cancellation of a former assistance animal's registration.	ACO, DSS, EHO/BS	
Regulation 20	Registering companion animals Reinstating the registration of a former assistance animal.	ACO, DSS, EHO/BS	
Regulation 24	Registering companion animals Directing that nuisance dogs and cats or animals, belonging to persons who are convicted of an offence under the Companion Animals Act or who pays a penalty notice, be registered.	ACO, DSS, EHO/BS	

Companion Animals Regulation 2018

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Regulation 28	<p>Permit scheme functions may be exercised by certain registration agents</p> <p>Exercising any or all functions of the Departmental Chief Executive under Division 2 of Part 2A of the Companion Animals Act 1998.</p> <p>Note: At the appointment of the Departmental Chief Executive for the purposes of section 11N(i) of the Companion Animals Act 1998.</p>	ACO, EHO/BS	Functions are those specified on the authorisation.
Regulation 31	<p>Keeping a register of dog attacks</p> <p>Entering information about dog attacks onto the register in certain circumstances.</p> <p>Note: The information must be entered on the Register within 72 hours after the information is received by the Council.</p>	ACO, DSS, EHO/BS	

Contaminated Land Management Act 1997

Contaminated Land Management Act 1997			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation - all functions under the Contaminated Land Management Act 1997 Exercise of all functions of council under the Act that may be legally delegated.	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Sections 30	Carrying out requirements of EPA order where person fails to comply Carrying out the terms of an investigation or remediation order at the direction of the Environment Protection Authority.	DSS, EHO/BS	
Section 33A	Recovery of costs - Court proceedings Bringing court proceedings to recover the costs incurred by council in carrying out the requirements of an order made by the EPA directed to another person.	DSS, EHO/BS	
Sections 35 and 36	Recovery of costs	DSS, EHO/BS	

Contaminated Land Management Act 1997

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Requiring a person to pay all or any costs reasonably incurred by council in carrying out the requirements of an order made by the EPA in respect of the person.		
Sections 39	Recovery of costs Applying to the Registrar-General for the registration of a costs notice as a charge on the title to any land owned by the person to whom the costs notice was issued.	DSS, EHO/BS	
Section 41	Recovery of costs Applying to the Registrar-General for the removal of a costs notice from the title to the land.	DSS, EHO/BS	
Section 42	Recovery of costs Repaying the costs of work done by council in relation to contaminated land into the Consolidated Fund were those costs were met out of money appropriated by Parliament for the management of contaminated land.	DSS, EHO/BS	
Section 95	Court proceedings	DSS, EHO/BS	

Contaminated Land Management Act 1997			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Bringing court proceedings for offences against the Act or the Regulations with leave of the Court. (Proceedings can be brought by “any person” with leave of the Court.)		
Section 96	Court proceedings Bringing court proceedings to remedy or restrain a breach of the Act. (Proceedings can be brought by “any person”.)	DSS, EHO/BS	

Conveyancing Act 1919

Conveyancing Act 1919			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation - all functions under the Conveyancing Act 1919 Exercise of all functions of council under the Act that may be legally delegated.	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993
Section 51A	Execution of instruments Appointing an agent to execute on council's behalf any agreement or other instrument not under seal in relation to any matters within the powers of the council or any registration copy to which the council is a party and appointing an officer to execute an assurance in the name of council	GM	
Part 6, Division 4	General delegation - restrictions or public positive covenants over land Imposing restrictions or public positive covenants on any prescribed land vested in the council or land not vested in the council. Includes associated functions such as enforcing the restriction or public positive covenant, rescinding, revoking, releasing, varying, etc. of a restriction or public positive covenant.	DSS, EHO/BS	

Conveyancing Act 1919			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 88D (land vested in council), Section 88E (land not vested in council)	Restrictions or public positive covenants over land Imposing restrictions or public positive covenants on any prescribed land vested in the council or land not vested in the council.	DSS, EHO/BS	
Section 88D (land vested in council), Section 88E (land not vested in council)	Restrictions or public positive covenants over land Enforcing the restriction or public positive covenant against a person claiming an interest in the land.	DSS, EHO/BS	
Section 88D	Restrictions or public positive covenants over land Rescinding or revoking restrictions or public positive covenants on land vested in council.	DSS, EHO/BS	
Section 88D	Restrictions or public positive covenants over land Varying a restriction or public positive covenant on land vested in council by written agreement with the person against whom the covenant is enforceable against	DSS, EHO/BS	
Section 88E	Restrictions or public positive covenants over land Releasing or varying restrictions or covenants on land not vested in council.	DSS, EHO/BS	

Conveyancing Act 1919			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 88F	Restrictions or public positive covenants over land Insuring a structure where a person fails to comply with a covenant to insure.	DSS, EHO/BS	
Section 88F	Restrictions or public positive covenants over land Carrying out development where a person fails to comply with a covenant requiring the carrying out of the development.	DSS, EHO/BS	
Section 88F	Restrictions or public positive covenants over land Bringing court proceedings to recover the expenses reasonably incurred in insuring or carrying out development as a result of a person's breach of a covenant.	DSS, EHO/BS	
Section 88G	Restrictions or public positive covenants over land Issuing certificates stating any money payable because of failure to comply with a public positive covenant and the particulars of any work carried out by the council.	DSS, EHO/BS	
Section 88H	Restrictions or public positive covenants over land Bringing court proceedings seeking an injunction to restrain a contravention of a restriction or positive covenant or requiring them to comply with the positive covenant.	DSS, EHO/BS	

Conveyancing Act 1919			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 88I	Restrictions or public positive covenants over land Bringing court proceedings seeking an order that the land be conveyed or transferred to the council where a person has contravened a public positive covenant.	DSS, EHO/BS	
Section 88J	Restrictions or public positive covenants over land Bringing court proceedings seeking an order requiring the delivery to the council of any deed, certificate of title or other instruments.	DSS, EHO/BS	

Crown Land Management Act 2016

Crown Land Management Act 2016			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	<p>General delegation – all functions under the Crown Lands Management Act 2016</p> <p>Exercise of all functions of council under the Act that may be legally delegated.</p>	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Part 3, Division 3.3 and 3.4	<p>Council acting as Crown land manager</p> <p>Exercising the functions prescribed under Divisions 3.3 and 3.4 of the Crown Land Management Act 2016 if the Council is appointed as a Crown land manager by the Minister under section 3.2.</p> <p>Note: The local council or corporation that managed the affairs of the managed reserve trust is taken to have been appointed as the Crown land manager of the former trust land (Schedule 7, clause 11(5).)</p>	SP	<p>A Crown land manager of dedicated or reserved Crown land may delegate to another person any of the manager's functions in relation to the land, but only if the delegation to that person (or to a class of persons to which the person belongs) has been approved by the Minister (s. 3.18).</p> <p>Council may only act as the Crown land manager for land which is partly or wholly within another Council's local government area with the consent of the other Council (section 3.3)</p>

Crown Land Management Act 2016			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 3.13	<p>Functions of Crown land managers</p> <p>Performing the function of Crown land manager of specified dedicated or reserved Crown land including:</p> <p>(a) being the person responsible for the care, control and management of the Crown land for purposes referred to in section 2.12 of the Crown Land Management Act applicable to the land, and</p> <p>(b) exercising any other functions that are conferred or imposed on the manager by or under the Crown Land Management Act or another Act (including by Divisions 3.4 and 3.5).</p>	GM	<p>A Crown land manager of dedicated or reserved Crown land may delegate to another person any of the manager's functions in relation to the land, but only if the delegation to that person (or to a class of persons to which the person belongs) has been approved by the Minister (s. 3.18).</p>
Section 3.22	<p>Functions of council managers of Crown land which is community land</p> <p>Managing dedicated or reserved Crown land (other than a public reserve or operational land) as if it were community land (as defined in the Local Government Act 1993), including by exercising the functions that a local council has under the Local Government Act 1993 for that purpose</p>	SP	<p>A Crown land manager of dedicated or reserved Crown land may delegate to another person any of the manager's functions in relation to the land, but only if the delegation to that person (or to a class of persons to which the person belongs) has been approved by the Minister (s. 3.18).</p> <p>Section 47E of the Local Government Act 1993 prohibits the Council delegating functions relating to the carrying out of development on community land and sets out some exceptions.</p>

Crown Land Management Act 2016			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 3.22	<p>Functions of council managers of Crown land which is a public reserve</p> <p>Managing dedicated or reserved Crown land that is a public reserve (as defined in the Local Government Act 1993) as a public reserve under that Act, including by exercising the functions that a local council has under the Local Government Act 1993 and which can be lawfully delegated for that purpose</p>	SP	A Crown land manager of dedicated or reserved Crown land may delegate to another person any of the manager's functions in relation to the land, but only if the delegation to that person (or to a class of persons to which the person belongs) has been approved by the Minister (s. 3.18).
Section 3.22	<p>Functions of council managers of Crown land which is operational land</p> <p>Managing dedicated or reserved Crown land that is classified, with the written consent of the Minister under this section, as operational land under the Local Government Act 1993 as if it were operational land under that Act.</p> <p>Exercising all the functions that a local council has under the Local Government Act and which can be lawfully delegated in relation to operational land.</p>	SP	A Crown land manager of dedicated or reserved Crown land may delegate to another person any of the manager's functions in relation to the land, but only if the delegation to that person (or to a class of persons to which the person belongs) has been approved by the Minister (s. 3.18).

Crown Land Management Act 2016			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 3.23	<p>Initial assignment of categories</p> <p>Assigning dedicated or reserved Crown land to one or more categories of community land referred to in section 36 of the Local Government Act 1993, as soon as practicable after it becomes the manager of the dedicated or reserved Crown land (including because of the operation of Schedule 7), and altering the assigned category if the Minister gives written notice requiring this to be done.</p>	SP	<p>A Crown land manager of dedicated or reserved Crown land may delegate to another person any of the manager's functions in relation to the land, but only if the delegation to that person (or to a class of persons to which the person belongs) has been approved by the Minister (s. 3.18).</p> <p>A Council cannot alter the categorisation by a further plan of management unless the Minister has given written consent: s.3.23(9) Crown Land Management Act.</p>
Section 3.23	<p>Adoption of plans of management</p> <p>Preparing and adopting plans of management for the land in accordance with the provisions of Division 2 of Part 2 of Chapter 6 of the Local Government Act 1993 and s.3.23 of the Crown Land Management Act.</p>	GM	<p>A Crown land manager of dedicated or reserved Crown land may delegate to another person any of the manager's functions in relation to the land, but only if the delegation to that person (or to a class of persons to which the person belongs) has been approved by the Minister (s. 3.18).</p>
Section 4.6	<p>Vesting of Crown lands in local councils</p> <p>Agreeing to the vesting of transferable Crown land in the council.</p>	SP	

Crown Land Management Act 2016			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 4.8	<p>Vesting of Crown lands in local councils</p> <p>Taking steps to satisfy the Minister that Crown land can be vested in the council as operational land because:</p> <ul style="list-style-type: none"> • the land does not fall within any of the categories for community land under the Local Government Act 1993; or • that the land could not continue to be used and dealt with as it currently can if it were required to be used and dealt with as community land. 	GM	
Section 12.4	<p>Administration arrangements with other public authorities</p> <p>Entering into an administration arrangement with the Minister or the Ministerial Corporation.</p>	GM	A Crown land manager of dedicated or reserved Crown land may delegate to another person any of the manager's functions in relation to the land, but only if the delegation to that person (or to a class of persons to which the person belongs) has been approved by the Minister (s. 3.18).
Part 9	Protection of Crown Land	SP	A Crown land manager of dedicated or reserved Crown land may delegate to another person any of the manager's functions in relation to the land, but only if the delegation to

Crown Land Management Act 2016			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Exercising all the functions of a Crown land manager under Part 9 of the Crown Land Management Act 2016, including giving notices and directions for the protection of Crown land.		that person (or to a class of persons to which the person belongs) has been approved by the Minister (s. 3.18).
Section 9.5	<p>Notices prohibiting structure or land use</p> <p>Causing a notice to be displayed in a conspicuous place on or near land (or at a commonly used access point to land) that prohibits persons from carrying on an activity of a kind prescribed by the regulations on Crown land.</p> <p>Note: See cl.13 of the Crown Land Management Regulation 2018 for a list of activities prescribed for the purpose of s.9.5 of the Crown Land Management Act 2016.</p>	SP	A Crown land manager of dedicated or reserved Crown land may delegate to another person any of the manager's functions in relation to the land, but only if the delegation to that person (or to a class of persons to which the person belongs) has been approved by the Minister (s. 3.18).
Section 9.6	<p>Directions concerning vehicles on Crown land</p> <p>Giving reasonable directions to persons concerning the entry, use and parking or storage of vehicles on Crown land for the purpose of preventing danger or harm to persons, animals, structures or property.</p>	SP	A Crown land manager of dedicated or reserved Crown land may delegate to another person any of the manager's functions in relation to the land, but only if the delegation to that person (or to a class of persons to which the person belongs) has been approved by the Minister (s. 3.18).

Crown Land Management Regulation 2018

Crown Land Management Regulation 2018			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	<p>General delegation – all functions under the Crown Land Management Regulation 2018</p> <p>Exercise of all functions of council under the Crown Land Management Regulation that may be legally delegated.</p>	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Part 2, Division 1	<p>Protection of dedicated or reserved Crown land</p> <p>Managing Crown land where the Council is the responsible manager of dedicated or reserved Crown land, including managing public access, setting aside land and determining conditions of entry.</p>	SP	Clause 7 of the Crown Land Management Regulation enables fees to be set and charged for entry into dedicated or reserved Crown Land, however this function cannot be delegated (s.377(e) Local Government Act 1993)
Section 5	<p>Public access to dedicated or reserved Crown Land</p> <p>Displaying public notice at the entrance of Crown land:</p> <p>(a) specifying the times during which the land or any part of the land is to be open to the public,</p>	SP	

Crown Land Management Regulation 2018

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	<p>(b) closing to the public the whole or any part of the land or any structure or enclosure in or on the land (but only temporarily or periodically if the land is dedicated or reserved for public recreation),</p> <p>(c) restricting or regulating in any other way the purposes for which the whole or any part of the land, or any structure or enclosure in or on the land, may be used,</p> <p>(d) prohibiting the use of the whole or any part of the land, or any structure or enclosure in or on the land, for any purpose specified in the notice.</p>		
Section 6	<p>Responsible manager may set aside parts of dedicated or reserved Crown land for certain uses</p> <p>Setting aside any part of the land (including any building or enclosure in or on the land) for any purpose for which the land may be used subject to and consistent with any plan of management which applies to the land.</p>	GM	
Section 8	<p>Conditions of entry for dedicated or reserved Crown land</p> <p>Determining conditions of entry for dedicated or reserved Crown land and displaying public notices of those conditions.</p>	SP	

Crown Land Management Regulation 2018			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Designating entry and exit points to and from Crown land, any part of the land or any structure or enclosure in or on the land by public notices.		
Section 10	Certain acts and omissions not be offences against Division Issuing a direction or giving consent to conduct on Crown land by a person which would otherwise be an offence under Part 2, Division 1 of the Crown Land Management Regulation 2018.	GM	Clause 10 does not permit a responsible manager to consent to the doing of anything on the land that is prohibited by the Crown Land Management Act or any other law (except Division 1 of the Regulation).

Dams Safety Act 2015

Dams Safety Act 2015			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	<p>General delegation – all functions under the Dams Safety Act 2015</p> <p>Exercise of all functions of council under the Act that may be legally delegated.</p> <p>(Councils are public authorities under the Act)</p>	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Section 49	<p>Arrangements with public authorities</p> <p>Entering into an arrangement or agreement with Dams Safety NSW that the Council may act as agent of Dams Safety NSW for the purposes of the Dams Safety Act 2015.</p>	DSS	

Dams Safety Act 2015			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 49	Acting as an agent of Dams Safety NSW in accordance with any arrangement or agreement made pursuant to s.49 of the Dams Safety Act 2015	DSS	Subject to such terms and conditions as may be agreed on by Dams Safety NSW and the public authority

NSW Disability Inclusion Act 2014

Disability Inclusion Act 2014			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	<p>General delegation – all functions under the Disability Inclusion Act 2014</p> <p>Exercise of all functions of council under the Act that may be legally delegated.</p> <p>(Council has functions as a ‘public authority’ and an ‘eligible entity’ under the Act)</p>	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Section 12	<p>Disability inclusion action plans</p> <p>Preparing a disability inclusion plan, including consulting with people with a disability or other relevant persons.</p>	DBS	
Section 12	<p>Disability inclusion action plans</p> <p>Giving a copy of the council’s disability inclusion plan to the Disability Council.</p>	DBS	

Disability Inclusion Act 2014			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 12	Disability inclusion action plans Making the council's disability inclusion plan publicly available.	DBS	
Section 13	Disability inclusion action plans Giving to the Minister a copy of the part of its annual report relating to the department's or council's report on the implementation of its disability inclusion action plan.	DBS	
Section 14	Disability inclusion action plans Reviewing the council's disability inclusion plan including consulting with people with a disability.	DBS	
Section 17	Providing information to the Disability Council Providing information to the Disability Council where requested to do so.	DBS	

Disability Inclusion Act 2014			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 26 and 29	Financial assistance for people with disabilities Entering into an agreement with the Secretary in relation to financial assistance provided to the council by the Secretary for the purpose of enabling people with a disability to obtain supports and services.	DBS	
Section 34	Financial assistance for people with disabilities Making submissions to the Secretary about a proposal by the Secretary to terminate financial assistance to the Council under the Act.	DBS	
Section 34	Financial assistance for people with disabilities Applying to the Civil and Administrative Tribunal for a review of a decision by the Secretary to terminate financial assistance to the council.	DBS	
Section 38	Providing information to the Secretary Providing information to the Secretary relating to:	DBS	

Disability Inclusion Act 2014

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	<p>(a) the provision of the financial assistance, or</p> <p>(b) obtaining or providing supports or services with the financial assistance, or</p> <p>(c) compliance with the person's agreement entered into under this Part in relation to the financial assistance,</p> <p>where requested to do so.</p>		

NSW Disability Inclusion Regulation 2014

Disability Inclusion Regulation 2014			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Regulation 10	Probity checks Conducting or requiring a criminal record check or statutory declaration from a person in relation to the engagement of that person by the council as a relevant worker under the Act.	GM, HRO	
Various	General delegation – all functions under the Disability Inclusion Regulation 2014 Exercise of all functions of council under the Act that may be legally delegated.	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.

District Court Act 1973

District Court Act 1973			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	<p>General delegation – all functions under the District Court Act 1973</p> <p>Exercise of all functions of council under the Act that may be legally delegated.</p>	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Parts 3 and 4	<p>Commencing proceedings</p> <p>Commencing and carrying on legal proceedings within the jurisdiction of the District Court.</p>	GM	
Section 127	<p>Right to appeal to Supreme Court</p> <p>Appealing a judgment or order in an action of the District Court to the Supreme Court.</p>	GM	

District Court Act 1973			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 127	Right to appeal to Supreme Court Seeking leave of the Supreme Court to appeal a judgment or order of the District Court where leave is required.	GM	

Electricity Supply Act 1995

Electricity Supply Act 1995			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation - all functions under the Electricity Supply Act 1995 Exercise of all functions of council under the Act that may be legally delegated.	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Section 45	Electricity works Making submissions to the network operator in relation to the erection and placement of electricity works by the network operator.	DSS	
Section 46	Repairing damage done by network operator Carrying out work to repair damage done to a public road or public reserve by a network operator and bringing court proceedings to recover the cost of the work done by council.	DSS	
Section 46	Court proceedings Bringing court proceedings to recover the cost of work done by council to repair damage done to a public road or public reserve by a network operator.	DSS	

Electricity Supply Act 1995			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 97	<p>Disputes with other public authorities</p> <p>Complying with directions made by the Minister to council in relation to a dispute between council and another public authority.</p>	DSS	
Various	<p>General delegation - exercise of all functions delegated to council by the Minister or the Electricity Tariff Equalisation Ministerial Corporation</p> <p>Exercising any functions delegated to council by the Minister or the Electricity Tariff Equalisation Ministerial Corporation.</p> <p>(The power of the Minister or the Electricity Tariff Equalisation Ministerial Corporation to delegate functions is contained in section 183.)</p>	GM	Council cannot sub-delegate the functions listed in section 377(1) of the Local Government Act 1993

Environmental Planning and Assessment (Savings, Transitional and Other Provisions) Regulation 2017

Environmental Planning and Assessment (Savings, Transitional and Other Provisions) Regulation 2017			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	<p>General delegation – all functions under the Environmental Planning and Assessment Regulation 2000</p> <p>Exercise of all functions of council under the Regulation that may be legally delegated.</p>	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Schedule 1, Clause 140	<p>Certification of infrastructure projects</p> <p>Keeping a register of notices given by the Co-ordinator General under this clause for infrastructure projects situated in the area of the council.</p> <p>Notes: Section 100 (2) applies to a register kept by a council under this clause.</p>	EHO/BS, SP	

Environmental Planning and Assessment (Savings, Transitional and Other Provisions) Regulation 2017

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Schedule 2, Clause 15	<p>Matters determined by joint regional planning panels</p> <p>Exercising the consent authority functions where a development application was made but not determined before the commencement of Schedule 4A and a regional panel was exercising the consent authority functions of the council when the application was made, and the regional panel ceased to exercise those functions on the commencement of that Schedule.</p>	EHO/BS, SP	
Schedule 4, Clause 48	<p>Application of amendments relating to fire safety reports</p> <p>Notifying the Fire Commissioner that council has forwarded the documents required by clause 144 before the commencement of the 2015 amendments and has not, on or before that commencement, determined the application for the construction certificate.</p>	EHO/BS, SP	Only where council is the relevant certifier.

Environmental Planning and Assessment Act 1979

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	<p>General delegation - all functions under the Environmental Planning and Assessment Act 1979</p> <p>Exercise of all functions of council under the Act that may be legally delegated.</p>	GM	<p>Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.</p> <p>Council can only directly delegate to the general manager or another "person or body" (e.g. a committee) but not Council employees: section 377(1). The general manager can sub-delegate to Council employees or other persons or bodies: section 378(2).</p>
Section 2.4	<p>Part 2 – Planning Administration</p> <p>Delegation by Minister, Planning Ministerial Corporation or Planning Secretary</p>	GM	<p>Council's power to delegate is still limited by section 377(1) of the Local Government Act 1993.</p> <p>This section does not authorise the delegation of:</p>

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Exercising any functions delegated to council by the Minister Administering the Environmental Planning and Assessment Act or the Secretary of the Department of Planning and Infrastructure.		(a) the power of delegation conferred by this section, or (b) the function of the Minister under Division 5.2 of determining an application for approval to carry out critical State significant infrastructure, or (c) any function of the Minister of giving directions under section 9.1 or of appointing a planning administrator or exercising other functions under section 9.6.
Various	Part 2 – Planning Administration Exercising any functions of or delegated to the Council in relation to the creation, administration, operation of and reporting on a Sydney district planning panel, regional planning panel or local planning panel	EHO/BS, SP	
Section 2.13	Part 2 – Planning Administration	GM	

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	<p>Members of Sydney district and regional planning panels</p> <p>Nominating 2 persons as council nominees for the purposes of a Sydney district or regional planning panel.</p>		
Section 2.16	<p>Part 2 – Planning Administration</p> <p>Miscellaneous provisions relating to Sydney district and regional planning panels</p> <p>Exercising any functions delegated to council by a Sydney district or regional planning panel.</p> <p>Notes: Subject to Minister’s approval.</p>	GM	<p>Council's power to delegate is still limited by section 377(1) of the Local Government Act 1993.</p> <p>This section does not authorise the delegation of the power of delegation conferred by this section</p>
Section 2.17	<p>Part 2 – Planning Administration</p> <p>Constitution of local planning panels</p>	GM	

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	<p>Constituting a local planning panel for the whole area of the council or jointly with other councils.</p> <p>Notes: Schedule 2 contains provisions with respect to the members and procedure of local planning panels.</p>		
Section 2.18	<p>Part 2 – Planning Administration</p> <p>Members of local planning panels</p> <p>Appointing the members of a local planning panel.</p> <p>Notes: Some appointments must be of an independent person approved by the Minister.</p>	EHO/BS, SP	
Section 2.20	Part 2 – Planning Administration	EHO/BS, SP	

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	<p>Miscellaneous provisions relating to local planning panels</p> <p>Monitoring the performance of local planning panels constituted by the council.</p>		
Section 2.20	<p>Part 2 – Planning Administration</p> <p>Miscellaneous provisions relating to local planning panels</p> <p>Providing a report to the Planning Secretary, each year or other period directed by the Planning Secretary, as to the following:</p> <p>(a) whether a local planning panel had been constituted by the council during the reporting period,</p> <p>(b) the matters referred to the panel in the reporting period,</p> <p>(c) the persons appointed to the panel,</p> <p>(d) any other matters relating to the exercise of functions by the panel as directed by the Planning Secretary.</p>	EHO/BS, SP	

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various - Division 2.6 of Part 2	<p>Part 2 – Planning Administration</p> <p>Community participation</p> <p>Carrying out the community participation requirements of Division 2.6 of Part 2 of the Environmental Planning and Assessment Act.</p> <p>Notes: Division 2.6 Community participation requirements apply to the following functions:</p> <p>(a) planning instrument functions under Part 3,</p> <p>(b) development consent functions under Part 4,</p> <p>(c) environmental impact assessment functions under Division 5.1 if an environmental impact statement is required,</p>	EHO/BS, SP	

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	<p>(d) State significant infrastructure approval functions under Division 5.2,</p> <p>(e) contribution plan functions under Part 7,</p> <p>(f) any other function under this Act prescribed by the regulations.</p> <p>Part 1 of Schedule 1 sets out the mandatory requirements for community participation</p>		
Section 2.23	<p>Part 2 – Planning Administration</p> <p>Community participation plans – preparation</p> <p>Preparing a community participation plan about how and when council will undertake community participation when exercising relevant planning functions.</p>	EHO/BS, SP	

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	<p>Notes: Section.2.23 sets out the factors which the authority must have regard to in preparing the community participation plan.</p> <p>The Regulations may also contain provisions which apply to the making and publishing of community participation plans: s.2.24</p>		
Section 2.24	<p>Part 2 – Planning Administration</p> <p>Community participation plans—miscellaneous provisions</p> <p>Publishing community participation plans on the NSW planning portal and reviewing plans periodically.</p>	EHO/BS, SP	
Section 2.24	<p>Part 2 – Planning Administration</p> <p>Community participation plans—miscellaneous provisions</p>	EHO/BS, SP	

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Reviewing community participation plans periodically.		
Various	<p>Part 3 – Planning instruments</p> <p>Exercising all of the Council's functions in relation to strategic planning and environmental planning instruments under Part 3 of the Environmental Planning and Assessment Act 1979</p>	GM	
Section 3.8	<p>Part 3 – Planning instruments</p> <p>Implementation of strategic plans</p> <p>Reviewing the local environmental plans for the area to which a district plan applies for the Greater Sydney Region, and preparing planning proposals under Section 55 as are</p>	GM	

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	necessary to give effect to the district plan as soon as practicable.		
Section 3.8	<p>Part 3 – Planning instruments</p> <p>Implementation of strategic plans</p> <p>Reporting to the Greater Sydney Commission if the Council is within the Greater Sydney Region on the local environmental plans review and the preparation of relevant planning proposals.</p>	GM	
Section 3.9	<p>Part 3 – Planning instruments</p> <p>Local strategic planning statements of councils</p> <p>Preparing and making a local strategic planning statement and reviewing the statement at least every 7 years.</p>	EHO/BS, SP	

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 3.21	<p>Part 3 – Planning instruments</p> <p>Review of environmental planning instruments</p> <p>Keeping local environmental plans and development control plans under regular and periodic review and determining whether local environmental plans should be updated.</p>	EHO/BS, SP	
Section 3.23	<p>Part 3 – Planning instruments</p> <p>Public access to environmental planning instruments and related documents</p> <p>Providing the Secretary, when requested, with copies and electronic files of any instruments, plans, maps or other documents prepared or held by the council.</p>	EHO/BS, SP	

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 3.25	<p>Part 3 – Planning instruments</p> <p>Special consultation procedures concerning threatened species</p> <p>Consulting with the Secretary of the Department of Environment, Climate Change and Water before a proposed LEP is made if in the council's opinion critical habitat or threatened species, populations or ecological communities, or their habitats, will or may be adversely affected by the LEP.</p>	EHO/BS, SP	
Section 3.32	<p>Part 3 – Planning instruments</p> <p>Planning proposal authority</p> <p>Providing studies or other information in council's possession in relation to a proposed LEP to another planning authority at the direction of the Minister.</p>	EHO/BS, SP	

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 3.32	<p>Part 3 – Planning instruments</p> <p>Planning proposal authority</p> <p>Exercising the functions under this Division jointly with another Council in connection with the making of a single principal or amending instrument in relation to the whole of their combined areas</p>	EHO/BS, SP	
Various: Part 3, Division 3.4	<p>Part 3 – Planning instruments</p> <p>General delegation – preparing local environmental plans</p> <p>Preparing the planning proposal for an environmental planning instrument. Includes associated functions such as conducting community consultation, forwarding the proposal to the Minister, varying the proposal, etc.</p>	EHO/BS, SP	

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 3.31	<p>Part 3 – Planning instruments</p> <p>Making of environmental planning instruments for local areas (LEPs)</p> <p>Making environmental planning instruments for the purpose of environmental planning.</p> <p>Note: Where the Council is the local plan-making authority and the gateway determination under this Division authorises the council to make the local environmental plan concerned.</p>	EHO/BS, SP	
Section 3.32	<p>Part 3 – Planning instruments</p> <p>Planning proposal authority</p>	EHO/BS, SP	

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Requiring an owner of any land who requests that Council exercise its functions under this Division in relation to the land to carry out studies or provide other information concerning the proposal or to pay the costs of the authority in accordance with the regulations.		
Section 3.33	<p>Part 3 – Planning instruments</p> <p>Planning proposal authority to prepare explanation of and justification for proposed instrument—the planning proposal</p> <p>Preparing a document that explains the intended effect of the proposed instrument and sets out the justification for making the proposed instrument (the planning proposal).</p>	EHO/BS, SP	
Section 3.34	Part 3 – Planning instruments	EHO/BS, SP	

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	<p>Gateway determination</p> <p>Forwarding the planning proposal or a revised planning proposal to the Minister.</p>		
Section 3.35	<p>Part 3 – Planning instruments</p> <p>Planning proposal authority may vary proposals or not proceed</p> <p>Varying the planning proposal and forwarding a revised proposal to the Minister or the Greater Sydney Commission (where applicable)</p>	EHO/BS, SP	
Section 3.35	<p>Part 3 – Planning instruments</p> <p>Planning proposal authority may vary proposals or not proceed</p>	EHO/BS, SP	

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Requesting the Minister (or the Greater Sydney Commission where applicable) to determine that the matter not proceed		
Section 3.36	<p>Part 3 – Planning instruments</p> <p>Making of local environmental plan by local plan-making authority</p> <p>Consulting with the Secretary on the terms of draft environmental planning instruments.</p>	EHO/BS, SP	
Section 3.36	<p>Part 3 – Planning instruments</p> <p>Making of local environmental plan by local plan-making authority</p>	EHO/BS, SP	

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Making or deciding not to make a local environmental plan following completion of community consultation.		
Various - Part 3, Division 3.6 of the Environmental Planning and Assessment Regulation 2000.	<p>Part 3 – Planning instruments</p> <p>Development control plans (DCPs)</p> <p>Making, amending or repealing a development control plan. Includes associated functions such requesting additional information from persons or bodies, forwarding the plan to the Secretary, etc.</p>	EHO/BS, SP	
Section 3.43	<p>Part 3 – Planning instruments</p> <p>Preparation of development control plans</p>	EHO/BS, SP	

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Preparing a development control plan.		
Section 3.44	<p>Part 3 – Planning instruments</p> <p>Development control plans required or authorised by environmental planning instruments</p> <p>Making a development control plan submitted to it by the owners of the land to which it applies.</p>	EHO/BS, SP	
Section 3.46	<p>Part 3 – Planning instruments</p> <p>Minister or GSC may direct councils with respect to development control plans</p>	EHO/BS, SP	

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Complying with a ministerial direction to make, amend or revoke a development control plan.		
Various -Part 4 of the Act and Part 6 of the Environmental Planning and Assessment Regulation 2000.	<p>Part 4 – Development assessment and consent</p> <p>General delegation – development applications</p> <p>Exercising all of the Council's functions as a consent authority relating to the determination of development applications including by granting approval with or without conditions or by refusal. Includes all associated functions such as satisfying public exhibition and notice requirements, consulting with certain bodies, seeking concurrence or approval from certain bodies, requesting further information, providing information to other person or bodies, forwarding submissions to the Secretary, reviewing a determination of a development application, etc.</p>	GM	Council cannot delegate the functions listed in section 377(1) Local Government Act 1993.
Various –Part 4 Applications where the	General delegation – development applications	GM	

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Council is the owner of land in respect to which a development application is made	Exercising all of the Council's functions as the owner of land to which a Part 4 application relates, including giving consent to the making of development applications, complying development applications and giving consent to the making of an application to modify development consents.		
Section 4.7(2)	<p>Part 4 – Development assessment and consent</p> <p>Provisions relating to Sydney district or regional planning panels</p> <p>Exercising all consent authority functions permitted to be exercised by the Council on behalf of the relevant Sydney district or regional planning panel in relation to a proposed development in the Council's area, including:</p> <p>(a) receiving development applications and determining and receiving fees for the applications,</p> <p>(b) undertaking assessments of the proposed development and providing them to the panel,</p>	GM	

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	<p>(c) obtaining any concurrence, and undertaking any consultation, that the consent authority is required to obtain or undertake,</p> <p>(d) carrying out community participation requirements,</p> <p>(e) notifying or registering the determinations of the panel,</p> <p>(f) the functions under section 4.17 in relation to the provision of security,</p> <p>(g) the determination of applications to extend the period before consents lapse,</p> <p>(h) any other function prescribed by the Environmental Planning and Assessment Regulation 2000 .</p>		
Section 4.12	<p>Part 4 – Development assessment and consent</p> <p>Application</p> <p>Applying any of the provisions of or under the Local Government Act 1993 that it could apply if the development application were an application under that Act for the</p>	EHO/BS, SP	

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	relevant approval and imposing a condition that is authorised under that Act to be imposed as a condition of an approval.		
Section 4.12 (and cl.49 of the EPA Regulation)	<p>Application</p> <p>Giving consent to the making of an application to carry out development on land where the Council is the owner of the land to which the application relates.</p>	EHO/BS, SP	
Sections 4.13	<p>Part 4 – Development assessment and consent</p> <p>Consultation and concurrence</p> <p>Consulting with or obtaining the concurrence of a person in relation to a development application and granting the consent subject to any conditions of the concurrence.</p>	EHO/BS, SP	
Section 4.14	Part 4 – Development assessment and consent	EHO/BS, SP	

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	<p>Consultation and development consent—certain bush fire prone land</p> <p>Consulting with the Commissioner of the NSW Rural Fire Service concerning measures to be taken with respect to the development.</p>		
Section 4.16	<p>Part 4 – Development assessment and consent</p> <p>Determination of development applications</p> <p>Determining development applications by granting consent either unconditionally or subject to conditions or by refusing consent.</p>	EHO/BS, SP	
Section 4.17	<p>Part 4 – Development assessment and consent</p> <p>Conditions and other arrangements concerning security</p>	EHO/BS, SP	

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Entering into an agreement with an applicant, that the applicant must provide security for the payment of the costs outlined in section 4.17 of the EPA Act.		
Section 4.18	<p>Part 4 – Development assessment and consent</p> <p>Post-determination notification</p> <p>Notifying relevant persons the council's determination of a development application.</p> <p>Note: Clause 20 of Schedule 1 of the Act sets out the mandatory public notification requirements.</p> <p>These may be amended by the EPA Regulations</p>	EHO/BS, SP	
General delegation Part 4, Division 4.5 of the EPA Act – complying development	General delegation – complying development	EHO/BS, SP	

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
where Council is the owner of land and consent is required from owner of that land	Exercising all functions of the Council in the capacity of the owner of land in relation to which an application for complying development certificate has been made. Includes making an application for a complying development certificate as the owner and giving consent to another person to apply for a complying development certificate in relation to land owned by the Council.		
Section 4.26	Carrying out of complying development Making an application for a complying development certificate in relation to a development proposed to be carried out on land owned by the Council.	EHO/BS, SP	
Section 4.26	Carrying out of complying development Granting consent to a person to make an application for a complying development certificate in relation to a development proposed to be carried out on land owned by the Council.	GM	

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 4.28 of the Act and Part 7 of the Environmental Planning and Assessment Regulation 2000. Part 7 of amended version Infrastructure Contributions and Finance	<p>Complying development</p> <p>Carrying out all functions of the Council for obtaining complying development certificates, determining whether or not to issue a complying development certificate and notifying the relevant parties of the determination. Includes associated functions such as requiring additional information, providing information to other persons or bodies, carrying out site inspections, etc.</p>	EHO/BS, SP	<p>Clause 129AA and 129AB of the Regulation imposes restrictions on the issue of complying development certificates for certain development for the purpose of schools or school-based child care</p> <p>Clause 129B of the Regulation imposes general restrictions on the issue of complying development certificates.</p>
Section 4.28	<p>Part 4 – Development assessment and consent</p> <p>Development applications - complying development</p> <p>Determining whether or not to issue a complying development certificate and what if any conditions should be imposed.</p>	EHO/BS, SP	<p>Clause 129AA and 129AB of the Regulation imposes restrictions on the issue of complying development certificates for certain development for the purpose of schools or school-based child care.</p> <p>Clause 129B of the Regulation imposes general restrictions on the issue of complying development certificates.</p>
Section 4.28	Part 4 – Development assessment and consent	EHO/BS, SP	

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	<p>Determination of Crown development applications</p> <p>Referring a Crown development application to the Minister or the applicable regional panel, notifying the developer and providing the panel with relevant information.</p>		
Section 4.33	<p>Part 4 – Development assessment and consent</p> <p>Determination of Crown development applications</p> <p>Referring a Crown development application to the Minister or the applicable Sydney district or regional planning panel, notifying the developer and providing the panel with relevant information.</p>	EHO/BS, SP	
Section 4.34	<p>Part 4 – Development assessment and consent</p> <p>Directions by Minister</p>	EHO/BS, SP	

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Complying with ministerial directions about Crown development applications and varying conditions specified by the Minister with the approval of the applicant.		
Section 4.37	<p>Part 4 – Development assessment and consent</p> <p>Staged State significant development</p> <p>Determining a subsequent stage of staged state significant development where the relevant consent authority has determined that stage is to be determined by the relevant council as consent authority.</p>	EHO/BS, SP	
Section 4.47	<p>Part 4 – Development assessment and consent</p> <p>Development that is integrated development</p>	EHO/BS, SP	

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Obtaining from each relevant approval body the general terms of any approval proposed to be granted by the approval body before determining an application for integrated development,.		
Section 4.53	Part 4 – Development assessment and consent Lapsing of consent Reducing the 5 year period for which development consents usually remain valid.	EHO/BS, SP	
Section 4.54	Part 4 – Development assessment and consent Extension of lapsing period for 1 year Granting an extension to a lapsing period.	EHO/BS, SP	

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Sections 4.55, 4.56, 4.57 of the Act and Part 6, Division 4 of the Environmental Planning and Assessment Regulation 2000.	<p>Part 4 – Development assessment and consent</p> <p>General delegation – modification or revocation of development consent</p> <p>Modifying or revoking a development consent. Includes all associated functions such as satisfying any notification or consultation requirements and considering any submissions.</p>	EHO/BS, SP	
Section 4.55 (and cl.115 of the EPA Regulation)	<p>Part 4 – Development assessment and consent</p> <p>General delegation – modification of consents where Council owns land</p> <p>Giving consent to the making of an application to modify a development consent where the Council is the owner of the land to which the development consent applies.</p>	GM	
Section 4.55 (and cl.123BA of the EPA Regulation)	Part 4 – Development assessment and consent	GM	A council or council delegate is not to determine, on behalf of a regional panel, an application to modify a development consent under s.455(2) of the EPA Act if

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	<p>Modification or revocation of development consent</p> <p>Determining an application to modify a development consent on behalf of a regional panel.</p>		the application is of a kind specified in the Instruction on Functions Exercisable by Council on Behalf of Sydney District or Regional Planning Panels - Applications to Modify Development Consents published on the NSW planning portal on 30 June 2020 (c1.123BA(2) of the EPA Regulations).
Sections 4.55, 4.57 and 4.56	<p>Part 4 – Development assessment and consent</p> <p>Modification or revocation of development consent</p> <p>Determining an application to modify a development consent.</p>	GM	
Sections 4.57 and 4.56	<p>Part 4 – Development assessment and consent</p> <p>Modification or revocation of development consent</p>	EHO/BS, SP	

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Giving notice of an application to modify a development consent.		
Section 4.56	<p>Part 4 – Development assessment and consent</p> <p>Notice of determination of modification application</p> <p>Sending a notice of the Council's determination of a modification application to each person who made a submission in respect of the application</p>	EHO/BS, SP	<p>Clause 20 of Schedule 1 of the Act sets out the mandatory public notification requirements.</p> <p>These may be amended by the EPA Regulations</p>
Sections 4.57 and 4.56	<p>Part 4 – Development assessment and consent</p> <p>Modification or revocation of development consent</p>	EHO/BS, SP	

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Consulting with any relevant persons or bodies such as the Minister, a public authority or an approval body in relation to the application for modification of a development consent.		
Section 4.58	<p>Part 4 – Development assessment and consent</p> <p>Register of consents and certificates</p> <p>Keeping a register of applications for development consent, the determination of applications for development consent, the determination of applications for complying development certificates and appeal decisions.</p>	EHO/BS, SP	
Section 4.61	<p>Part 4 – Development assessment and consent</p> <p>Revocation or re-grant of development consents after order of Court</p>	EHO/BS, SP	

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Revoking or re-granting development consents after order of court.		
Section 4.63	<p>Part 4 – Development assessment and consent</p> <p>Voluntary surrender of development consent</p> <p>Modifying the manner in which continued development is to be carried out for the purpose of the consolidation of development consents.</p>	EHO/BS, SP	
Part 5 of the Act and Part 14 of the Environmental Planning and Assessment Regulation 2000 for detailed requirements.	<p>Part 5 – Infrastructure and environmental impact assessment</p> <p>General delegation – Part 5 approvals</p>	GM	

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Carrying out or granting approval to prescribed activities, activities of a prescribed kind or an activity that is likely to significantly affect the environment or threatened species, populations or ecological communities or their habitats. Includes seeking, where relevant, the concurrence of the Secretary, satisfying public exhibition and notification requirements, preparing a report on the activity requiring approval, etc.		
Section 5.7	<p>Part 5 – Infrastructure and environmental impact assessment</p> <p>Decision of determining authority in relation to certain activities</p> <p>Carrying out an activity or granting an approval in relation to an activity that is prescribed or likely to significantly affect the environment in accordance with the requirements of section 5.7 of the Act.</p>	GM	

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 5.7	<p>Part 5 – Infrastructure and environmental impact assessment</p> <p>Decision of determining authority in relation to certain activities</p> <p>Furnishing to the Secretary a copy of an environmental impact statement furnished to the Council under subsection 5.7(1).</p>	EHO/BS, SP	
Section 5.8	<p>Part 5 – Infrastructure and environmental impact assessment</p> <p>Publicity and examination of environmental impact statements</p>	EHO/BS, SP	

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Giving public notice of the availability of an environmental impact statement for inspection.		
Section 5.7	<p>Part 5 – Infrastructure and environmental impact assessment</p> <p>Publicity and examination of environmental impact statements</p> <p>Furnishing submissions to the Secretary and the Environmental Protection Authority.</p>	EHO/BS, SP	
Section 5.31	Part 5 – Infrastructure and environmental impact assessment	EHO/BS, SP	

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	<p>Concurrence and notification requirements for activities within infrastructure corridors</p> <p>Obtaining the concurrence of a specified public authority (or to notifying a specified public authority) before carrying out an activity, or granting an approval in relation to an activity, within an infrastructure corridor upon request of the Minister.</p>		
Section 5.32	<p>Part 5 – Infrastructure and environmental impact assessment</p> <p>Review of decisions to refuse concurrence</p> <p>Seeking review of a public authority refusal to give concurrence under this Division.</p>	GM	

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Part 6 the Act and Part 8 of the Environmental Planning and Assessment Regulation 2000.	<p>Part 6 – Building and subdivision certification</p> <p>General delegation – building and subdivision certification</p> <p>Issuing compliance certificates, construction certificates, occupation certificates and subdivision certificates. Includes all associated functions such as, requiring additional information, conducting site inspections, referral of site plans to relevant bodies etc.</p>	EHO/BS, SP	The Environmental Planning and Assessment Regulations 2000 contain criteria which must be satisfied before various certificates can be issued.
Section 6.5	<p>Part 6 – Building and subdivision certification</p> <p>Functions of certifiers (including principal certifiers)</p> <p>Undertaking all the functions of a certifier including:</p> <p>(a) issuing construction certificates for building work,</p> <p>(b) Modifying construction certificates for building work</p> <p>(c) carrying out inspections of building work (but only if the certifier is the principal certifier or the inspection is carried out with the approval of the principal certifier),</p> <p>(d) issuing occupation certificates (but only if the certifier is the principal certifier),</p>	EHO/BS, SP	The Environmental Planning and Assessment Regulations 2000 contain criteria which must be satisfied before various certificates can be issued.

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	<p>(e) issuing compliance certificates (but only if the certifier is the principal certifier when the certificate is an authorised alternative to a construction certificate)</p> <p>(f) issuing subdivision certificates and subdivision works certificates</p> <p>(g) issuing notices of determination in respect of certificate applications .</p>		
Section 6.5 of the EPA Act and cl.148 EPA Regulations	<p>Part 6 – Building and subdivision certification</p> <p>Functions of certifiers (including principal certifiers)</p> <p>Issuing construction certificates and modifications of construction certificates for building work and notices of determination of applications for construction certificates and applications for the modification of construction certificates.</p>	EHO/BS, SP	The Environmental Planning and Assessment Regulations 2000 contain criteria which must be satisfied before various certificates can be issued.
Section 6.5	<p>Part 6 – Building and subdivision certification</p> <p>Functions of certifiers (including principal certifiers)</p>	EHO/BS, SP	

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Carrying out inspections of building work (but only if the Council is the principal certifier or the inspection is carried out with the approval of the principal certifier).		
Section 6.5 EPA Act and cl.151 EPA Regulation	<p>Part 6 – Building and subdivision certification</p> <p>Functions of certifiers (including principal certifiers)</p> <p>Issuing occupation certificates (but only if the Council is the principal certifier) and notices of determination of applications for occupation certificates.</p> <p>Notes</p> <p>Section 6.27 requires a principal certifier who issues an occupation certificate to ensure that a building manual is provided to the owner of the building.</p>	EHO/BS, SP	The Environmental Planning and Assessment Regulations 2000 contain criteria which must be satisfied before various certificates can be issued.
Section 6.5	<p>Part 6 – Building and subdivision certification</p> <p>Functions of certifiers (including principal certifiers)</p>	EHO/BS, SP	The Environmental Planning and Assessment Regulations 2000 contain criteria which must be satisfied before various certificates can be issued.

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Issuing compliance certificates (but only if the Council is the principal certifier when the certificate is an authorised alternative to a construction certificate).		
Section 6.5	Part 6 – Building and subdivision certification Functions of certifiers (including principal certifiers) Carrying out inspections of subdivision work (but only if the Council is the principal certifier or the inspection is carried out with the approval of the principal certifier).	EHO/BS, SP	
Section 6.5 of the EPA Act and cl. 148I of the Regulations	Part 6 – Building and subdivision certification Functions of certifiers (including principal certifiers) Issuing subdivision certificates, modifying subdivision certificates and issuing notices of determination of subdivision certificate applications, but, in the case of a subdivision that involves subdivision works, only if the Council is the principal certifier.	EHO/BS, SP	The Environmental Planning and Assessment Regulations 2000 contain criteria which must be satisfied before various certificates can be issued.

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 6.17	Part 6 – Building and subdivision certification Persons who may issue compliance certificates Issuing a compliance certificate.	EHO/BS, SP	The Environmental Planning and Assessment Regulations 2000 contain criteria which must be satisfied before various certificates can be issued.
Division 6.7 of the Environmental Planning and Assessment Act	Part 6 – Building and subdivision certification General delegation – building information certificates Issuing building information certificates. Includes all associated functions such as, requiring additional information, keeping a register etc.	EHO/BS, SP	The Environmental Planning and Assessment Regulations 2000 contain criteria which must be satisfied before various certificates can be issued.
Division 6.7 of the Environmental Planning and Assessment Act - where the Council is the	General delegation – building information certificates Exercising all functions of the Council in the capacity of owner of the land in relation to which an application to obtain a building information certificate has been made. Includes giving consent for an application for a building information	GM	

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
owner of land and owner's consent is required	certificate to be made, giving consent for a person to obtain a copy of the certificate, and making an application to obtain a building information certificate in the capacity of owner.		
Section 6.22	<p>Application for building information certificates</p> <p>Applying for a building information certificate in relation to a building erected on land, where the Council is the owner of that land, or, where the Council is not the owner of that land, applying for a building information certificate in relation to a building erected on land if the owner of that land has been notified of Council's intention to apply for a certificate.</p>	EHO/BS, SP	
Section 6.22	<p>Application for building information certificates</p> <p>Granting consent to a person to make an application for a building information certificate in relation to a building erected on land owned by the Council.</p>	GM	
Section 6.24	<p>Part 6 – Building and subdivision certification</p> <p>Issue of building information certificate</p>	EHO/BS, SP	

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Issuing a building information certificate upon application in accordance with the regulations.		
Section 6.26	<p>Part 6 – Building and subdivision certification</p> <p>Miscellaneous provisions relating to building information certificates</p> <p>Requiring, by notice in writing, the applicant for a building information certificate to supply it with such information (including building plans, specifications, survey reports and certificates) as may reasonably be necessary to enable the proper determination of the application.</p>	EHO/BS, SP	
Section 6.26	Part 6 – Building and subdivision certification	EHO/BS, SP	

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	<p>Miscellaneous provisions relating to building information certificates</p> <p>Informing an applicant for a building information certificate, by notice, of its decision and of the reasons for refusing to issue a building information certificate,</p>		
Section 6.26	<p>Part 6 – Building and subdivision certification</p> <p>Miscellaneous provisions relating to building information certificates</p> <p>Informing the applicant of the work that would need to be done before the council could issue a building information certificate or deferring its determination of an application until the applicant has had an opportunity to do that work.</p>	EHO/BS, SP	
Section 6.26	Part 6 – Building and subdivision certification	EHO/BS, SP	

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	<p>Miscellaneous provisions relating to building information certificates</p> <p>Keeping a record of building information certificates issued by council.</p>		
Section 6.31	<p>Part 6 – Building and subdivision certification</p> <p>Directions by principal certifiers</p> <p>Issuing a notice in writing to the person responsible for non-compliance with this s.6.31 of the Environmental Planning and Assessment Act 1979 identifying the matter that has resulted or would result in the non-compliance, and directing the person to take specified action within a specified period to remedy the matter.</p>	EHO/BS, SP	
Section 6.31	<p>Part 6 – Building and subdivision certification</p> <p>Directions by principal certifiers</p> <p>Sending a copy of a notice under s.6.31 of the Environmental Planning and Assessment Act 1979 to the</p>	EHO/BS, SP	

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	consent authority if the notice has not been complied with and the consent authority is not the council.		
Part 7, Division 7.1, subdivision 2 of the Act and Part 4, Division 2 of the Environmental Planning and Assessment Regulation 2000.	<p>Part 7 – Infrastructure contributions and finance</p> <p>General delegation –planning agreements</p> <p>Entering into planning agreements or amending or revoking a planning agreement. Includes associated functions such as satisfying public exhibition and notice requirements, preparing an explanatory note, etc.</p>	EHO/BS, SP	In certain circumstances, council is required to seek the approval of the Minister in relation to a planning agreement, see for example section 93F(5A). Council cannot delegate the function of seeking the Minister's approval or concurrence: section 377(1)(s) of the Local Government Act 1993.
Section 7.4	<p>Part 7 – Infrastructure contributions and finance</p> <p>Planning agreements</p> <p>Entering into planning agreements.</p>	EHO/BS, SP	

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 7.5	<p>Part 7 – Infrastructure contributions and finance</p> <p>Information about Planning Agreements</p> <p>Giving public notice of a proposed planning agreement or amendment to or revocation of a planning agreement.</p>	EHO/BS, SP	
Section 7.5	<p>Part 7 – Infrastructure contributions and finance</p> <p>Information about Planning Agreements</p> <p>Giving the Minister a copy of a planning agreement, an amendment to a planning agreement or a copy of the notice of revocation of a planning agreement.</p>	EHO/BS, SP	

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 7.6	<p>Part 7 – Infrastructure contributions and finance</p> <p>Registered planning agreements to run with land</p> <p>Lodging a copy of a planning agreement with the Registrar-General for registration on the title to the land.</p>	EHO/BS, SP	
Section 7.7	<p>Part 7 – Infrastructure contributions and finance</p> <p>Circumstances in which planning agreements can or cannot be required to be made</p> <p>Requiring a planning agreement to be entered into as a condition of a development in connection with a development application or application for a complying development certificate, or a change to an environmental planning instrument sought by the developer.</p>	EHO/BS, SP	

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Sections 7.11	<p>Part 7 – Infrastructure contributions and finance</p> <p>Contribution towards provision or improvement of amenities or services</p> <p>Imposing conditions on a development consent requiring local infrastructure contributions.</p>	EHO/BS, SP	
Section 7.12	<p>Part 7 – Infrastructure contributions and finance</p> <p>Fixed development consent levies</p> <p>Imposing conditions on development requiring the applicant to pay a levy of the percentage, authorised by a contributions plan, of the proposed cost of carrying out the development</p>	EHO/BS, SP	

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 7.17	<p>Part 7 – Infrastructure contributions and finance</p> <p>Directions by Minister</p> <p>Complying with ministerial directions regarding development contributions.</p>	EHO/BS, SP	
Section 7.18	<p>Part 7 – Infrastructure contributions and finance</p> <p>Contributions plans—making</p> <p>Preparing, approving, amending or repealing a contributions plan and providing a copy of the plan to the Minister.</p>	EHO/BS, SP	
Section 7.19	<p>Part 7 – Infrastructure contributions and finance</p>	EHO/BS, SP	

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	<p>Contributions plans—making, amendment or repeal by Minister</p> <p>Complying with a ministerial direction to approve, amend or repeal a contributions plan.</p>		
Section 7.24	<p>Part 7 – Infrastructure contributions and finance</p> <p>Special infrastructure contributions</p> <p>Complying with ministerial direction to impose conditions on a development consent requiring special infrastructure contributions on land to which the consent applies.</p>	EHO/BS, SP	
Section 7.32	<p>Part 7 – Infrastructure contributions and finance</p> <p>Conditions requiring land or contributions for affordable housing</p>	GM	Condition not to be imposed in relation to a development within a special contributions area if a determination under Section 7.23 applies to the area and identifies affordable housing as a class of infrastructure for which development contributions may

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Imposing conditions requiring the dedication of land or payment of money or both for the purpose of providing affordable housing.		be required in accordance with the determination (Section 7.32(6))
Various: Part 8	<p>Part 8 – Reviews and Appeals</p> <p>General delegation –Reviews and Appeals</p> <p>Exercising all of the functions of council that may be legally delegated in relation to the reviews and appeals under Part 8 of the EPA Act</p>	GM	
Section 8.3	Part 8 – Reviews and Appeals	GM	Council cannot delegate the function of reviewing a determination if that determination was made by resolution of council: section 8.3(6) of the

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	<p>Reviews</p> <p>Reviewing a determination or decision made by the Council if requested to do so under Part 8, Division 8.2.</p> <p>Notes: Relevantly, the following determinations or decisions of a consent authority are subject to review under Division 8.2:</p> <ul style="list-style-type: none"> - the determination of an application for development consent by a council; - the determination of an application for the modification of a development consent by a council, - the decision of a council to reject and not determine an application for development consent. 		<p>Environmental Planning and Assessment Act 1979 and section 377(1)(o) of the Local Government Act 1993.</p> <p>If the original determination was made by a delegate, council can only delegate the function of reviewing the determination to another delegate who is not subordinate to the delegate who made the original determination: section 8.3(4) of the Environmental Planning and Assessment Act 1979.</p>

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 8.4	<p>Part 8 – Reviews and Appeals</p> <p>Outcome of review</p> <p>Confirming or changing the determination or decision after conducting a review.</p>	GM	
Section 8.12	<p>Part 8 – Reviews and Appeals</p> <p>Notice of appeals to be given and right to be heard</p> <p>Giving notice of an appeal of a development determination to, where relevant, an applicant, an objector, the relevant Minister or public authority and the relevant approval body.</p>	EHO/BS, SP	Section 8.12 requires council to give notice of an appeal to the Minister in certain circumstances. Council cannot delegate the function of giving notice to the Minister: section 377(1)(s) of the Local Government Act 1993.
Various: Part 9, Division 9.3	Part 9 – Implementation and Enforcement	GM	Council cannot delegate the functions in section 377(1) of the Local Government Act 1993.

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	<p>General delegation – orders</p> <p>Exercising all of the functions of council that may be legally delegated in relation to the making of orders.</p>		
Section 9.1	<p>Part 9 – Implementation and Enforcement</p> <p>Directions by the Minister</p> <p>Complying with ministerial directions as to the exercise of council functions.</p>	EHO/BS, SP	
Section 9.3	Part 9 – Implementation and Enforcement	EHO/BS, SP	

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	<p>Action that may be taken against council following investigation</p> <p>Complying with an order under this section.</p>		
Section 9.6	<p>Part 9 – Implementation and Enforcement</p> <p>Making submissions to Minister</p> <p>Responding to a proposal by the Minister to appoint a planning administrator or a regional panel to exercise functions of a council under section 9.6 of the EPA Act</p>	GM	
Section 9.9	<p>Part 9 – Implementation and Enforcement</p> <p>Council to assist planning administrator or regional panel</p>	GM	

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Complying with ministerial directions to provide staff, facilities and documents to a planning administrator or regional panel or their staff or members.		
Various: Part 9, Division 9.2	<p>Part 9 – Implementation and Enforcement</p> <p>Investigative powers of departmental or council officers</p> <p>Exercising all of the functions of council that may legally be delegated in relation to enforcing the provisions of Act. Includes authorising persons to enter premises for the purpose of conducting an inspection, giving notice to owners/occupiers of a premises of council's intention to conduct inspections, etc.</p>	GM	Council cannot delegate the power to authorise a person to use force to gain entry to a premises: section 377(1)(p) of the Local Government Act 1993.
Section 9.14	<p>Part 9 – Implementation and Enforcement</p> <p>Appointment of Investigation Officers</p>	EHO/BS, SP	

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	<p>Appointing a person or class of persons to be Council Investigation Officers by written instrument (for individuals) or by notice published on the NSW planning portal or in the Gazette (for a class of persons).</p> <p>Notes: An Investigation Officer appointed by written instrument is to be provided with an identification card</p>		
Section 9.17	<p>Part 9 – Implementation and Enforcement</p> <p>Notice of entry of residential premises</p> <p>Providing the owner or occupier of residential premises with written notice of the intention to enter the premises before the Council Investigation Officer does so.</p> <p>Notes: The Notice must also specify the day on which the entry onto the premises is to occur,</p>	EHO/BS, SP	

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Notice must also be given the day before the entry onto the premises is to occur.		
Section 9.17	<p>Part 9 – Implementation and Enforcement</p> <p>Notice of entry of residential premises</p> <p>Authorising entry without notice, in writing, either generally or in a particular case, when entry is required urgently by the Council Investigation Officer.</p>	GM	
Section 9.20	<p>Part 9 – Implementation and Enforcement</p> <p>Care to be taken</p>	EHO/BS, SP	

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Providing, if necessary, other means of access in place of access taken away or interrupted by an investigation officer in the course of exercising functions under the Act.		
Section 9.21	<p>Part 9 – Implementation and Enforcement</p> <p>Notification of use of force</p> <p>Giving notice of the use of force to gain entry to premises to such persons or authorities as appears to be appropriate in the circumstances.</p>	EHO/BS, SP	
Section 9.23	<p>Part 9 – Implementation and Enforcement</p> <p>Power of investigation officers to require answers and record evidence</p>	EHO/BS, SP	

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Requiring a corporation to nominate a director or officer who is authorised to represent the corporation for the purposes of answering questions under section 9.23 of the EPA Act.		
Section 9.27	<p>Part 9 – Implementation and Enforcement</p> <p>Assistance for investigation officers</p> <p>Providing written notice to the owner or occupier of premises requiring them to provide reasonable assistance and facilities to a Council Investigation Officer in the exercise of their powers under Division 9.2 of the EPA Act.</p> <p>Notes: The notice must specify the assistance, facilities to be provided, and the time and manner in which they are to be provided</p>	EHO/BS, SP	
Section 9.28	Part 9 – Implementation and Enforcement	GM	

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	<p>Compensation</p> <p>Compensating all interested parties for any damage caused by a Council Investigation Officer in exercising their power to enter premises.</p> <p>Compensation is not to be provided for damage caused by the exercise of any other power, unless the occupier obstructed or hindered the Council Investigation Officer in the exercise of their power of entry.</p>		
Section 9.29	<p>Part 9 – Implementation and Enforcement</p> <p>Recovery of cost of entry and inspection</p> <p>Recovering the reasonable costs of a Council Investigation Officer having entered and inspected premises from the owner or occupier of the premises where the Council</p>	GM	

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	requires work to be carried out on the premises as a result of that inspection.		
Section 9.32	<p>Part 9 – Implementation and Enforcement</p> <p>Fire Brigade Inspection Powers</p> <p>Making a Council Investigation Officer available for the purposes of an inspection under Section 9.32 at the request of the Commissioner of Fire and Rescue NSW</p>	EHO/BS, SP	
Section 9.32	<p>Part 9 – Implementation and Enforcement</p> <p>Fire Brigade Inspection Powers</p>	EHO/BS, SP	

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Where the Commissioner of Fire and Rescue NSW has requested that a building be inspected for fire safety, causing that building to be inspected for the purpose of determining whether or not adequate provision for fire safety has been made in, or in connection with the building.		
Section 9.32	<p>Part 9 – Implementation and Enforcement</p> <p>Fire Brigade Inspection Powers</p> <p>Where the Commissioner has requested that a building be inspected for fire safety, sending a copy of the fire safety inspection report to the Commissioner as soon as practicable after the inspection has occurred.</p>	EHO/BS, SP	
Section 9.34: All types of order	<p>Part 9 – Implementation and Enforcement</p> <p>Orders that may be given</p>	GM	

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	<p>Issuing a development control order, including:</p> <p>(a) general orders in accordance with the table to Part 1 of Schedule 5,</p> <p>(b) fire safety orders in accordance with the table to Part 2 of Schedule 5; and</p> <p>(c) brothel closure orders in accordance with the table to Part 3 of Schedule 5</p> <p>in accordance with the requirements of Part 4 of Schedule 5.</p> <p>Notes: See, also Part 4 of the Building Products (Safety) Act 2017 and Schedule 5 of the EPA Act which contains further provisions relevant to the issue of development control orders</p>		
Section 9.34	<p>Part 9 – Implementation and Enforcement</p> <p>Orders that may be given: general orders</p>	EHO/BS, SP	

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	<p>Issuing a general development control order in accordance with the Table to Part 1 of Schedule 5 and the requirements of Part 4 of Schedule 5.</p> <p>Notes: See also Schedule 5 of the EPA Act which contains further provisions relevant to the issue of development control orders.</p>		
Section 9.34	<p>Part 9 – Implementation and Enforcement</p> <p>Orders that may be given: Fire Safety Orders</p> <p>Issuing a fire safety order in accordance with the table to Part 2 of Schedule 5 and the requirements of Part 4 of Schedule 5.</p>	EHO/BS, SP	
Section 9.34	Part 9 – Implementation and Enforcement	EHO/BS, SP	

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	<p>Orders that may be given: Brothel Closure Orders</p> <p>Issuing a brothel closure order in accordance with the table to Part 3 of Schedule 5 the requirements of Part 4 of Schedule 5</p>		
Section 9.45	<p>Part 9 – Implementation and Enforcement</p> <p>Restraint etc of breaches of this Act</p> <p>Bringing court proceedings on behalf of the Council to remedy or restrain a breach of the Act.</p> <p>Notes: Under section 9.45, proceedings can be brought by “any person”.</p>	GM	

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 9.57	<p>Part 9 – Implementation and Enforcement</p> <p>Proceedings for offences</p> <p>Bringing proceedings for an offence under the Act or Regulations before the Local Court or before the Land and Environment Court in its summary jurisdiction.</p>	EHO/BS, SP	
Various	<p>Part 10 – Miscellaneous</p> <p>General delegation - Miscellaneous</p> <p>Exercising all of the functions of council that may be legally delegated in relation to the miscellaneous functions listed in Part 10 of the EPA Act.</p>	GM	
Section 10.2	Part 10 – Miscellaneous	GM	

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	<p>Settlement of disputes</p> <p>Submitting a dispute between the Council and a public authority to the Minister for settlement in accordance with section 10.2 of the EPA Act.</p>		
Section 10.3	<p>Part 10 – Miscellaneous</p> <p>Bush fire prone land</p> <p>Requesting the Commissioner of the NSW Rural Fire Service to designate land within a bush fire risk management plan to be bush fire prone land and record any land so designated on a map.</p>	EHO/BS, SP	
Section 10.7(2)	<p>Part 10 – Miscellaneous</p> <p>Planning Certificates</p>	GM	The regulations set out the prescribed form and manner for a certificate under s.10.7.

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Issuing a planning certificate specifying such matters relating to the land to which the certificate relates as may be prescribed (whether arising under or connected with this or any other Act or otherwise)		
Section 10.7(5)	<p>Part 10 – Miscellaneous</p> <p>Planning Certificates</p> <p>Issuing a planning certificate specifying such matters relating to the land to which the certificate relates as may be prescribed (whether arising under or connected with this or any other Act or otherwise) and including advice on such other relevant matters affecting the land of which it may be aware.</p>	EHO/BS, SP	The regulations set out the prescribed form and manner for a certificate under s.10.7

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 10.8	<p>Part 10 – Miscellaneous</p> <p>Evidence</p> <p>Issuing certified copies of documents held by council.</p>	EHO/BS, SP	
Various	<p>Schedule 2: Provisions relating to planning bodies</p> <p>General delegation - planning bodies</p> <p>Exercising all of the functions of council that may be legally delegated in relation to planning bodies under Schedule 2 of the EPA Act.</p>	GM	

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Schedule 2, Clause 15	<p>Schedule 2: Provisions relating to planning bodies</p> <p>Appointing and revoking alternate members</p> <p>Appointing a person to be the alternate of a member of a planning body and revoking any such appointment</p>	GM	
Schedule 2, Clause 16	<p>Schedule 2: Provisions relating to planning bodies</p> <p>Removal from office of members of planning body</p> <p>Removing a Council nominee of a Sydney district or regional planning panel from office at any time for any reason and without notice.</p> <p>Notes: The general manager of the applicable council must provide a written statement of the reasons for removing the</p>	GM	

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	council nominee from office and make the statement publicly available.		
Schedule 2, Clause 16	<p>Schedule 2: Provisions relating to planning bodies</p> <p>Removal from office of members of local planning panel</p> <p>Removing a member of a local planning panel from office at any time for any reason and without notice.</p> <p>Notes: The general manager of the applicable council must provide a written statement of the reasons for removing the member from office and make the statement publicly available.</p>	GM	
Various	Schedule 3: Online delivery of planning services and information	GM	

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	<p>General delegation - planning bodies</p> <p>Exercising all of the functions of council that may be legally delegated in relation to the online delivery of planning services and information under Schedule 3 of the EPA Act.</p>		
Schedule 3, clause 3	<p>Schedule 3: Online delivery of planning services and information</p> <p>Regulations and other provisions relating to online planning services and information</p> <p>Providing electronic files (in the specified format) of any such instruments, plans, or other documents prepared or held by the Council to the Secretary when requested</p>	EHO/BS, SP	
Schedule 3, clause 3	Schedule 3: Online delivery of planning services and information	EHO/BS, SP	

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	<p>Online Planning Services and Information</p> <p>Implementing any standard technical requirements determined by the Secretary to facilitate access to relevant data in the electronic systems maintained by the Council, or to transfer that data to the NSW planning database</p>		
General – Development Control Orders	<p>Schedule 5 – Development Control Orders</p> <p>Exercising all of the functions of council that may be legally delegated in relation to development control orders under Schedule 5 of the EPA Act.</p>	GM	
Schedule 5, Part 4, clause 1	Schedule 5 – Development Control Orders	EHO/BS, SP	

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	<p>Order may specify standards and work that will satisfy those standards</p> <p>Issuing an order which specifies the things the person to whom the order is given must do or refrain from doing</p> <p>Note: Division 9.3 of the EPA Act also contains provisions relevant to the issue with development control orders</p>		
Schedule 5, Part 4, clause 1	<p>Schedule 5 – Development Control Orders</p> <p>Order may specify standards and work that will satisfy those standards</p> <p>Issuing an order which specifies the standard that the premises concerned are required to meet or which indicates the nature of the work that, if carried out, would satisfy that standard.</p>	EHO/BS, SP	

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Note: Division 9.3 of the EPA Act also contains provisions relevant to the issue with development control orders		
Schedule 5, Part 4, clause 1	<p>Schedule 5 – Development Control Orders</p> <p>Order may specify standards and work that will satisfy those standards</p> <p>Requiring an owner or occupier to prepare and submit to council particulars of the work the owner or occupier considers necessary to make provision for such matters as may be so specified.</p> <p>Note: Division 9.3 of the EPA Act also contains provisions relevant to the issue with development control orders</p>	EHO/BS, SP	
Schedule 5, Part 4, clause 1	Schedule 5 – Development Control Orders	EHO/BS, SP	

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	<p>Order may specify standards and work that will satisfy those standards</p> <p>Determining whether or not to accept or reject the particulars of work proposed to be done by a person to comply with a development control order.</p> <p>Notes: Where those particulars are accepted without modification Schedule 5 clause 1 requires the Council to order the person to carry out that work</p>		
Schedule 5, Part 4, clause 1	<p>Schedule 5 – Development Control Orders</p> <p>Order may specify standards and work that will satisfy those standards</p> <p>Ordering a person to carry out work where council has accepted the particulars of work without modification.</p>	EHO/BS, SP	

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Schedule 5, Part 4, clause 1	<p>Schedule 5 – Development Control Orders</p> <p>Order may specify standards and work that will satisfy those standards</p> <p>Preparing particulars of the work that council considers necessary for a person to comply with an order where council accepts the particulars of work with modifications or rejects the particulars, or if an owner fails to submit particulars of work.</p>	EHO/BS, SP	
Schedule 5, Part 4 clause 1	<p>Schedule 5 – Development Control Orders</p> <p>Order may specify standards and work that will satisfy those standards</p> <p>Recovering the expenses incurred by council in preparing particulars of work necessary for a person to comply with an order as a debt in court proceedings.</p>	GM	

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Schedule 5, Part 4, clause 2	<p>Schedule 5 – Development Control Orders</p> <p>Orders that make or are likely to make residents homeless</p> <p>Where an order issued by council is likely to make a person homeless, providing the person with information as to the availability of satisfactory alternative accommodation in the locality or any other assistance that council considers appropriate.</p>	GM	
Schedule 5, Part 4, clause 3	<p>Schedule 5 – Development Control Orders</p> <p>Orders affecting heritage items</p> <p>Giving notice of council's intention to issue an order that will affect a heritage item.</p>	EHO/BS, SP	

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Schedule 5, Part 4, clause 5	<p>Schedule 5 – Development Control Orders</p> <p>Reasons for orders to be given</p> <p>Giving reasons for the order to the person to whom the order is directed.</p>	EHO/BS, SP	
Schedule 5, Part 6, clause 8	<p>Schedule 5 – Development Control Orders</p> <p>Notice to be given of proposed order to person who will be subject to order</p> <p>Giving notice of a proposed order to the person to whom the order is directed and other relevant persons.</p> <p>(See section Schedule 5, clause 9 for other relevant persons to be notified.)</p>	EHO/BS, SP	

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Schedule 5, Part 6, clause 10	<p>Schedule 5 – Development Control Orders</p> <p>Notice of fire safety orders to be given to Commissioner of Fire and Rescue NSW</p> <p>Notifying the Commissioner of NSW Fire Brigades of fire safety orders issued.</p>	EHO/BS, SP	
Schedule 5, Part 6, clause 11	<p>Schedule 5 – Development Control Orders</p> <p>Notice of giving of complete works order</p> <p>Giving notice of an order to complete a development to persons likely to be disadvantaged by the order or any other persons prescribed by the regulations.</p>	EHO/BS, SP	
Schedule 5, part 7, clause 14	Schedule 5 – Development Control Orders	GM	

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Hearing and consideration of representations Hearing and considering representations of persons to whom an order is directed		
Schedule 5, Part 7, clause 15	Schedule 5 – Development Control Orders Procedure after hearing and consideration of representations After hearing representations made by a person to whom an order is directed, determining whether or not to give the same order, modify the order or not to give an order.	GM	
Schedule 5, Part 8, clause 17	Schedule 5 – Development Control Orders Inspection reports by fire brigades	EHO/BS, SP	

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Notifying the Commissioner of NSW Fire Brigades of council's determination as to whether or not to make a fire safety order as a result of recommendations made in a report of the Commissioner.		
Schedule 5, Part 10, clause 22 and Schedule 5, Part 10, clause 23	<p>Schedule 5 – Development Control Orders</p> <p>Modification of orders (22) and Revocation of Orders (23)</p> <p>Modifying or revoking an order.</p>	EHO/BS, SP	
Schedule 5, Part 10, clause 32	<p>Schedule 5 – Development Control Orders</p> <p>Occupier of land may be required to permit owner to carry out work</p> <p>Ordering the occupier of any land to permit the owner of the land to carry out specified work on the land, being work that is, in the council's opinion, necessary to enable the</p>	EHO/BS, SP	

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	requirements of this Act or the regulations or of any development control order to be complied with.		
Schedule 5, Part 11, clause 33	<p>Schedule 5 – Development Control Orders</p> <p>Failure to comply with order—carrying out of work by consent authority</p> <p>Bringing court proceedings to recover the cost of giving effect to the terms of an order where a person fails to comply.</p>	GM	
Schedule 5, Part 11, clause 33 and Schedule 5, Part 11, clause 34	<p>Schedule 5 – Development Control Orders</p> <p>Failure to comply with order—carrying out of work by consent authority (33) and Recovery of expenses by relevant enforcement authority for carrying out work (34)</p>	GM	

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Giving effect to the terms of an order where a person fails to comply.		
Schedule 5, Part 12, clause 37	<p>Schedule 5 – Development Control Orders</p> <p>Relevant enforcement authorities who may give orders</p> <p>Issuing compliance cost notices.</p>	EHO/BS, SP	
Schedule 5, Part 12, clause 37	<p>Schedule 5 – Development Control Orders</p> <p>Compliance cost notices</p>	GM	

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Bringing court proceedings to recover unpaid amounts due under a compliance cost notice.		
General – Paper subdivisions	<p>Schedule 7 – paper subdivisions</p> <p>Exercising all of the functions of council that may be legally delegated in relation to paper subdivisions under Schedule 7 of the EPA Act.</p>	GM	
Schedule 7, clause 3	<p>Schedule 7 – paper subdivisions</p> <p>Paper subdivisions</p> <p>Consulting with the Minister about a proposed subdivision order or the proposed repeal of an existing subdivision order in relation to land in the council's local government area.</p>	EHO/BS, SP	

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Schedule 7, clause 4	<p>Schedule 7 – paper subdivisions</p> <p>Paper subdivisions</p> <p>Exercising the functions conferred on the council under a subdivision order or for the purposes of, or purposes ancillary to, the planning purpose specified in the subdivision order.</p> <p>(This is only a function of council where council has been designated as a 'relevant authority' under a subdivision order made by the Minister: see Schedule 7, clauses 1 and 5)</p>	GM	
Schedule 7, clause 5	<p>Schedule 7 – paper subdivisions</p> <p>Obligations of relevant authority</p>	GM	(This is only a function of council where council has been designated as a 'relevant authority' under a subdivision order made by the Minister: see Schedule 7, clauses 1 and 5)

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Giving effect to the planning purpose specified in a subdivision order and undertaking or arranging for the undertaking of any subdivision works specified in the order.		
Schedule 7, clause 6	<p>Schedule 7 – paper subdivisions</p> <p>Paper subdivisions</p> <p>Preparing a development plan for subdivision land or proposed subdivision land.</p> <p>(This is only a function of council where council has been designated as a 'relevant authority' under a subdivision order made by the Minister: see Schedule 7, clauses 1 and 5)</p>	EHO/BS, SP	
Schedule 7, clause 7	Schedule 7 – paper subdivisions	GM	(This is only a function of council where council has been designated as a 'relevant authority' under a

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	<p>Paper subdivisions</p> <p>Acquiring subdivision land by agreement or by compulsory process in accordance with the Land Acquisition (Just Terms Compensation) Act 1991</p>		<p>subdivision order made by the Minister: see Schedule 7, clauses 1 and 5)</p> <p>Council cannot delegate the function of deciding to compulsorily acquire land or other property: section 377(1)(h) of the Local Government Act 1993.</p>
Schedule 7, clause 8	<p>Schedule 7 – paper subdivisions</p> <p>Paper subdivisions</p> <p>Selling, leasing, exchanging, mortgaging or otherwise dealing with or disposing of subdivision land vested in the council, or an interest in that land, and granting easements, rights-of-way or covenants over that land</p>	GM	<p>(This is only a function of council where council has been designated as a 'relevant authority' under a subdivision order made by the Minister: see Schedule 7, clauses 1 and 5)</p> <p>Council cannot delegate the decision to purchase, sell, exchange or surrender of any land or other property. This must be done by resolution of Council: s377(1)(h) of the Local Government Act 1993.</p>

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Schedule 7, clause 9	<p>Schedule 7 – paper subdivisions</p> <p>Paper subdivisions</p> <p>Requiring an owner of subdivision land to make a reasonable monetary contribution for the provision, extension or augmentation of subdivision works and the development plan costs.</p>	EHO/BS, SP	(This is only a function of council where council has been designated as a 'relevant authority' under a subdivision order made by the Minister: see Schedule 7, clauses 1 and 5)
Schedule 7, clause 10	<p>Schedule 7 – paper subdivisions</p> <p>Paper subdivisions</p> <p>Depositing money acquired from contributions or from the disposal of subdivision land acquired by the council into a fund or funds approved by the Minister.</p>	GM	(This is only a function of council where council has been designated as a 'relevant authority' under a subdivision order made by the Minister: see Schedule 7, clauses 1 and 5)

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Schedule 7, clause 10	<p>Schedule 7 – paper subdivisions</p> <p>Paper subdivisions</p> <p>Using money acquired from contributions or from the disposal of subdivision land acquired by the council to make payments of a type set out in subsections 2(a) to (e). For example, payments to persons or bodies with respect to the provision of subdivision work.</p>	GM	(This is only a function of council where council has been designated as a 'relevant authority' under a subdivision order made by the Minister: see Schedule 7, clauses 1 and 5)
Schedule 7, clause 11	<p>Schedule 7 – paper subdivisions</p> <p>Paper subdivisions</p> <p>Carrying out or arranging for the carrying out of subdivision works with respect to subdivision land.</p>	GM	(This is only a function of council where council has been designated as a 'relevant authority' under a subdivision order made by the Minister: see Schedule 7, clauses 1 and 5)

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Schedule 7, clause 11	<p>Schedule 7 – paper subdivisions</p> <p>Paper subdivision</p> <p>Entering into contracts and other arrangements for the carrying out of subdivision works.</p>	GM	(This is only a function of council where council has been designated as a 'relevant authority' under a subdivision order made by the Minister: see Schedule 7, clauses 1 and 5)
Schedule 7, clause 11	<p>Schedule 7 – paper subdivisions</p> <p>Paper subdivision</p> <p>Making a development application to carry out development on subdivision land for the purposes of subdivision works without the consent of the owner of the land.</p>	GM	(This is only a function of council where council has been designated as a 'relevant authority' under a subdivision order made by the Minister: see Schedule 7, clauses 1 and 5)
Schedule 7, clause 12	Schedule 7 – paper subdivisions	GM	(This is only a function of council where council has been designated as a 'relevant authority' under a

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	<p>Paper subdivisions</p> <p>Determining whether or not to consent to the opening, dedication, closing or realignment of a road within subdivision land.</p>		subdivision order made by the Minister: see Schedule 7, clauses 1 and 5)
Schedule 7, clause 12	<p>Schedule 7 – paper subdivisions</p> <p>Paper subdivisions</p> <p>Determining whether or not to consent to the provision, opening, closing, realignment, regulation, or the use for a purpose other than a road of a private road, or part of a private road, within subdivision land.</p>	GM	(This is only a function of council where council has been designated as a 'relevant authority' under a subdivision order made by the Minister: see Schedule 7, clauses 1 and 5)

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Schedule 7, clause 13	<p>Schedule 7 – paper subdivisions</p> <p>Paper subdivisions</p> <p>Entering into agreements with the owners of subdivision land for the purposes of a voluntary land trading scheme or the provision of voluntary contributions or for other purposes connected with the authority's functions under the subdivision order.</p>	GM	(This is only a function of council where council has been designated as a 'relevant authority' under a subdivision order made by the Minister: see Schedule 7, clauses 1 and 5)
Schedule 7, clause 13	<p>Schedule 7 – paper subdivisions</p> <p>Paper subdivisions</p>	GM	(This is only a function of council where council has been designated as a 'relevant authority' under a subdivision order made by the Minister: see Schedule 7, clauses 1 and 5)

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Entering into agreements with the owners of subdivision land for the purposes of a voluntary land trading scheme, or the provision of voluntary contributions, or for other purposes connected with Council's functions		
Schedule 7, clause 13	<p>Schedule 7 – paper subdivisions</p> <p>Paper subdivisions</p> <p>Causing surveys to be made, and plans of survey to be prepared, in relation to subdivision land or proposed subdivision land.</p>	EHO/BS, SP	(This is only a function of council where council has been designated as a 'relevant authority' under a subdivision order made by the Minister: see Schedule 7, clauses 1 and 5)

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Schedule 7, clause 13	<p>Schedule 7 – paper subdivisions</p> <p>Paper subdivisions</p> <p>Managing subdivided land vested in the Council in accordance with the development plan.</p> <p>(This is only a function of council where council has been designated as a ‘relevant authority’ under a subdivision order made by the Minister: see Schedule 7, clauses 1 and 5)</p>	EHO/BS, SP	
Schedule 7, clause 13	<p>Schedule 7 – paper subdivisions</p> <p>Paper subdivisions</p> <p>Carrying out research or investigation relating to subdivision works or proposed subdivision works.</p>	EHO/BS, SP	

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	(This is only a function of council where council has been designated as a 'relevant authority' under a subdivision order made by the Minister: see Schedule 7, clauses 1 and 5)		
Schedule 7, clause 13	<p>Schedule 7 – paper subdivisions</p> <p>Paper subdivisions</p> <p>Subdividing or re-subdividing land, and consolidating subdivided or re-subdivided land vested in the council.</p> <p>(This is only a function of council where council has been designated as a 'relevant authority' under a subdivision order made by the Minister: see Schedule 7, clauses 1 and 5)</p>	GM	
Schedule 7, clause 13	Schedule 7 – paper subdivisions	EHO/BS, SP	

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	<p>Paper subdivisions</p> <p>Authorising a person to enter subdivision land or proposed subdivision land with the consent of the owner or occupier of the land.</p> <p>(This is only a function of council where council has been designated as a 'relevant authority' under a subdivision order made by the Minister: see Schedule 7, clauses 1 and 5)</p>		
Schedule 7, clause 14	<p>Schedule 7 – paper subdivisions</p> <p>Paper subdivisions</p> <p>Causing surveys to be made, and plans of survey to be prepared, in relation to proposed subdivision land and carry out research or investigation relating to proposed subdivision works.</p>	EHO/BS, SP	

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	(This is only a function of council where council has been designated as a 'relevant authority' under a subdivision order made by the Minister: see Schedule 7, clauses 1 and 5)		
Schedule 7, clause 16	<p>Schedule 7 – paper subdivisions</p> <p>Paper subdivisions</p> <p>Recovering monetary contributions required under clause 9 of Schedule 5 of the Act as a debt in Court proceedings.</p> <p>(This is only a function of council where council has been designated as a 'relevant authority' under a subdivision order made by the Minister: see Schedule 7, clauses 1 and 5)</p>	GM	

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Schedule 7, clause 17	<p>Schedule 7 – paper subdivisions</p> <p>Paper subdivisions</p> <p>Entering into a voluntary contributions agreement with a person who owns subdivision land under which the owner is required to pay a monetary contribution to be used for or applied for subdivision works or development plan costs.</p> <p>(This is only a function of council where council has been designated as a ‘relevant authority’ under a subdivision order made by the Minister: see Schedule 7, clauses 1 and 5)</p>	GM	
Schedule 7, clause 17	<p>Schedule 7 – paper subdivisions</p> <p>Paper subdivisions</p>	EHO/BS, SP	

Environmental Planning and Assessment Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	<p>Registering a voluntary contributions agreement with the Registrar-General.</p> <p>(This is only a function of council where council has been designated as a 'relevant authority' under a subdivision order made by the Minister: see Schedule 7, clauses 1 and 5)</p>		
Schedule 8	<p>Special provisions</p> <p>Modifying development consents for licensed premises involving playing and performing music by declaring that all conditions of the development consents that are live entertainment conditions do not apply</p>	EHO/BS, SP	

Environmental Planning and Assessment Regulation 2000

Environmental Planning and Assessment Regulation 2000			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation - all functions under the Environmental Planning and Assessment Regulation 2000 Exercise of all functions of council under the Regulation that may be legally delegated.	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Various – EPIs	Exercise of all functions of council under Part 2 of the Regulation that may be legally delegated	EHO/BS, SP	
Regulation 10A	Environmental planning instruments Giving a person who makes a request for the preparation of a planning proposal in relation to the making of a local environmental plan notice that council does not support the request.	EHO/BS, SP	
Regulation 11	Environmental planning instruments	GM	

Environmental Planning and Assessment Regulation 2000			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Entering into an agreement with a person who requests the preparation of a planning proposal for the payment of the cost of undertaking studies and other matters required in relation to the planning proposal.		
Various – Development Control Plans	Exercise of all functions of council under Part 3 of the Regulation that may be legally delegated	EHO/BS, SP	
Regulation 18	Making development control plans Publicly notifying and exhibiting draft development control plans.	EHO/BS, SP	
Regulation 21	Making development control plans Approving development control plans.	GM	
Regulation 21	Making development control plans Publicly notifying the decision whether to approve a development control plan.	EHO/BS, SP	

Environmental Planning and Assessment Regulation 2000

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Regulation 21A	<p>Making development control plans relating to residential apartment development</p> <p>Referring, provisions of proposed draft development control plan that relate to design quality to the design review panel (if any) constituted for Council's local government area, and considering any comments made by the design review panel concerning those provisions before approving a draft development control plan (including an amending plan) containing provisions that apply to residential apartment development.</p>	EHO/BS, SP	
Regulation 22	<p>Making development control plans</p> <p>Repealing development control plans.</p>	EHO/BS, SP	
Regulation 23	<p>Making development control plans</p> <p>Giving public notice of the council's intention to repeal a development control plan by public notice.</p>	EHO/BS, SP	
Regulation 25	Making development control plans	EHO/BS, SP	

Environmental Planning and Assessment Regulation 2000

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Requesting that the owners who are submitting a development control plan provide the council with such additional information as it considers necessary.		
Regulation 25AB	Making development control plans Providing the Director-General with copies of new development control plans.	EHO/BS, SP	
Various – Development Contributions	Exercise of all functions of council under Part 4 of the Regulation that may be legally delegated	EHO/BS, SP	
Regulation 25C	Amending or revoking a planning agreement Entering into a written agreement with the other parties to a planning agreement to amend or revoke the agreement	GM	
Regulation 25D	Planning agreements	EHO/BS, SP	

Environmental Planning and Assessment Regulation 2000

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Giving public notice of the proposed entering into, amendment or revocation of a planning agreement.		
Regulation 25E	Planning agreements Preparing an explanatory note for the entering into, amendment or revocation of a planning agreement.	EHO/BS, SP	
Regulation 25F	Information about planning agreements - councils Keeping a planning agreement register.	EHO/BS, SP	
Regulation 28	Contributions plans Publicly notifying and exhibiting a draft contributions plan.	EHO/BS, SP	
Regulation 31	Contributions plans Approving a draft contributions plan.	EHO/BS, SP	
Regulation 31	Contributions plans	GM	

Environmental Planning and Assessment Regulation 2000

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Publicly notifying the decision whether to approve a draft contributions plan.		
Regulation 32	Contributions plans Amending and repealing contributions plans.	EHO/BS, SP	
Regulation 33	Contributions plans Giving public notice of the council's intention to repeal a contributions plan by public notice.	GM	
Regulation 33A	Contributions plans Keeping a contributions plan under review and considering any submissions about it received from public authorities or the public.	EHO/BS, SP	
Regulation 34	Councils must maintain contributions register Maintaining a contributions register.	EHO/BS, SP	
Regulation 35	Contributions plans	EHO/BS, SP	

Environmental Planning and Assessment Regulation 2000

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Maintaining accounting records for a contributions plan.		
Regulation 36	Councils must prepare annual statements Preparing annual statements for contributions plans.	EHO/BS, SP	
Various – Development Applications	Exercise of all functions of council under Part 6 of the Regulation that may be legally delegated	EHO/BS, SP	
Regulation 48	Development application information Informing persons intending to make a development application of the relevant fees	EHO/BS, SP	The Council cannot delegate the function of determining the fee.
Regulation 50	Development applications Notifying an applicant for development consent, by means of the NSW planning portal, that the development application has been lodged.	EHO/BS, SP	
Regulation 50	Development applications	EHO/BS, SP	

Environmental Planning and Assessment Regulation 2000

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Forwarding to the Planning Secretary a copy of the environmental impact statement and a copy of the relevant application if the application is for designated development.		
Regulation 50	Development applications Determining whether an alteration, enlargement or extension of a BASIX affected building is BASIX affected development.	EHO/BS, SP	
Regulation 51	Rejection of development applications Rejecting development applications without deciding them and exercising associated functions including refunding the application fee, providing reasons and notifying any relevant concurrence authorities and/or approval bodies.	EHO/BS, SP	
Regulation 52	Withdrawal of development applications Notifying any concurrence authorities or approval bodies of the withdrawal of a development application.	EHO/BS, SP	

Environmental Planning and Assessment Regulation 2000

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Regulation 52	Withdrawal of development applications Determining whether to refund the application fee for a withdrawn development application.	EHO/BS, SP	
Regulation 54	Development applications Requesting, by means of the NSW Planning Portal, additional information or copies of documents regarding a development application.	EHO/BS, SP	
Regulation 55	Development applications Agreeing to the amendment of a development application.	EHO/BS, SP	
Regulation 55	Development applications Forwarding amended development applications to any concurrence authority or approval body.	EHO/BS, SP	
Regulation 60	Development applications	EHO/BS, SP	

Environmental Planning and Assessment Regulation 2000

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Providing a concurrence authority with additional information in relation to a development application.		
Regulation 61	Development applications Forwarding concurrence authorities copies of all submissions received in response to public notification.	EHO/BS, SP	
Regulation 62	Development applications Notifying the concurrence authority if the council decides to reject the application while the body is still considering it.	EHO/BS, SP	
Regulation 67	Development applications - integrated development Providing additional information to approval bodies.	EHO/BS, SP	
Regulation 69	Development applications - integrated development Forwarding approval bodies copies of all submissions received in response to public notification.	EHO/BS, SP	

Environmental Planning and Assessment Regulation 2000

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Regulation 70	Development applications - integrated development Notifying the approval body if the council decides to reject the application while the body is still considering it.	EHO/BS, SP	
Regulation 70AC	Notification of general terms of approval by Planning Secretary Notifying the Planning Secretary, in writing, as soon as possible after the refusing to grant consent to a development application.	EHO/BS, SP	
Regulation 77	Development applications - designated development Giving notice of a development application for designated development to relevant public authorities, other than concurrence authorities or approval authorities.	EHO/BS, SP	
Regulation 81	Development applications - designated development Forwarding to the Director-General copies of all submissions received in response to public exhibition of a development application for designated development.	EHO/BS, SP	

Environmental Planning and Assessment Regulation 2000

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Regulation 90	Development applications - other advertised development Deciding to dispense with notification for replacement applications.	EHO/BS, SP	
Regulation 95	Deferred commencement consent Notifying an applicant as to whether or not the Council is satisfied as to the relevant matters of a deferred commencement consent condition.	EHO/BS, SP	
Regulation 115	Development applications – modification of development consent Referring an application to the relevant design review panel (if any) if the qualified designer who verified the design modification did not design or direct the design of the development for which the original consent was granted.	EHO/BS, SP	
Division 12B	Applications for review under Division 2 of Part 4 of the Act Notifying the result of an application for review under section 8.3.	EHO/BS, SP	
Regulation 123G	Review of determination of development application Notifying the applicant of the result of a review of a determination of a development application under section 8.3 of the Act as soon as	EHO/BS, SP	

Environmental Planning and Assessment Regulation 2000			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	practicable after the review is determined, by means of the NSW Planning Portal.		
Regulation 123H	<p>Review of decision to reject development application</p> <p>Notifying the applicant of the result of a review under section 8.3 of the Act of the decision to reject a development application as soon as practicable after the review is determined, by means of the NSW Planning Portal.</p>	EHO/BS, SP	
Regulation 123I	<p>Review of modification decision</p> <p>Notifying the application of the result of the review by means of the NSW Planning Portal as soon as practicable after the review is determined and, if the application applies to land owned by a Local Aboriginal Land Council, notifying the NSW Aboriginal Land Council of the result of the review (unless the review confirms the determination).</p>	EHO/BS, SP	
Regulation 123BA	<p>Functions exercisable by council on behalf of regional panel</p> <p>Determining an application to modify a development consent under section 4.55 of the Act on behalf of a regional panel.</p>	GM	This function is limited by subclause 123BA(2) and subsection 4.55(2) of the Environmental Planning and Assessment Act 1979.

Environmental Planning and Assessment Regulation 2000			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Regulation 124D	Development applications - review Giving the operator of a development subject to a review condition and other persons notice of a review.	EHO/BS, SP	
Various – Complying Development Certificates	Exercise of all functions of council under Part 7 of the Regulation that may be legally delegated	EHO/BS, SP	
Regulation 126	Making application for complying development certificate Notifying the applicant, by means of the NSW planning portal, that the application for a complying development certificate has been lodged.	EHO/BS, SP	
Regulation 127	Development applications - complying development Requiring an applicant for a complying development certificate to provide additional information.	EHO/BS, SP	
Regulations 129B and 129C	Development applications - complying development	EHO/BS, SP	

Environmental Planning and Assessment Regulation 2000			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Carrying out site inspections in relation to complying development certificates, making records of those inspections and providing a copy of the record to the certifier (if necessary), by means of the NSW planning portal.		
Regulation 130A	Development applications - complying development Where council issues a complying development certificate in relation to bush fire prone land, sending a copy of the certificate and associated documentation to the NSW Rural Fire Service.	EHO/BS, SP	
Regulation 130AB	Development applications - complying development Where the council has received an application for a complying development certificate for a new dwelling or additions to an existing dwelling on land in a rural or residential area (other than a residential release area), giving notice to the occupiers of dwellings with 20m of the boundary of the land in question.	EHO/BS, SP	
Various – Certification of development	Exercise of all functions of council under Part 8 of the Regulation that may be legally delegated	EHO/BS, SP	

Environmental Planning and Assessment Regulation 2000

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Regulation 139	Certification of development - construction certificates Notifying the applicant for a construction certificate, by means of the NSW planning portal, that the application has been lodged.	EHO/BS, SP	
Regulation 139A	Certification of development - construction certificates Deciding whether to refund the application fee where an application for a construction certificate is withdrawn.	EHO/BS, SP	
Regulation 140	Certification of development - construction certificates Requiring an applicant for a construction certificate to provide additional information.	EHO/BS, SP	
Regulation 140	Certification of development - construction certificates Where council is a planning authority and party to a planning agreement, certifying that specified requirements have been complied with by an applicant for a construction certificate who is required to provide additional information to a certifier.	EHO/BS, SP	

Environmental Planning and Assessment Regulation 2000

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Regulation 142	Procedure for determining application for construction certificate Notifying the applicant and the consent authority (as necessary) of the determination of an application for a construction certificate.	EHO/BS, SP	
Regulations 143B and 143C	Certification of development - construction certificates Carrying out site inspections in relation to construction certificates, making records of these inspections and providing a copy of the record to the certifier in relation to the issue of the certificate, by means of the NSW planning portal (if the Council is not the certifier in relation to the issue of the construction certificate).	EHO/BS, SP	
Regulation 144	Certification of development - construction certificates Referring plans and specifications in relation to an application for a construction certificate for certain types of buildings to the Fire Commissioner.	EHO/BS, SP	
Regulation 144	Certification of development – construction certificates	EHO/BS, SP	

Environmental Planning and Assessment Regulation 2000

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	<p>Giving written notice to the Fire Commissioner that the Council has not adopted the recommendations of the initial fire safety report, and the reasons why</p> <p>Note: the exercise of this power is linked to the power to issue a construction certificate under the EPA Act</p>		
Regulation 144	<p>Certification of development – construction certificates</p> <p>Notifying the Fire Commissioner if a construction certificate is issued where the Fire Commissioner indicated within 10 days of receipt of documents that a fire safety report would be provided but has failed to provide it within 28 days of receipt of documents</p>	EHO/BS, SP	
Regulation 144	<p>Certification of development – construction certificates</p> <p>Providing by means of the NSW Planning Portal any document, information or notice required under this clause.</p>	EHO/BS, SP	
Regulation 144A	<p>Certification of development - construction certificates</p> <p>Obtaining a compliance certificate or a written report from a fire safety engineer for building work that involves involves a performance solution</p>	EHO/BS, SP	

Environmental Planning and Assessment Regulation 2000			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	under the Building Code of Australia in respect of a fire safety requirement.		
Regulation 148	Certification of development - construction certificates Notifying the Fire Commissioner where a development has been modified and a fire safety report is no longer needed under regulation 144.	EHO/BS, SP	
Part 8, Division 2A	Subdivision works certificates Exercising all the functions of the Council as a certifier in relation to applications for subdivision works certificates under Part 8, division 2A of the Environmental Planning and Assessment Regulation 2000, including refunding application fees for withdrawn applications, requiring additional information, issuing certificates and notifying the determination of an application.	EHO/BS, SP	
Regulation 148A	Subdivision works certificates Notifying the applicant for a subdivision works certificate, by means of the NSW planning portal, that the application has been lodged.	EHO/BS, SP	

Environmental Planning and Assessment Regulation 2000			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Regulation 148C	<p>Certifier may require additional information</p> <p>Certifying that specified requirements of a planning agreement to which the Council is a party have been complied with.</p>	GM	
Regulation 149	<p>Occupation certificates</p> <p>Notifying the applicant for an occupation certificate, by means of the NSW planning portal, that the application has been lodged.</p>	EHO/BS, SP	
Regulation 149A	<p>Certification of development - occupation certificates</p> <p>Requiring an applicant for an occupation certificate to provide additional information.</p>	EHO/BS, SP	
Regulation 149A	<p>Certification of development - occupation certificates</p> <p>Where council is a planning authority and party to a planning agreement, certifying that an applicant for an occupation certificate has complied with any specified requirements.</p>	GM	

Environmental Planning and Assessment Regulation 2000

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Regulation 151	Occupation certificate determination Notifying the applicant for an occupation certificate, by means of the NSW planning portal, of the outcome of the determination.	EHO/BS, SP	
Regulation 152	Certification of development - occupation certificates Requesting the Fire Commissioner to furnish a final fire safety report for a certain building where council receives an application for an occupation certificate for certain types of buildings.	EHO/BS, SP	
Regulation 152	Certification of development – occupation certificates Notifying the Fire Commissioner of the refusal of an application for a final fire safety report	EHO/BS, SP	
Regulation 152A	Certification of development – occupation certificates Requesting a fire safety system report from the Fire Commissioner after having received an application for an occupation certificate for a class 2 or 3 building for building work. that involved installing, extending or modifying a relevant fire safety system in the building	EHO/BS, SP	152A(3) If the application is refused after having requested a report from the Fire Commissioner but before having received such report the Fire Commissioner must be notified of the refusal

Environmental Planning and Assessment Regulation 2000

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Regulation 152A	<p>Reports of the Fire Commissioner for class 2 or 3 buildings containing certain fire safety systems</p> <p>Providing by means of the NSW Planning Portal any document, information or notice required under this clause.</p>	EHO/BS, SP	
Regulation 153A	<p>Certification of development - occupation certificates</p> <p>Obtaining compliance certificate of a written report from a fire safety engineer before issuing an occupation certificate for building work that involves a performance solution under the Building Code of Australia in respect of a fire safety requirement.</p>	EHO/BS, SP	
Regulation 154C	<p>Certification of development - occupation certificates</p> <p>Applying to the Director-General for a BASIX completion receipt with respect to a building that is a BASIX affected development in certain circumstances.</p>	EHO/BS, SP	

Environmental Planning and Assessment Regulation 2000			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Regulation 154D	<p>Certification of development – occupation certificates</p> <p>Issuing an occupation certificate for a dwelling house, dual occupancy, or secondary dwelling for the purposes of Section 109H of the Act, but only if certain outdoor lighting requirements are satisfied.</p>	GM	These requirements only apply to the local government areas of: Coonamble, City of Dubbo, Gilgandra, and Warrumbungle Shire
Regulation 157	<p>Application – subdivision certificates</p> <p>Notifying the applicant for a subdivision certificate, by means of the NSW planning portal, that the application has been lodged.</p>	EHO/BS, SP	
Regulation 158	<p>Certification of development - subdivision certificates</p> <p>Requiring an applicant for a subdivision certificate to provide additional information.</p>	EHO/BS, SP	
Regulation 158	<p>Certification of development - subdivision certificates</p> <p>Where council is a planning authority and party to a planning agreement, certifying that specified requirements have been complied with by an applicant for a subdivision certificate who is required to provide additional information to a certifier.</p>	EHO/BS, SP	

Environmental Planning and Assessment Regulation 2000			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Regulation 160	Subdivision certificates determination Notifying the applicant for a subdivision certificate, by means of the NSW planning portal, of the outcome of the determination.	EHO/BS, SP	
Regulation 162B	Certification of development Making a record of a critical stage inspection carried out by the Council.	EHO/BS, SP	
Regulation 162AA	Provisions of information to replacement principal certifying authorities Exercising all the functions of a new principal certifier under cl.162AA of the Environmental Planning and Assessment Regulation 2000.	EHO/BS, SP	The Council has these functions when it has been appointed as the new principal certifier by the Registration Authority.
Various – Fire Safety and BCA	Exercise of all functions of council under Part 9 of the Regulation that may be legally delegated	EHO/BS, SP	
Regulation 168	Fire safety and BCA matters Issuing fire safety schedules.	EHO/BS, SP	

Environmental Planning and Assessment Regulation 2000			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Regulation 168B	Fire safety and BCA matters Issuing fire safety schedules and fire sprinkler system installation schedules for certain residential aged care facilities.	EHO/BS, SP	
Regulation 186T	Building owner may be directed to provide registration details of building and its cladding Directing the owner of a building in writing to provide the Planning Secretary with details about the building and any external combustible cladding that has been applied to it.	EHO/BS, SP	
Regulation 187	Fire safety and BCA matters Exempting development from any specified provision of the Building Code of Australia and/or directing that specified requirements are to apply to proposed building work.	EHO/BS, SP	
Regulation 227A	Certification of development Where council is the principal certifier for any building work, subdivision work or demolition work authorised to be carried out on a site by a development consent or complying development certificate, ensuring	EHO/BS, SP	

Environmental Planning and Assessment Regulation 2000

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	that a sign with council's identifying particulars is erected and maintained at the site.		
Various – Fees and charges	Exercise of all functions of council under Part 15 of the Regulation that may be legally delegated	GM	
Regulation 256A	Development applications Forwarding to the Director-General a report on development applications received by council and a portion of the fees for development applications received by council each month.	EHO/BS, SP	
Regulation 259	Planning certificates Determining whether or not to charge an additional fee for providing advice on matters affecting the land in a planning certificate issued under section 149 of the Act.	GM	Council cannot delegate the function of fixing a fee: section 377(1)(e) of the Local Government Act 1993.
Regulation 260	Building information certificates Determining whether or not to require an applicant for a building information certificate to pay an addition fee where it was necessary for	GM	Council cannot delegate the function of fixing a fee: section 377(1)(e) of the Local Government Act 1993.

Environmental Planning and Assessment Regulation 2000

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	council to carry out more than one inspection of the building in order to issue the certificate.		
Various – record keeping	Exercise of all functions of council under Part 16 of the Regulation that may be legally delegated	GM	
Regulation 264	Development applications - record keeping Maintaining a register of development applications and consents.	EHO/BS, SP	
Regulation 265	Development applications - record keeping Maintaining a register of complying development applications.	EHO/BS, SP	
Regulations 266 and 267	Development applications - record keeping Keeping certain documents relating to development applications and complying development applications.	EHO/BS, SP	
Regulation 267A	Record keeping - complaints about development	EHO/BS, SP	

Environmental Planning and Assessment Regulation 2000			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Keeping a record of complaints received by council regarding the development and any action taken by the council in response to the complaint.		
Regulation 268X	Other planning bodies Providing an annual report to the Director-General about independent hearing and assessment panels.	EHO/BS, SP	
Various – paper subdivisions	Exercise of all functions of council under Part 16C of the Regulation that may be legally delegated	GM	
Regulation 268ZA	Paper subdivisions Consulting with public authorities likely to be affected by a development plan proposed by the council. (This is only a function of council where council has been designated as a ‘relevant authority’ under a subdivision order made by the Minister: see Schedule 5, clauses 1 and 5 of the Environmental Planning and Assessment Act 1979)	GM	

Environmental Planning and Assessment Regulation 2000

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Regulation 268ZB	<p>Paper subdivisions</p> <p>Giving notice of proposed development plans including by publishing the notice on the NSW planning portal, displaying notice on or in the vicinity of the land to which the development plan applies and making the proposed development plan publicly available.</p> <p>(This is only a function of council where council has been designated as a 'relevant authority' under a subdivision order made by the Minister: see Schedule 5, clauses 1 and 5 of the Environmental Planning and Assessment Act 1979)</p>	EHO/BS, SP	
Regulation 268ZC	<p>Paper subdivisions</p> <p>Holding a postal ballot (a 'consent ballot') to determine whether or not the owners of land affected consent to a proposed development plan.</p> <p>(This is only a function of council where council has been designated as a 'relevant authority' under a subdivision order made by the Minister:</p>	GM	

Environmental Planning and Assessment Regulation 2000			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	see Schedule 5, clauses 1 and 5 of the Environmental Planning and Assessment Act 1979)		
Regulation 268ZC	<p>Paper subdivisions</p> <p>In relation to the determination consent ballot: determining the form of the ballot paper; fixing the dates for forwarding of ballots to owners and the closing of the ballot; and appointing a returning officer for the ballot.</p> <p>(This is only a function of council where council has been designated as a 'relevant authority' under a subdivision order made by the Minister: see Schedule 5, clauses 1 and 5 of the Environmental Planning and Assessment Act 1979)</p>	GM	
Regulation 268ZJ	<p>Paper subdivisions</p> <p>Causing notice of the adoption of a development plan to be published on the NSW planning portal.</p> <p>(This is only a function of council where council has been designated as a 'relevant authority' under a subdivision order made by the Minister:</p>	EHO/BS, SP	

Environmental Planning and Assessment Regulation 2000			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	see Schedule 5, clauses 1 and 5 of the Environmental Planning and Assessment Act 1979)		
Regulation 268ZK	<p>Paper subdivisions</p> <p>Giving written notice of an amendment to a development plan to the owners of the land to which the development plan applies.</p>	GM	<p>This is only a function of council where council has been designated as a 'relevant authority' under a subdivision order made by the Minister: see Schedule 5, clauses 1 and 5 of the Environmental Planning and Assessment Act 1979.</p> <p>Council cannot delegate the function of making an application, or the giving of a notice, to the Minister administering the Act (see s.377(s) of the Local Government Act 1993).</p>
Regulation 268ZL	<p>Paper subdivisions</p> <p>Giving notice of a proposed amendment to a development plan that is a major amendment in accordance with clause 268ZB of the Environmental Planning and Assessment Regulation 2000 (i.e. in the same manner as a proposed development plan is notified).</p>	EHO/BS, SP	

Environmental Planning and Assessment Regulation 2000			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	(This is only a function of council where council has been designated as a 'relevant authority' under a subdivision order made by the Minister: see Schedule 5, clauses 1 and 5 of the Environmental Planning and Assessment Act 1979)		
Regulation 268ZL	<p>Paper subdivisions</p> <p>Holding a ballot to determine whether or not the requisite percentage of the owners of the affected land consent to the major amendment a development plan in accordance with Part 16C, Division 3 of the Environmental Planning and Assessment Regulation 2000 (i.e. in the same manner as a consent ballot is held in relation to the adoption of a new development plan).</p> <p>(This is only a function of council where council has been designated as a 'relevant authority' under a subdivision order made by the Minister: see Schedule 5, clauses 1 and 5 of the Environmental Planning and Assessment Act 1979)</p>	GM	

Environmental Planning and Assessment Regulation 2000			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Regulation 268ZL	<p>Paper subdivisions</p> <p>Giving notice of a proposed amendment to a development plan that is not a minor amendment or a major amendment including by publishing the notice on the NSW planning portal, displaying notice on or in the vicinity of the land to which the development plan applies and making the proposed development plan publicly available.</p> <p>(This is only a function of council where council has been designated as a 'relevant authority' under a subdivision order made by the Minister: see Schedule 5, clauses 1 and 5 of the Environmental Planning and Assessment Act 1979)</p>	EHO/BS, SP	
Regulation 268ZP	<p>Paper subdivisions</p> <p>Reporting to the Minister on the exercise of the council's functions as a 'relevant authority' in relation to subdivision land.</p> <p>(This is only a function of council where council has been designated as a 'relevant authority' under a subdivision order made by the Minister:</p>	GM	

Environmental Planning and Assessment Regulation 2000			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	see Schedule 5, clauses 1 and 5 of the Environmental Planning and Assessment Act 1979)		
Regulation 268ZP	<p>Paper subdivisions</p> <p>Providing certain information to the Minister, such as a schedule of completed subdivision works, audited accounts, particulars of unspent funds, etc, either at the request of the Minister or as soon as practicable after council considers that the planning purpose of a subdivision order has been achieved and the development plan for the subdivision land implemented.</p> <p>(This is only a function of council where council has been designated as a 'relevant authority' under a subdivision order made by the Minister: see Schedule 5, clauses 1 and 5 of the Environmental Planning and Assessment Act 1979)</p>	GM	

Fines Act 1996

Fines Act 1996			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation - all functions under the Fines Act 1996 Exercise of all functions of council under the Act that may be legally delegated.	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Part 3, Division 2A	General delegation - reviewing the decision to issue a penalty notice Reviewing the decision to issue a penalty notice made by council employees or other persons authorised to issue penalty notices on behalf of council. Includes all associated functions such as requesting more information from the person applying for the review, deciding to uphold the decision to issue a penalty notice or to withdraw it, issuing a caution to a person where a penalty notice has been withdrawn, serving a penalty notice reminder, etc.	DBS, DSS	
Section 24B	Reviewing the decision to issue a penalty notice Determining whether or not to conduct an internal review of a decision to issue a penalty notice.	DBS, DSS	

Fines Act 1996			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 24B	Reviewing the decision to issue a penalty notice Giving written notice to an applicant for an internal review of a decision to issue a penalty notice that council has decided not to conduct a review.	DBS, DSS	
Section 24B	Reviewing the decision to issue a penalty notice Where council decides not to conduct an internal review, taking such other action as council thinks fit, including withdrawing the penalty notice to which an application for review relates.	GM	
Section 24C	Reviewing the decision to issue a penalty notice Conducting an internal review of a decision to issue a penalty notice.	GM	The review must be conducted by a person who was not involved in the making of the decision the is the subject of the review: section 24C(2).
Section 24D	Reviewing the decision to issue a penalty notice Requesting, in writing, additional information from an applicant for internal review of a decision to issue a penalty notice.	DBS, DSS	
Section 24E	Reviewing the decision to issue a penalty notice After reviewing a decision to issue a penalty notice, conforming the decision or withdrawing the penalty notice.	DBS, DSS	

Fines Act 1996			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 24E	<p>Reviewing the decision to issue a penalty notice</p> <p>Giving an applicant for internal review of a decision to issue a penalty notice written notice of the outcome of the review.</p>	DBS, DSS	
Section 24F	<p>Reviewing the decision to issue a penalty notice</p> <p>Serving a penalty notice reminder on a person where, after conducting an internal review of the decision to issue a penalty notice, council confirms the decision.</p>	DBS, DSS	
Section 24G	<p>Reviewing the decision to issue a penalty notice</p> <p>Issuing an official caution to a person against whom a penalty notice was issued and then withdrawn by the council after a review.</p>	DBS, DSS	
Section 24G	<p>Reviewing the decision to issue a penalty notice</p> <p>Repaying the amount paid under a penalty notice or penalty reminder notice or penalty notice enforcement order where a penalty notice is withdrawn.</p>	DBS, DSS	
Section 24J	<p>Reviewing the decision to issue a penalty notice</p>	DBS, DSS	

Fines Act 1996			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Entering arrangements with another person or body under which the functions of the council as a reviewing agency are carried out on its behalf by another person or agency.		

Fire and Emergency Services Levy Act 2017

Fire and Emergency Services Levy Act 2017			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation – all functions under the Fire and Emergency Services Levy Act 2017 Exercise of all functions of council under the Act that may be legally delegated.	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Section 12	Council must charge and collect levy on behalf of State Charging and collecting the levy on land situated in the council's area on behalf of the state.	GM	No levy is payable in respect of Government Land (s 14). Council cannot delegate the function of fixing the amount of a fee: section 377(1)(e) of the Local Government Act 1993.
Section 12	Council must charge and collect levy on behalf of State	GM	Council cannot delegate the function of fixing the amount of a fee: section 377(1)(e) of the Local Government Act 1993.

Fire and Emergency Services Levy Act 2017

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Paying collection instalments to the Chief Commissioner in accordance with this Act to account for amounts collected		
Section 17	<p>Ad valorem component of levy</p> <p>Calculating the ad valorem component of the levy by applying the relevant ad valorem rate to the land value of the parcel of land on which the levy is charged.</p> <p>Note: The relevant ad valorem rate is the published ad valorem rate for the property sector that the land is within for the financial year for which the levy is charged (s 17(3)).</p> <p>The land value of land is determined in accordance with the provisions in s 18 of this Act. If the land is unvalued land, then its value is determined in accordance with Part 3 Division 2 of this Act.</p>	GM	Council cannot delegate the function of fixing the amount of a fee: section 377(1)(e) of the Local Government Act 1993.

Fire and Emergency Services Levy Act 2017

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 34	<p>Levy estimate information</p> <p>Providing the levy estimate information for the council's area to the Valuer-General by 15 February each year (or by a later date prescribed in the Regulations) in a form approved by the Valuer-General.</p> <p>Note: The levy estimate information means information about the classification and sub-classification of land in the council's area, the number of parcels of land in the council's area that are eligible for a pensioner discount under this Act, and any other information that the Valuer-General reasonably requires for the purpose of exercising his or her functions under this Division (Section 34(2)).</p>	GM	Council cannot delegate the function of fixing the amount of a fee: section 377(1)(e) of the Local Government Act 1993.
Section 40	<p>Classifying land</p> <p>Classifying land within specified categories for the purpose of charging the levy in accordance with the process in Part 5 Division 2.</p> <p>Note: Section 40(1) classifications:</p>	DBS, RO	<p>Section 41 Steps for classification</p> <p>Section 42 Requirements for classification</p>

Fire and Emergency Services Levy Act 2017

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	<p>(a) government land, (b) public benefit land, (c) farmland, (d) residential land, (e) industrial land, (f) commercial land.</p> <p>The requirements for each classification are contained in the following sections:</p> <p>(a) government land – s 42 (b) public benefit land – s 43 (c) farmland – s 44 (d) residential land – s 45 (e) industrial land – s 46 (f) land not yet being used – s 47</p>		

Fire and Emergency Services Levy Act 2017

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Commercial land is the default classification for leviable land. If land cannot be classified into one of the other categories, it is to be classified as commercial land (s 41)		
Section 48	<p>Declaration of classification</p> <p>Classifying land by declaring land to be within a particular property sector</p> <p>Note: The classification takes effect from the date specified for the purpose in the declaration of the council, being, 1 July, 1 October, 1 January or 1 April (s 49).</p>	DBS, RO	
Section 48	<p>Change of classification</p> <p>Changing the classification of land in a property sector if the requirements for classification in that property sector change and, as a result, the land ceases to meet the requirements for classification in that property sector.</p>	DBS, RO	

Fire and Emergency Services Levy Act 2017

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	<p>Note: Classification can be changed at any time by making another declaration (s 48(1)).</p> <p>Classification of land or changing classification can be done of Council's own accord, or by application of a liable person (s 48(5)).</p>		
Section 50	<p>Notice of classification</p> <p>Notifying a liable person of the classification declared for any parcel of land for which the person is a liable person and the effective date for the classification.</p> <p>Note: If Council made the classification of their own accord, the notice must state that the liable person has a right to review the classification, or the effective date of classification, or both; and that the liable person has a right to further appeal to the Land & Environment Court (s 50(2)).</p> <p>Notice is not required to be given for government land.</p>	DBS, RO	Notice must be given within 30 days of the decision

Fire and Emergency Services Levy Act 2017

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 51	<p>Application for review of classification</p> <p>Notifying the applicant (a liable person) of any further information it requires in order to decide an application to have the person's land classified in a certain way or an appeal of Council's classification (or both), if Council believes there are reasonable grounds that the land does not meet the classification requirements or the effective date is inappropriate</p>	DBS, RO	
Section 52	<p>Deciding application</p> <p>Declaring the property sector for the land and specifying the effective date for classification, having considered an application from a liable person for classification or review of classification under s 51.</p> <p>Note: Council must declare the land to be within the property sector nominated in the application, unless Council believes there are reasonable grounds that the land does not meet the classification requirements.</p>	DBS, RO	

Fire and Emergency Services Levy Act 2017

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 52	<p>Deciding application</p> <p>Notifying the applicant of Council's decision, including the reasons for the decision and information about appeals to the Land and Environment Court if Council declares the land to be within a property sector or specifies an effective date that is not the one nominated by the applicant.</p> <p>Note: If Council has not notified applicant of its decision within 40 days after the application is made, Council is taken to have declared the land to be within its existing property sector with the same effective date as previously specified.</p>	DBS, RO	
Section 52	<p>Deciding application</p> <p>Refunding the fee associated with an application for classification or application for review if Council declares the land to be within the property sector nominated by the applicant, or fails to notify the applicant within 40 days after the application is made.</p>	DBS, RO	
Section 53	Sub-classification of land as vacant	DBS, RO	

Fire and Emergency Services Levy Act 2017

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	<p>Sub-classifying land as vacant land by declaring the land to be vacant land where a liable person applies to the council for that sub-classification and the land meets the requirements for the sub-classification.</p> <p>Note: The criteria for sub classification are contained within s 54</p> <p>Council may notify the applicant of further information it requires in order to be satisfied that the land is vacant if Council has reasonable grounds for believing that the land does not meet the requirements – (s55(3))</p>		
Section 56	<p>Deciding vacant land application</p> <p>Declaring the land to be vacant land or refusing an application for sub-classification of land as vacant land, having considered the application and any further information provided by the applicant.</p>	DBS, RO	

Fire and Emergency Services Levy Act 2017

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	<p>Note: If satisfied that the land satisfies the requirements for sub-classification as vacant land it must be declared as vacant land (s 56(2)).</p> <p>The effective date for sub-classification of land upon which the declaration takes effect must be 1 July, 1 October, 1 January, or 1 April (s 57)</p>		
Section 56	<p>Deciding application</p> <p>Notifying the applicant of Council's decision on a vacant land application, including the reasons for the decision and information about appeals to the Land and Environment Court if Council refuses the application.</p> <p>Note: If Council has not notified applicant of its decision within 40 days after the application is made, Council is taken to have refused the application.</p>	DBS, RO	
Section 58	Review of sub-classification	DBS, RO	Sub-classification as vacant land must be reviewed at least once every 4 years

Fire and Emergency Services Levy Act 2017

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Reviewing of sub-classification of land classified as vacant land		
Section 58	<p>Review of sub-classification</p> <p>Providing written confirmation of compliance with requirement to review sub-classification of vacant land, if requested by the Valuer-General</p>	DBS, RO	
Section 59	<p>Revocation of sub-classification</p> <p>Revoking the sub-classification of land as vacant by declaration where the land ceases to meet the required criteria.</p> <p>Note: Revocation takes effect on the effective date (being 1 July, 1 October, 1 January or 1 April). The effective date for the revocation may be before the date the declaration is made (s 60).</p>	DBS, RO	

Fire and Emergency Services Levy Act 2017

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	<p>Council must give notice to a liable person of the revocation of sub-classification and the effective date for the classification, within 30 days after it is made. The notice must state:</p> <ul style="list-style-type: none"> - that the person has the right to apply to council for a review of the revocation, or of the effective date for the revocation, or both, and; - that the person has the right to appeal to the Land and Environment Court if dissatisfied with Council's review (s 61). <p>The sub-classification of land as vacant land is taken to cease to have effect if the classification of the land changes and the new classification is government land, public benefit land or farmland</p>		
Section 59	<p>Revocation of sub-classification</p> <p>Considering whether the sub-classification of land as vacant land should be revoked if information comes to its attention that the land is not vacant land.</p>	DBS, RO	
Section 63	Deciding application for review	DBS, RO	

Fire and Emergency Services Levy Act 2017

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	<p>Considering an application for the review of the Council's decision, and affirming or setting aside its original decision.</p> <p>Note: If set aside, Council may substitute a new decision (s 63(2)).</p>		
Section 63	<p>Deciding application</p> <p>Notifying the applicant of Council's decision to either set aside or affirm Council's original decision.</p> <p>Note: If the decision is affirmed, Council must include in its notice to the applicant the reasons for the decision and information about appeals to the Land & Environment Court (including details about time limits for making an appeal) (s 63(4)).</p> <p>If Council has not notified applicant of its decision within 40 days after the application is made, Council is taken to have affirmed its original decision (s 64(5)).</p>	DBS, RO	

Fire and Emergency Services Levy Act 2017

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 63	Deciding application Refunding any fee for making an application that land be declared vacant if Council's original decision is set aside, or if Council fails to notify the applicant of its decision within 40 days of the application being made	DBS, RO	
Section 65	Valuer-General notice Notifying the Valuer-General of any appeal against a relevant decision of the Council being made to the Land & Environment Court within 7 days after Council is given notice of the appeal. Note: "Relevant decision" is defined in s 64.	DBS, RO	
Section 67	Annual return Providing to the Valuer-General by 15 February each year a return for the year ending on the preceding 31 December	DBS, RO	

Fire and Emergency Services Levy Act 2017

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Note: Details of information required to be in the return are in s 67.		
Section 68	<p>Further information</p> <p>Providing information to the Valuer-General in response to a request made under s.68</p>	DBS, RO	
Section 69	<p>Applicable rules</p> <p>Complying with the rules about classification and sub-classification set by the Treasurer.</p>	DBS, RO	
Section 70	<p>Zone and use changes</p> <p>Reviewing classification and sub-classification of a parcel of land if the zoning or designated use for the land under an environmental planning instrument changes, or a change in use for the land is approved by council.</p>	EHO/BS, SP	

Fire and Emergency Services Levy Act 2017

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 71	<p>Adjustment of levy</p> <p>Adjusting levy paid or payable following a change in classification or sub-classification of land or a revocation of sub-classification.</p>	GM	Council cannot delegate the function of fixing the amount of a fee: section 377(1)(e) of the Local Government Act 1993.
Section 73	<p>Notice of change of circumstances</p> <p>Setting an effective date for the classification or sub-classification that is the first day of the next quarterly instalment period after notification if a liable person fails to give notice of a change in circumstances that would justify a new classification with a lower levy within the required time</p> <p>Note: Council may require the notice required to be given to it under this section to be given in the form of an application for classification or sub-classification of the land</p>	DBS, RO	
Section 74	Classification of mixed development	EHO/BS, SP	

Fire and Emergency Services Levy Act 2017

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Classifying a part of land which is non-residential land as industrial, commercial, or public benefit land as the case requires, and classifying the remaining part as residential land if a valuation is furnished for mixed development land		
Section 75	<p>Parcel of land in 2 or more areas</p> <p>Classifying and sub-classifying (if necessary) a part of a parcel of land within Council's area, where the parcel is situated in different areas, as though the land in the council's area were part of a separate parcel of land, and charging a levy as if that parcel of land were a separate parcel of land</p>	DBS, RO	
Section 75	<p>Parcel of land in 2 or more areas</p> <p>Waiving or refunding part of the fixed component of the levy charged in respect of a parcel of land upon application from a liable person, if Council is satisfied that the parcel of land is situated in more than one area and that, accordingly, more than one levy is payable in respect of the parcel.</p>	GM	Council cannot delegate the function of fixing the amount of a fee: section 377(1)(e) of the Local Government Act 1993.

Fire and Emergency Services Levy Act 2017

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 77	<p>Levy to be charged</p> <p>Charging a levy for each financial year on all leviable land in its area</p>	GM	Council cannot delegate the function of fixing the amount of a fee: section 377(1)(e) of the Local Government Act 1993.
Section 78	<p>Levy to be charged</p> <p>Charging a levy by serving a notice of the levy on the liable person</p> <p>Note: The levy notice is to contain the information contained in s 78)(2).</p> <p>The levy notice is to be combined with the notice for rates and charges, if rates and charges are payable in respect of the same land under the Local Government Act 1993.</p>	GM	Council cannot delegate the function of fixing the amount of a fee: section 377(1)(e) of the Local Government Act 1993.
Section 82	Reminder notices	DBS, RO	

Fire and Emergency Services Levy Act 2017

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	<p>Sending reminder notices on or before 31 October, 31 January and 30 April to each person whose levy is being paid by quarterly instalments.</p> <p>Note: The reminder notice may be sent in conjunction with a reminder notice relating to rates and charges payable under the Local Government Act 1993, but must be sent separately from a levy notice</p>		
Section 83	<p>Accrual of interest on overdue levies</p> <p>Charging interest on overdue levies (if desired) which do not exceed the amount set by the Minister administering the Act as per s 566, and if the Council charges interest on overdue rates and charges, the interest rate for overdue levies must be the same..</p>	GM	Council cannot delegate the function of fixing the amount of a fee: section 377(1)(e) of the Local Government Act 1993.
Section 85	<p>Chief Commissioner may waive or reduce levy</p> <p>Giving effect to a decision by the Chief Commissioner to waive or reduce a levy by waiving or reducing the levy payable, as the case requires, and writing off the amount that is waived or the amount of the reduction.</p>	GM	

Fire and Emergency Services Levy Act 2017

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Note: Council may not take action to recover an amount written off under this section.		
Section 89	Recovery of a levy as debt Recovering a levy payable to Council as a debt in Court of a competent jurisdiction.	DBS, RO	
Section 91	Transfer of levy recovery to Chief Commissioner Entering into a levy recovery arrangement with the Chief Commissioner, enabling Council to refer any levy, part of a levy, or class of levies payable to Council in respect of land which is not subject to a rate or charge under the Local Government Act 1993 to the Chief Commissioner for recovery. Note: Once referred to the Chief Commissioner, the levy ceases to be an assessed levy of Council on the transfer date.	GM	
Section 92	Record keeping	DBS, RO	

Fire and Emergency Services Levy Act 2017

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	<p>Keeping a record of (and amending from time to time):</p> <ul style="list-style-type: none"> - each levy charged; - the land value, for levy purposes, of each parcel of land on which the levy is charged; - the classification and any sub-classification of the land; and <p>the liable person for each parcel of land (if known).</p>		
Section 94	<p>Apportion relevant payment</p> <p>Applying all relevant payments made to Council under Part 7 of the Act and calculating calculate and paying a proportion of all relevant payments to the Chief Commissioner.</p> <p>Note: “Relevant payment” is defined in s 95.</p> <p>For the purpose of defining “relevant payment”: “assessed rate or charge” is defined in s 96, and “assessed levy” is defined in s 97.</p>	DBS, RO	

Fire and Emergency Services Levy Act 2017

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Council is liable to pay collection instalments regardless of whether the Chief Commissioner has issued an assessment for the amount payable or not (s 106(4)).		
Section 98	<p>Payment of old debt</p> <p>Applying relevant payments towards the payment of the assessed rates or charges and assessed levies in respect of which the payment was made in the order in which they became due.</p>	DBS, RO	
Section 99	<p>Collection instalments</p> <p>Paying collection instalments to the Chief Commissioner in each reconciliation period for any relevant payments which are applied by Council to a financial year.</p> <p>Note: "Reconciliation period" is defined in s 100.</p> <p>The amount of the collection instalment is calculated in accordance with ss 101-103.</p>	DBS, RO	

Fire and Emergency Services Levy Act 2017

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 104	<p>Record keeping</p> <p>Keeping a record of all relevant payments made to Council and the financial year towards which those relevant payments are applied</p> <p>Note: This record is to contain any other information required by the regulations (s 104(2)).</p>	DBS, RO	
Section 107	<p>Council to provide annual return to Chief Commissioner</p> <p>Providing on or before 31 July in each year, a return for the financial year ending on 30 June that year relating to Council's liability for collection instalments under this Part.</p> <p>Note: The information required to be in the return is contained in s 107(2).</p>	DBS, RO	
Section 108	Provision of other information to Chief Commissioner	GM	

Fire and Emergency Services Levy Act 2017

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Providing further information or returns to the Chief Commissioner for the purposes of this Act if required by the regulations.		
Section 111	Harmonisation with Council rates and charges Aggregating the land values of parcels of land (which have been aggregated under s 548A of Local Government Act 1993) for the purpose of charging the levy.	GM	Council cannot delegate the function of fixing the amount of a fee: section 377(1)(e) of the Local Government Act 1993.
Section 113 and 119	Harmonisation with Council rates and charges Writing off a levy or accrued interest in the same proportion as Council writes off the rates, charges, or accrued interest payable by the same person in the same period.	DBS, RO	
Section 132	Monitoring role by Valuer-General	DBS, RO	

Fire and Emergency Services Levy Act 2017

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Cooperating with a review conducted by the Valuer-General under this section, including providing access to council facilities and records during regular business hours.		
Section 133	Monitoring role by Valuer-General Making submissions in relation to compliance issues within a period specified by the Valuer-General for the purpose of the Valuer-General issuing a compliance certificate on compliance issues.	DBS, RO	
Section 135	Monitoring role by Chief Commissioner Cooperating with an audit conducted by the Chief Commissioner under this section, including providing access to council facilities and records during regular business hours.	GM	
Section 136	Monitoring role by Chief Commissioner	GM	

Fire and Emergency Services Levy Act 2017

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Making submissions in relation to compliance issues within a period specified by the Chief Commissioner for the purpose of the Chief Commissioner issuing a compliance certificate on compliance issues.		
Section 137	Order by Treasurer Complying with an order by the Treasurer requiring Council to take any action necessary to remedy or restrain a breach of this Act by Council.	GM	
Section 139	Notice relating to fire and emergency services levy Complying with a requirement ordered by the Treasurer to give an approved notice to liable persons for land in Council's area.	DBS, RO	
Section 140	Information sharing Disclosing information to the Valuer-General or Chief Commissioner in accordance with a requirement imposed on Council under this Act, or otherwise for the purposes of the administration or execution of this Act.	DBS, RO	

Fire and Emergency Services Levy Act 2017

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Schedule 3	<p>Introduction of levy</p> <p>Classifying all parcels of land within its area by the date which is 7 days after the commencement of this Act or a later date prescribed by the regulations for the purpose of enabling the levy to be charged on 1 July 2017.</p> <p>Council may sub-classify land as vacant as part of the initial classification process, but is not required to do so.</p>	DBS, RO	

Fire Brigades Act 1989

Fire Brigades Act 1989			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	<p>General delegation – all functions under the Fire Brigades Act 1989</p> <p>Exercise of all functions of council under the Act that may be legally delegated.</p>	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Sections 50 and 52	<p>Council to pay fire brigade contribution</p> <p>Paying the State Revenue Commissioner a fire brigade contribution for each financial year in accordance with an instalment notice given to Council by the State Revenue Commissioner on or before the following dates in a financial year:</p> <ul style="list-style-type: none"> - 30 September - 31 December - 31 March - 30 June 	DBS	

Fire Brigades Act 1989

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	<p>Note: The amount payable is determined by the Minister for each local council (s 51(1)).</p> <p>The contribution to be paid for a fire district is to be paid by the Council or Councils, the whole or part of which is included in the fire district (s 51(4)).</p> <p>The contributions are payable in 4 instalments (s 51A).</p>		
Section 50	<p>Council to pay fire brigade contribution</p> <p>Giving the Minister any document or information required by the Minister to determine the Council's fire brigade contribution if requested by the Minister.</p>	DBS	

NSW Firearms Regulation 2017

Firearms Regulation 2017			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	<p>General delegation – all functions under the Firearms Regulation 2017</p> <p>Exercise of all functions of council under the Regulation that may be legally delegated.</p>	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Regulation 92	<p>Council to approve shooting range</p> <p>Approving a shooting range.</p>	GM	

Fisheries Management Act 1994

Fisheries Management Act 1994			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation - all functions under the Fisheries Management Act 1994 Exercise of all functions of council under the Act that may be legally delegated.	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Sections 33 and 34	Fisheries officer Exercising the functions of a fisheries officer or an authorised officer under the Biosecurity Act 2015 under a repealed provision	GM	
Section 175	Approving access ways over Council land Determining an application for an access way over an area of public water land vested in the council that is the subject of an aquaculture lease.	GM	
Section 176	Withdrawal of land from aquaculture lease	GM	

Fisheries Management Act 1994			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Paying compensation for the acquisition of land covered by an aquaculture lease where the land is acquired at the request of the council.		
Section 193	Habitat protection plans Notifying the Minister of any function the council proposes to exercise that is inconsistent with a habitat protection plan.	GM	
Section 195	Aquatic reserves Determining whether or not to grant consent to the declaration by the Minister of an area to be an aquatic reserve. (note: a council will only have this function where the land in question is public water land that is vested in the council)	GM	

Fisheries Management Act 1994			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 202	Dredging and reclamation Appealing to the Land and Environment Court against a decision of the Minister concerning dredging or reclamation work.	GM	
Section 203	Dredging and reclamation Carrying out work under an order by the Minister or the Court in relation to dredging and reclamation. Note: Failure to comply with an order will constitute an offence under this section	GM	
Section 218	Construction of dams and weirs on waterways Notifying the Minister of a proposal by the council to construct, alter or modify a dam, weir or reservoir on a waterway (or to approve of any such construction, alteration or modification).	GM	

Fisheries Management Act 1994			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 218	<p>Construction of dams and weirs on waterways</p> <p>Where the council proposes to or proposes to approve the construction alteration or modification of a dam, weir or reservoir on a waterway, including as part of the works, a suitable fishway or fish by-pass if requested to do so by the Minister.</p>	GM	
Section 220R	<p>Identification of critical habitat</p> <p>Making a submission to and consulting with the Minister on a proposal by the Minister to identify critical habitat.</p>	GM	
Section 220ZO	<p>Recovery plans and threat abatement plans</p> <p>Making a submission to Minister on a draft recovery or threat abatement plan.</p>	GM	
Section 220ZT	<p>Recovery and threat abatement plans</p> <p>Reporting on action taken by the council to implement the measures contained in a recovery or threat abatement plan in the annual report of council.</p>	GM	

Fisheries Management Act 1994			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 220ZU	Recovery and threat abatement plans Notifying the Secretary of the council's intention to depart from the requirements contained in a recovery or threat abatement plan.	GM	
Section 220ZV	Recovery and threat abatement plans Giving effect to any decisions or directions of the Premier made in relation to council's proposal to depart from the requirements in a recovery or threat abatement plan.	GM	
Section 223	Acquisition of public water land by the Minister Determining whether or not to grant consent to the acquisition by the Minister of public water land vested in the council.	GM	

Fluoridation of Public Water Supplies Act 1957

Fluoridation of Public Water Supplies Act 1957			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	<p>General delegation – all functions under the Fluoridation of Public Water Supplies Act 1957</p> <p>Exercise of all functions of council under the Act that may be legally delegated.</p>	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Section 6 and 6A	<p>Adding fluorine to a public water supply</p> <p>Adding fluorine to a public water supply under the council's control with the approval of the Secretary or at the direction of the secretary.</p> <p>(This is a function of council where council is a “water supply authority”. Section 3 defines “water supply authority” to mean “any person or body, corporate or unincorporate, who or which supplies water to the public”.)</p>	DSS, UE	

Food Act 2003

Food Act 2003			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	<p>General delegation - all functions under the Food Act 2003</p> <p>Exercising all of the functions of council that may be legally delegated under the Act.</p> <p>(Council has responsibilities under the Food Act 2003 only where council is appointed as an “enforcement agency” by the NSW Food Authority: see sections 4 and 111.)</p>	GM	<p>Council cannot delegate any of the functions listed in section 377(1) of the Local Government Act 1993.</p> <p>Council may only delegate to members of council staff where it has written authorisation to do so from the NSW Food Authority: section 109E.</p>
Sections 47 and 50	<p>Inspection and seizure</p> <p>Returning seized and forfeited items.</p>	DSS, EHO/BS	
Section 51	<p>Inspection and seizure</p> <p>Determining whether to pay compensation for items seized.</p>	DSS, EHO/BS	

Food Act 2003			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 53	Inspection and seizure Appearing as the respondent at a hearing for an application to disallow seizure of an item.	DSS, EHO/BS	
Section 60	Improvement notices and prohibition orders Serving a prohibition order on the proprietor of a food business and giving a certificate of clearance for premises the subject of a prohibition order.	DSS, EHO/BS	
Section 66	Improvement notices and prohibition orders Paying compensation to a person in relation to the making of a groundless prohibition order by the council.	DSS, EHO/BS	
Section 66	Improvement notices and prohibition orders Determining the amount of compensation payable by the council in relation to a groundless compensation order that was issued by it.	GM	
Section 66	Improvement notices and prohibition orders	GM	

Food Act 2003			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Sending written notice to an applicant for compensation of the council's determination as to the amount of compensation payable.		
Section 66AA	Improvement notices and prohibition orders Extending the time for payment of a fee by a person to whom an improvement notice is issued or waiving the requirement to pay the fee.	DSS, EHO/BS	
Section 101A	List of food businesses Keeping a public list of food businesses.	DSS, EHO/BS	
Various	Functions delegated to Council by the NSW Food Authority Exercising any of the functions of the NSW Food Authority that have been delegated by the food authority to council under section 109E.	DSS, EHO/BS	Council may only sub-delegate to members of council staff where it has written authorisation to do so from the NSW Food Authority: section 109E(3).
Section 113	Reporting Reporting to the NSW Food Authority on the exercise of the council's functions as an enforcement agency	DSS, EHO/BS	

Food Act 2003			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 113	Reporting Forwarding to the Food Authority details of any proceedings for an offence under the Food Act or Regulation taken by or on behalf of council.	DSS, EHO/BS	
Sections 114 and 115	Appointing authorised officers Appointing persons to be authorised officers for the purposes of the Food Act 2003.	GM	
Section 114	Appointing authorised officers Keeping a list of authorised officers appointed by the council.	DSS, EHO/BS	
Section 136A	Proving information to other authorities Providing information to relevant authorities and other enforcement agencies.	DSS, EHO/BS	

Food Regulation 2015

Food Regulation 2015			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation – all functions under the Food Regulation 2015 Exercise of all functions of council under the Act that may be legally delegated.	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Section 4	Enforcement agencies Acting as the appropriate enforcement agency for the purposes of Section 100 of the Act, if Council is appointed as the enforcement agency under Division 2 of Part 9 of the Act	DSS, GM	
Section 7	Delegations Exercising those enforcement functions of the Food Authority which have been delegated to the General Manager of the Council under the Food Act (Section 109E(1)(d) Food Act)	DSS, EHO/BS	The General Manager of a Council may sub-delegate to a person referred to in subsection 109E(1) any function delegated by the Food Authority if the delegate is authorised in writing to do so by the Food Authority

Food Regulation 2015			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
			<p>The Food Authority cannot delegate:</p> <ul style="list-style-type: none">a) the power of delegation conferred by this sectionb) any function under Part 3 (Emergency powers) <p>any function under section 111B (Conditions and limitations on exercise of functions by enforcement agencies)</p>

Gas and Electricity (Consumer Safety) Act 2017

Gas and Electricity (Consumer Safety) Act 2017			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation – all functions under the Gas and Electricity (Consumer Safety) Act 2017 Exercise of all functions of council under the Act that may be legally delegated.	GM	Council cannot delegate any of the functions listed in section 377(1) of the Local Government Act 1993.
Various	Delegation of functions Exercising any functions of the Minister or the Secretary delegated to the Council pursuant to s.74 of the Gas and Electricity (Consumer Safety) Act 2017, other than the power to delegate under that section.	GM	Council may sub-delegate to an authorised person or body any function delegated by the Minister or Secretary if Council the authorised in writing to do so by the Minister or Secretary (as the case may be)

Government Information (Public Access) Act 2009

Government Information (Public Access) Act 2009			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation - all functions under the Government Information (Public Access) Act 2009 Exercise of all functions of council under the Act that may be legally delegated.	GM	Council cannot delegate any of the functions listed in section 377(1) of the Local Government Act 1993.
Section 6	Access to government information generally Making open access information publicly available unless there is an overriding public interest against disclosure.	DBS	
Section 6	Access to government information generally Keeping a record of the open access information that it does not make publicly available on the basis of an overriding public interest against disclosure.	DBS	
Section 7	Access to government information generally Making any government information held by the council publicly available unless there is an overriding public interest against disclosure.	DBS	The functions of an agency under this section may only be exercised by or with the authority of the principal officer of the agency.

Government Information (Public Access) Act 2009			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 7	Access to government information generally Reviewing the council's program for the release of government information at least annually.	DBS	The functions of an agency under this section may only be exercised by or with the authority of the principal officer of the agency.
Section 8	Access to government information generally Releasing information in response to an informal request, including imposing reasonable conditions.	DBS	The functions of an agency under this section may only be exercised by or with the authority of the principal officer of the agency.
Section 16	Providing assistance Providing advice and assistance to a person who requests or proposes to request access to government information.	DBS	
Sections 20 and 21	Open access information Making an agency information guide and reviewing, updating and amending guide.	DBS	
Section 25	Open access information	DBS	

Government Information (Public Access) Act 2009			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Keeping a disclosure log that contains information about access applications made to council.		
Section 27	Open access information Keeping a government contracts register. (See Part 3, Division 5 of the Act for detailed requirements in relation to the keeping of a government contracts register)	DBS	
Part 4 and Section 9	General delegation – dealing with access applications Dealing with access applications. Includes determining access applications and all associated functions such as determining the means of access, imposing conditions, approving additional facilities for the making of applications, transferring applications to other agencies, amending or withdrawing applications, providing advice and assistance to applicants, waiving fees, etc.	GM	The function of making a reviewable decision in connection with an access application may only be exercised by or with the authority of the principal officer of the agency.
Section 41	Dealing with access applications Approving additional facilities for the making of an access application or the payment of an application fee.	DBS	

Government Information (Public Access) Act 2009

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 44	Dealing with access applications Transferring an access application to another agency.	DBS	
Section 47	Dealing with access applications Giving notice to an applicant for access to government information where council transfers the application to another agency.	DBS	
Section 48	Dealing with access applications Determining whether or not refund the application fee where council transfers an application to another agency.	DBS	
Section 48	Dealing with access applications Determining whether or not to require an applicant for access to government information to pay a processing charge where an application is transferred to council by another agency.	DBS	
Section 49	Dealing with access applications Determining whether or not to consent to amendments to access applications.	DBS	

Government Information (Public Access) Act 2009

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 49	Dealing with access applications Giving notice to the applicant confirming the amendment of an access application and the date on which it was amended.	DBS	
Section 50	Dealing with access applications Giving notice to the applicant confirming the withdrawal of an access application and the date on which it was withdrawn if the withdrawal was not made in writing.	DBS	
Section 50	Dealing with access applications Determining whether or not refund an application fee or advance deposit where an access application is withdrawn.	DBS	
Section 51	Dealing with access applications Making an initial decision as to whether or not an access application is valid.	DBS	
Section 51	Dealing with access applications	DBS	

Government Information (Public Access) Act 2009

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Giving notice to an applicant as to whether or not their access application is valid.		
Section 52	Dealing with access applications Providing reasonable advice and assistance to assist an applicant to provide such information as may be necessary to make a valid access application.	DBS	
Section 54	Dealing with access applications Consulting with relevant persons regarding the disclosure of personal information regarding that person, information relating to that person's business, commercial, professional or financial interests, or where the information concerns the affairs of a government of the Commonwealth or another State (and the person is that government).	DBS	
Section 54	Dealing with access applications Giving written notice to relevant persons where information about that person is likely to be included in council's disclosure log in relation to an access application.	DBS	

Government Information (Public Access) Act 2009

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 54A	<p>Consultation with other agencies</p> <p>Consulting with any other agency to determine whether there is an overriding public interest against disclosure or to identify a person that may be required to be consulted.</p>	GM	
Section 55	<p>Dealing with access applications</p> <p>Requiring an applicant to provide evidence concerning any personal factors of the application that were relevant to the council's decision that there was not an overriding public interest against disclosure and requiring the applicant to take reasonable steps to provide proof of his or her identity.</p>	DBS	
Section 56	<p>Dealing with access applications</p> <p>Deciding whether to include information in the disclosure log where a person objects to the inclusion of that information.</p>	DBS	
Section 56	<p>Dealing with access applications</p> <p>Giving notice to an objector of council's decision as to whether or not to include information in council's disclosure log in relation to an access application.</p>	DBS	

Government Information (Public Access) Act 2009

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Sections 57 and 58	Dealing with access applications Determining access applications. (See Part 4, Division 4 for detailed requirements for determining access applications.)	DBS	
Section 57	Dealing with access applications Entering into an agreement with an applicant for access to government information to extend the decision period.	DBS	
Section 57	Dealing with access applications Giving notice to an applicant for access to government information of any extension of the decision period and indicating the date on which the decision period will end.	DBS	
Section 64	Dealing with access applications Imposing a processing charge for dealing with an access application at a rate of \$30 per hour for each hour of processing time.	DBS	

Government Information (Public Access) Act 2009

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Sections 65 and 66	Dealing with access applications Deciding to reduce the processing charge because of financial hardship or because the information is of special public benefit.	DBS	
Section 68.	Dealing with access applications Requiring an applicant to make an advance deposit for a processing charge.	DBS	
Part 5, Division 2 and section 93	General delegation – reviewing the determination of an access application Conducting an internal review of a decision. Includes all associated functions such as satisfying notification requirements, agreeing to accept a late application for internal review, etc.	GM	An internal review cannot be conducted by the person who made the original decision or a person less senior than the original decision maker: section 84.
Section 82	Reviewing the determination of an access application Conducting an internal review of a decision.	GM	An internal review cannot be conducted by the person who made the original decision or a person less senior than the original decision maker: section 84
Section 83	Reviewing the determination of an access application Agreeing to accept an application for internal review lodged out of time.	DBS	

Government Information (Public Access) Act 2009

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 83	Reviewing the determination of an access application Giving notice to an applicant acknowledging receipt of an application for internal review.	DBS	
Section 86	Reviewing the determination of an access application Extending the period for internal review.	DBS	
Section 86	Reviewing the determination of an access application Notifying the applicant of the result of the internal review and any extension of the review period.	DBS	
Section 93	Reviewing the determination of an access application Reconsidering a decision in accordance with a recommendation by the Information Commissioner.	GM	The reconsideration of a decision that is not an internal review cannot be done by a person who is less senior than the original decision maker: section 93.
Section 121	Private sector contracts Ensuring that contracts with private sector entities give the council the right to access certain information.	DBS	

Government Information (Public Access) Act 2009
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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 125	<p>Reports to Parliament</p> <p>Preparing an annual report on the council's obligations under the Act, to be provided to the Minister and the Information Commissioner.</p>	DBS	
Section 127	<p>Fees</p> <p>Waiving, reducing or refunding any fee or charge payable or paid under the Act.</p>	GM	

Graffiti Control Act 2008

Graffiti Control Act 2008			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation - all functions under the Graffiti Control Act 2008 Exercise of all functions of council under the Act that may be legally delegated.	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Section 11	Graffiti removal work by Council Carrying out graffiti removal work on private land with the consent of the owner or occupier of the land.	ACO, DSS	
Section 12	Graffiti removal work by Council Carrying out graffiti removal work on private land without the consent of the owner where the graffiti is visible from a public place.	ACO, DSS	
Section 13	Graffiti removal work by Council	ACO, DSS	

Graffiti Control Act 2008

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Keeping a register of graffiti removal work carried out by council.		

Greater Sydney Commission Act 2015

Greater Sydney Commission Act 2015			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation – all functions under the Greater Sydney Commission Act 2015 Exercise of all functions of council under the Act that may be legally delegated.	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Section 6	Constitution of the Commission Providing advice to the Minister when requested in relation to the proposed appointment of a District Commissioner in that area	GM	
Section 10A	Obligation of government agencies to provide information Complying with a reasonable request by the Commission to provide information that is relevant to the exercise by the Commission of the Commission's functions.	GM	

Greater Sydney Commission Act 2015

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 11	<p>Delegation of Commission's functions</p> <p>Exercising any functions delegated to Council by the Commission, other than the power to delegate under this section</p>	GM	<p>This power of delegation extends to a function delegated to the Commission, but only if the Commission is authorised in writing by the delegator to delegate the function</p> <p>Council may sub-delegate to an authorised person or body any function delegated by the Commission if Council is authorised in writing to do so by the Commission</p>
Section 20	<p>Cooperation by local councils</p> <p>Allowing the Commission have access to, and take copies of, any documents held by the Council that are relevant to the functions of the Commission</p>	GM	This section only applies to councils within the Greater Sydney Region
Section 20	<p>Cooperation by local councils</p> <p>Providing the Commission with such staff and facilities, or such other assistance, as may be required to assist the Commission in exercising its functions</p>	GM	This section only applies to councils within the Greater Sydney Region

Greyhound Racing Act 2017

Greyhound Racing Act 2017			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	<p>General delegation – all functions under the Greyhound Racing Act 2017</p> <p>Exercise of all functions of council under the Act that may be legally delegated.</p>	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Section 90(1)	<p>Information sharing arrangement</p> <p>Sharing or exchanging information with the commission</p>	GM	The information to which an information sharing arrangement may related is prescribed in section 90(2)
Section 90(3)	<p>Information sharing arrangement</p> <p>Requesting, receiving and holding and using information received under an information sharing arrangement.</p>	GM	Information must be reasonably necessary to assist in the exercise of functions under this Act or the functions of the relevant agency

Greyhound Racing Act 2017			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 90(5)	Joint investigation Referring a matter to the Commission or conducting an investigation into the matter jointly with the Commission	GM	

NSW Growth Centres (Development Corporations) Act 1974

Growth Centres (Development Corporations) Act 1974			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	<p>General delegation – all functions under the Growth Centres (Development Corporations) Act 1974</p> <p>Exercise of all functions of council under the Act that may be legally delegated.</p>	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Section 32	<p>Disputes</p> <p>Submitting a matter to the Minister where any difference arises between a corporation and a council, with respect to the carrying out of the provisions of this Act or with respect to the fulfilment and exercise of the corporation's responsibilities, powers, authorities, duties, functions or privileges.</p>	GM	

Health Records and Information Privacy Act 2002

Health Records and Information Privacy Act 2002			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation – all functions under the Health Records and Information Privacy Act 2002 Exercise of all functions of council under the Act that may be legally delegated.	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Section 40	Preparing a health privacy code of practice Preparing a health privacy code of practice.	GM	
Section 73	Fees for inspecting health information Charging of fees for providing documents and information and for facilitating the inspection of health information held by council.	GM	Council cannot delegate the function of fixing the amount of a fee: section 377(1)(e) of the Local Government Act 1993.

Heavy Vehicle (Mass, Dimension and Loading) National Regulation (NSW)

Heavy Vehicle (Mass, Dimension and Loading) National Regulation (NSW)			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation – all functions under the Heavy Vehicle (Mass, Dimension and Loading) National Regulation (NSW) Exercise of all functions of council under the Act that may be legally delegated.	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Section 15	Requirements about Commonwealth Gazette notice etc. Preparing a map or list of the areas or routes that HML heavy vehicles of a stated type are authorised to be use under the higher mass limits for roads for which the Council is the road authority	DDSS, DSS	
Section 15	Requirements about Commonwealth Gazette notice etc. Amending the stated map or stated list prepared and published by the Council under section 15 but only by omitting, varying or extending the areas or routes listed in subsection 15(2)(b), including by adding additional areas or routes	DDSS, DSS	Council can only amend a map or list in a way that affects a particular road if they are the road authority and road manager for the road, or they have been advised by the Regulator that the Regulator has obtained the consent of the road manager

Heritage Act 1977

Heritage Act 1977			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation - all functions under the Heritage Act 1977 Exercise of all functions of council under the Act that may be legally delegated.	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Sections 25, 28, 29 and 57	General delegation - making interim heritage orders Making of interim heritage orders to protect objects or places of local heritage significance. Includes all associated functions such as revoking an interim heritage order, granting exemptions to the operation of interim heritage orders, satisfying notification requirements, etc. (This power can only be exercised if the council has been authorised to make interim heritage orders by the Minister: section 25.)	GM	
Section 25	Making interim heritage orders	GM	

Heritage Act 1977			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Making an interim heritage order for a place, building, work, relic, moveable object or precinct in the council's area that the council considers may, on further inquiry or investigation, be found to be of local heritage significance, and that the council considers is being or is likely to be harmed.		
Section 28	Making interim heritage orders Notifying the making of an interim heritage order by causing the order to be published in the Gazette, giving notice to the Chairperson of the Heritage Council and to each affected owner or occupier and publishing notice in a manner that the Minister or the council is satisfied is likely to bring the notice to the attention of members of the public.	DSS, EHO/BS	
Section 29	Making interim heritage orders Revoking an interim heritage order made by the council.	GM	
Section 29	Making interim heritage orders Giving notice of the revocation of an interim heritage order by causing the order to be published in the Gazette, giving notice to the Chairperson of the Heritage Council and to each affected owner or occupier and publishing notice in a manner that the Minister or	DSS, EHO/BS	

Heritage Act 1977			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	the council is satisfied is likely to bring the notice to the attention of members of the public.		
Section 57	Making interim heritage orders Granting exemptions to the operation of an interim heritage order in respect of the engaging in or carrying out of such activity or class of activities by such person or class of persons in such circumstances specified by council by order published in the Gazette.	DSS, EHO/BS	
Part 4, Divisions 1 - 3	General delegation - determining applications to carry out a controlled activity Determining applications for approval to carry out a controlled activity by granting approval conditionally or unconditionally or by refusing consent. Includes all associated functions such as modifying an approval, satisfying notification requirements, etc.	DSS, EHO/BS	
Section 61	Determining applications to carry out a controlled activity Giving public notice in a manner that the Council is satisfied is likely to bring the notice to the	DSS, EHO/BS	

Heritage Act 1977			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	attention of members of the public of an application for approval to carry out a controlled activity where the approval would, in the opinion of council, materially affect the significance of that item as an item of the environmental heritage.		
Section 63	Determining applications to carry out a controlled activity Determining applications or approval to carry out a controlled activity by granting approval conditionally or unconditionally or by refusing consent.	DSS, EHO/BS	
Section 63A	Determining applications to carry out a controlled activity Granting approval to carry out a controlled activity subject to a condition that it is not to operate until the applicant for the approval satisfies the approval body as to any matter specified in the condition (deferred commencement approval).	DSS, EHO/BS	
Section 63B	Determining applications to carry out a controlled activity Granting partial or conditional approvals.	DSS, EHO/BS	
Section 64	Determining applications to carry out a controlled activity Giving an applicant for approval to carry out a controlled activity notice of council's determination of the application.	DSS, EHO/BS	

Heritage Act 1977			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 65A	Determining applications to carry out a controlled activity Determining an application to modify an approval to carry out a controlled activity.	DSS, EHO/BS	
Section 65A	Determining applications to carry out a controlled activity Giving public notice by publication in a newspaper of an application for modification of an approval to carry out a controlled activity where the approval would, in the opinion of council, materially affect the significance of that item as an item of the environmental heritage.	DSS, EHO/BS	
Section 65A	Determining applications to carry out a controlled activity Giving an applicant for modification of an approval to carry out a controlled activity notice of council's determination of the application.	DSS, EHO/BS	
Section 166	Submissions to the Heritage Council Making submissions to the Heritage Council as to the heritage value of a place or object and why it should be conserved.	GM	
Section 170B	Referring submissions to an IHAP	GM	

Heritage Act 1977			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Referral of submissions relating to items of local heritage significance to an independent hearing and assessment panel constituted by the council under section 23I of the Environmental Planning and Assessment Act 1979 for assessment.		

Heritage Regulation 2012

Heritage Regulation 2012			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation – all functions under the Heritage Regulation 2012 Exercise of all functions of council under the Regulation that may be legally delegated	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Clause 8B	Approval body may request additional information Requesting, in relation to applications made under Part 4 of the Act for which the Council is the approval body, that the applicant provide additional information necessary to properly consider the application.	EHO/BS, SP	

Impounding Act 1993

Impounding Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation - all functions under the Impounding Act 1993 Exercise of all functions of council under the Act that may be legally delegated.	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Section 11	Impounding of animals and articles Recovering the cost of destroying an impounded animal.	ACO, DSS	
Section 20	Impounding of animals and articles Making all reasonable inquiries to find out the name and address of the owner of an impounded item and searching the PPS Register in relation to any impounded motor vehicles and notifying the owner of the impounded item and any person who claims an interest in the vehicle on the PPS Register.	ACO, DSS	
Part 3	General delegation - dealing with impounded animals and items.	ACO, DSS	

Impounding Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Dealing with impounded animals and items. Includes caring for or destroying impounded animals, releasing, selling or disposing of impounded items, recovering fees, etc.		
Section 21	Dealing with impounded animals and items Caring for impounded animals.	ACO, DSS	
Section 22	Dealing with impounded animals and items Destroying seriously injured, diseased, starved or otherwise distressed impounded animals.	ACO, DSS	
Section 23	Dealing with impounded animals and items Releasing impounded items.	ACO, DSS	
Section 24	Dealing with impounded animals and items Selling or disposing of impounded items and destroying impounded animals.	ACO, DSS	
Section 25	Dealing with impounded animals and items	ACO, DSS	

Impounding Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Paying the net proceeds of the sale of an impounded item to a person entitled to the proceeds.		
Section 25	Dealing with impounded animals and items If no application is made for the proceeds of sale within 12 months, transferring the proceeds to one of the council's funds.	ACO, DSS	
Section 26	Dealing with impounded animals and items Remitting to the Commissioner any fees or charges recovered by the council that was payable in respect of the impounding of an item by a police officer.	ACO, DSS	
Section 26	Dealing with impounded animals and items Waiving payment of a fee or charge, or part thereof, in respect of an animal that strayed because of natural disaster.	ACO, DSS	
Section 27	Dealing with impounded animals and items Recovering fees and charges and the cost of rectifying any loss or damage caused by a trespassing animal.	ACO, DSS	

Impounding Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 27	Dealing with impounded animals and items Paying any amount recovered for loss or damage attributable to an animal trespassing on private land to the person who suffered the loss or damage	ACO, DSS	
Section 28	Pounds Establishing, managing, operating and closing pounds.	ACO, DSS	
Section 29	Pounds Arranging with another impounding authority to use its public pound.	ACO, DSS	
Section 30	Pounds Keeping records of each impounded item received at a pound that the council operates.	ACO, DSS	
Section 38	Applications to Civil and Administrative Tribunal Releasing an impounded item pending the determination by the Tribunal of a review of the council's decision to impound the item.	ACO, DSS	

Impounding Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 40	Applications to Civil and Administrative Tribunal Releasing impounded item where the council's decision to impound the item has been set aside by the Tribunal including conveying it to the applicant at the council's cost.	ACO, DSS	
Section 42	Appointing impounding officers Issuing written authorisations to its impounding officers.	DSS, GM	
Dictionary	Appointing impounding officers Appointing "any person" as an impounding officer for the purposes of the Act.	DSS, GM	

Independent Commission Against Corruption Act 1988

Independent Commission Against Corruption Act 1988			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation - all functions under the Independent Commission Against Corruption Act 1988 Exercise of all functions of council under the Act that may be legally delegated.	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Section 21	Investigations by ICAC Producing a statement of information if required by the Independent Commission Against Corruption.	GM	
Section 22	Investigations by ICAC Producing documents to the Commission when required to do so by the Commission.	GM	
Section 23	Investigations by ICAC Making available to the Commissioner or authorised officer such facilities as are necessary to enable their powers to enter and inspect premises, inspect documents and things therein and make copies of documents to be exercised.	GM	

Independent Commission Against Corruption Act 1988			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Sections 53 and 54	Investigations by Council Investigating a matter referred to council by the Independent Commission Against Corruption and preparing a report on the action taken by council in relation to the matter.	GM	
Section 55	Investigations by Council Giving comment to the Independent Commission Against Corruption where the Commission is not satisfied that council has duly and properly taken action where a matter has been referred to council by.	GM	
Section 104C	Vetting of prospective staff or consultants Disclosing vetting information to ICAC or an Inspector if requested.	GM	
Section 111E	Taking action to reduce corruption If the Commission has recommended that the council take action to reduce corruption, informing the Commission whether it proposes to implement any plan of action and, if so, what that plan is. Providing the Commission with a written report of any progress in implementing the plan.	GM	

Independent Commission Against Corruption Act 1988			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 114A	Bringing disciplinary proceedings regarding corrupt conduct Bringing disciplinary proceedings against a public official employed by the council who is the subject of a finding of corrupt conduct by the Commission.	GM	

Industrial Relations Act 1996

Industrial Relations Act 1996			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation – all functions under the Industrial Relations Act 1999 Exercising all the functions of an employer under the Act and the Regulations.	GM	

Lake Macquarie Smelter Site (Perpetual Care of Land) Act 2019

Lake Macquarie Smelter Site (Perpetual Care of Land) Act 2019			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	<p>General delegation – all functions under the Lake Macquarie Smelter Site (Perpetual Care of Land) Act 2019</p> <p>General delegation of all functions that may legally be delegated.</p>	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Part 3	<p>Management of site</p> <p>Exercising all the functions of the owner of land transferred to the Council under the Lake Macquarie Smelter Site (Perpetual Care of Land) Act 2019.</p>	GM	<p>Council cannot delegate the power to delegate: s.12.</p> <p>A council only has these powers if it has been transferred the land and so is defined as 'owner' per Sch.1 and s.4 of the Act.</p>

Land Acquisition (Just Terms Compensation) Act 1991

Land Acquisition (Just Terms Compensation) Act 1991			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	<p>General delegation – all functions under the Land Acquisition (Just Terms Compensation) Act 1991</p> <p>Exercise of all functions of council under the Act that may be legally delegated.</p>	GM	<p>Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.</p> <p>Specifically, council cannot delegate the function of deciding to compulsorily acquire land or other property: section 377(1)(h) of the Local Government Act 1993.</p>
Section 10A	<p>Procedures for acquisition by agreement</p> <p>Attempting genuinely to acquire land by agreement for at least 6 months before giving a proposed acquisition notice.</p>	GM	

Land Acquisition (Just Terms Compensation) Act 1991

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Note: Applies to land that is affected by a proposal for acquisition by an authority of the State, other than a proposal to acquire Crown land, or an easement, or right to use land, under the surface for the construction or maintenance of works, or a stratum under the surface for the construction of a tunnel.		
Section 11	Procedures for compulsorily acquiring land Giving the owner of land notice of council's intention to compulsorily acquire land (giving a proposed acquisition notice).	GM	
Section 16	Procedures for compulsorily acquiring land Giving notice to the owner of land of council's decision to withdraw or amend a proposed acquisition notice.	GM	
Section 17	Procedures for compulsorily acquiring land Giving the Registrar-General notice of a proposed acquisition notice given by council.	GM	

Land Acquisition (Just Terms Compensation) Act 1991			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 18	Procedures for compulsorily acquiring land Giving the Valuer-General notice of a proposed acquisition notice given by council.	GM	
Section 27	Procedures for compulsorily acquiring land Giving an owner of land notice that land is no longer designated by council for acquisition.	GM	
Section 35	Possession of the compulsorily acquired land Obtaining possession of compulsorily acquired land.	GM	
Section 36	Court proceedings Instituting proceedings in the Land and Environment Court to remedy or restrain the use of compulsorily acquired land by a person in a manner inconsistent with the public purpose for which the land was acquired.	GM	
Part 3	General delegation – dealing with claims for compensation	GM	

Land Acquisition (Just Terms Compensation) Act 1991			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	<p>Dealing with claims for compensation.</p> <p>Note: Includes giving copies of claims received by council to the Valuer-General as soon as possible, providing compensation notices, amending or rescinding a compensation notices, paying compensation to persons entitled, entering into agreements with persons entitled in relation to the payment of compensation by council, etc.</p>		
Section 41	<p>Dealing with claims for compensation</p> <p>Giving the Valuer-General a list of the issues that the authority believes are relevant to the determination of the amount of compensation by the Valuer-General.</p>	GM	
Section 42	<p>Dealing with claims for compensation</p> <p>Giving the former owners of land compulsorily acquired written notice of the compulsory acquisition, their entitlement to compensation and the amount of compensation offered (as determined by the Valuer-General).</p>	GM	
Section 43A	Dealing with claims for compensation	GM	

Land Acquisition (Just Terms Compensation) Act 1991

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Amending or rescinding a compensation notice to correct a clerical error or to correct the amount of compensation offered if the Valuer-General changes his or her determination of the amount of compensation to be offered.		
Section 45	Dealing with claims for compensation Paying compensation to persons entitled.	GM	
Section 46	Dealing with claims for compensation Determining claims for compensation by persons who were not given a compensation notice and, where council determines that such a person is so entitled, giving the person a compensation notice.	GM	
Section 47	Dealing with claims for compensation Making an advanced payment of compensation to any person council considers entitled to compensation.	GM	
Section 51	Dealing with claims for compensation Creation and maintenance of a trust account for compensation.	GM	

Land Acquisition (Just Terms Compensation) Act 1991			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 51	Dealing with claims for compensation Where council so decides, paying to the Treasurer for payment into the Consolidated Fund, money in the trust account that has been held in trust for at least 6 years after the acquisition of the land and which has not been the subject of a claim.	GM	
Section 51	Trust Account Investing money in a trust account kept under s.51 of the Land Acquisition (Just Terms Compensation) Act 1991 in any way approved by the Treasurer.	GM	
Section 63	Dealing with claims for compensation Entering into an agreement with an owner of land on the amount of compensation to which the owner will be entitled (or on any matter affecting the amount of any such compensation) if the land is acquired by compulsory process within a time (or in the circumstances) specified in the agreement.	GM	
Part 4	Compensation for abandoned acquisition of land Dealing with claims for compensation by land owners where council has abandoned its proposed acquisition of the land and the person has suffered loss.	GM	

Land and Environment Court Act 1979

Land and Environment Court Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	<p>General delegation – all functions under the Land and Environment Court Act 1979</p> <p>Exercise of all functions of council under the Land and Environment Court Act that may be legally delegated.</p>	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Section 25C	<p>Orders for validity of development consents</p> <p>Applying to the Land and Environment Court for orders as to the validity of a development consent in accordance with the relevant terms set out in s.25B of the Land and Environment Court Act</p>	EHO/BS, SP	
Section 31	Irregularity of proceedings	EHO/BS, SP	

Land and Environment Court Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Applying to the Land and Environment Court for orders where proceedings are not being dealt with in the manner appropriate to the class of jurisdiction to which they belong.		
Section 34	<p>Conciliation conferences</p> <p>Participating in good faith in a conciliation conference where arranged by the Land and Environment Court in Class 1, 2 or 3 proceedings, including, taking all reasonable steps to give effect to the terms of any decision which is acceptable to the Council and the other parties (or their representatives) including signing a s.34 agreement.</p>	EHO/BS, SP	
Section 34A	<p>Conciliation conference</p> <p>Where an agreement has not been reached at a s.34 conciliation conference, giving or refusing to give consent for the same Commissioner who presided over the s.34 a conciliation conference to dispose of the proceedings following a hearing or on the basis of what has occurred at the conciliation conference.,</p>	EHO/BS, SP	
Section 34AA	Conciliation conference	EHO/BS, SP	

Land and Environment Court Act 1979

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Where an agreement has not been reached at a s.34 conciliation conference, giving or refusing to give consent for the same Commissioner who presided over the s.34 conciliation conference to dispose of the proceedings on the basis of what has occurred at the conciliation conference.		
Section 56A	Land and Environment Court Appeal- Class 1,2,3,8 Appealing to the Land and Environment Court against an order or a decision of a Commissioner in Class 1, 2, 3 and 8 Proceedings on a question of law.	EHO/BS, SP	
Section 57	Supreme Court Appeal- Class 1,2,3,8 Appealing to the Supreme Court against an order or a decision of the Court in Class 1, 2, 3 and 8 Proceedings on a question of law.	GM	
Section 58	Supreme Court Appeal- Class 4 Appealing to the Supreme Court against an order or a decision of the Court in Class 4 Proceedings on a question of law.	GM	

Land and Environment Court Act 1979			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 63	Right of appearance Appearing before the Land and Environment Court	EHO/BS, SP	

Land and Environment Rules 2007

Land and Environment Rules 2007			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	<p>General delegation – all functions under the Land and Environment Court Rules 2007</p> <p>Exercise of all functions of council under the Rules that may be legally delegated.</p>	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Clause 3.3	<p>Where reference to other body required</p> <p>Serving a copy of an application commencing proceedings to which s. 8.12 of the Environmental Planning and Assessment Act 1979 applies on the appropriate Minister, public authority or approval body referred to in that subsection.</p>	EHO/BS, SP	

Land and Environment Rules 2007

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Clause 3.5	Particulars Requiring necessary particulars of the other party's case by reasonable notice.	EHO/BS, SP	
Clause 3.5	Particulars Filing and serving further and better particulars of the case where ordered to do so by the Court.	EHO/BS, SP	
Clause 3.6	Public authority to make documents available Making all documents that relate to the proceedings and are within the Council's custody, possession or control available for examination by the Commissioner.	EHO/BS, SP	The Council is not required to make available for examination any documents that is privileged from disclosure except with the consent of the person entitled to the privilege.
Clause 6.2	Neutral evaluations	GM	

Land and Environment Rules 2007			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Agreeing to the Council participating in neutral evaluation in Class 1,2,3,4 or 8 proceedings		
Clause 6.2	Neutral evaluation Agreeing to the identity of an evaluator to undertake neutral evaluation in Class 1,2,3,4 or 8	GM	
Clause 6.2	Neutral evaluation Participating in neutral evaluation in Class 1,2,3,4 or 8 on behalf of the Council in good faith	EHO/BS, SP	

Library Act 1939

Library Act 1939			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation - all functions under the Library Act 1939 Exercise of all functions of council under the Act that may be legally delegated.	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Section 8	Local libraries Giving notice of the adoption or revocation of the Library Act 1939 to the Library Council of New South Wales.	GM	The function of adopting the Library Act 1939 cannot be delegated - this can only be done by resolution of the council: section 8.
Section 8	Local libraries Where council revokes the Library Act 1939, entering into an agreement with the Library Council for the adjustment of council's interest in any council or Crown property the purchase of which was subsidised under the Library Act 1939.	GM	The function of revoking the Library Act 1939 cannot be delegated - this can only be done by resolution of the council: section 8.
Section 10	Local libraries	GM	

Library Act 1939			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	<p>Providing, controlling and managing local libraries. Includes determining borrowing procedures, registering people as borrowers, making rules for the use of council libraries, etc.</p> <p>(Details of the requirements for the exercise of the function are set out in section 10 of the Act and Part 2, Division 2 of the Library Regulation 2010.)</p>		
Sections 10, 12 and 12A.	<p>Local libraries</p> <p>Making arrangements with other councils for the provision of library services.</p>	GM	Section 12A requires that council obtain the Minister's approval before entering into an arrangement with another council. Council cannot delegate the function of seeking the Minister's approval: section 377(1)(s).
Section 11	<p>Local libraries</p> <p>Appointing a library committee and delegating to it all or any of the council's powers and duties in relation to libraries, with some exceptions. Includes associated functions such as dissolving the committee, controlling or managing the committee, dissolving or reconstituting the committee and revoking, amending or varying delegated functions of the committee.</p>	GM	

Library Act 1939			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Sections 13 and 14	Local libraries Applying to the Library Council for a subsidy.	GM	

Library Regulation 2018

Library Regulation 2018			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	<p>General delegation – all functions under the Library Regulation 2018</p> <p>Exercise of all functions of council under the Library Act 1939 that may be legally delegated.</p>	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Regulation 5	<p>Local libraries</p> <p>Determining the procedure for registration of people as borrowers.</p>	GM	
Regulation 5	<p>Local libraries</p> <p>Refusing to register a person as a borrower at a library.</p>	GM	

Library Regulation 2018

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Regulation 5	Local libraries Cancelling a person's registration as a borrower.	GM	
Regulation 6	Local libraries Making rules to regulate the use of the council's libraries.	GM	Clause 6(2) sets out the matters for which the local council may make rules

Liquor Act 2007

Liquor Act 2007			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation - all functions under the Liquor Act 2007 Exercise of all functions of council under the Act that may be legally delegated.	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Section 44	Liquor licence applications Making a submission to the Independent Liquor and Gaming Authority in relation to an application for a licence. (This can be done by “any person”.)	DSS, EHO/BS	
Section 133	Local liquor accords Preparing a draft local liquor accord in collaboration with other eligible parties and submitting it to the Commissioner of Police and Secretary for approval.	DSS, EHO/BS	

Liquor Act 2007			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 136A	Local liquor accords Participating in a precinct liquor accord or community event liquor accord, including the development of a proposed liquor accord.	DSS, EHO/BS	
Section 139 of the Act and Regulation 73 of the Liquor Regulation 2008	Complaints regarding liquor licensees Making a complaint to the Independent Liquor and Gaming Authority about a licensee, manager or close associate of a licensee in relation to a licensed premises.	DSS, EHO/BS	

Liquor Regulation 2018

Liquor Regulation 2018			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation – all functions under the Liquor Regulation 2007 Exercise of all functions of council under the Act that may be legally delegated.	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Clause 30	Making a submission to the Authority in relation to any application that is made to the Authority under the Liquor Act. Notes: Clause 30(4) sets out time limits in which submissions must be made	DSS, EHO/BS	

Local Court Act 2007

Local Court Act 2007			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	<p>General delegation – all functions under the Local Court Act 2007</p> <p>Exercise of all functions of council under the Act that may be legally delegated.</p>	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Section 36	<p>Conciliation of parties</p> <p>Participating in good faith in a conciliation arranged by a Magistrate or Assessor of the Local Court in proceedings, including, taking all reasonable steps to give effect to the terms of any settlement which is acceptable to the Council and the other parties (or their representatives).</p>	GM	
Part 3, Division 4	Appeals from the Local Court	GM	

Local Court Act 2007			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Appealing a decision of the Local Court where the Council is a party to the proceedings.		
Section 39	<p>Appeals as of right</p> <p>Appealing a judgement or order of the Local Court sitting in its General Division to the Supreme Court, but only on a question of law and where council is a party to the proceedings.</p>	GM	
Section 39	<p>Appeals as of right</p> <p>Appealing a judgment or order of Local Court sitting in its Small Claims Division to the District Court, but only on the ground of lack of jurisdiction or denial of procedural fairness and where council is a party to the proceedings.</p>	GM	
Section 40	<p>Appeals requiring leave</p> <p>Appealing to the Supreme Court:</p>	GM	

Local Court Act 2007			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	(a) a judgment or order of the Court on a ground that involves a question of mixed law and fact; (b) an interlocutory judgment or order; (c) a judgment or order made with the consent of the parties; or (d) an order as to costs; made by the Local Court sitting in its General Division, only by leave of the Supreme Court.		
Section 56	Right to defend action Defending an action and any proceedings ancillary to the action where council is the respondent in application proceedings.	GM	
Section 57	Right of representation Appearing before the Local Court.	GM	

Local Government (General) Regulation 2005

Local Government (General) Regulation 2005			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	<p>General delegation - all functions under the Local Government (General) Regulation 2005</p> <p>Exercise of all functions of council under the Regulation that may be legally delegated.</p>	GM	<p>Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.</p> <p>Council can only directly delegate to the general manager or another "person or body" (e.g. a committee) but not Council employees: section 377(1). The general manager can sub-delegate to Council employees or other persons or bodies: section 378(2).</p>
Regulation 14	<p>Approvals</p> <p>Requiring an application for an approval relating to the installation of a water meter to be accompanied by a completed water meter identification form provided by the council for the purpose.</p>	DBS	

Local Government (General) Regulation 2005

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Regulation 28	Concurrence for the discharge of waste into sewers Seeking the concurrence of the Director-General in relation to an application for approval to discharge trade waste into a sewer of the council.	DSS	
Regulation 65	Concurrence for the operation of public car park Seeking the concurrence of the Roads and Traffic Authority in relation to an application for approval to operate a public car park.	DSS	
Regulation 97	Orders Providing the Environment Protection Authority with copies of certain orders as well as any modification or revocation of those orders.	DSS	
Regulation 112	Plans of management Conducting consultation concerning categorisation of land as an area of cultural significance.	DSS, SP	The council cannot delegate the function of deciding whether or not to categorise land as an area of cultural significance - this must be done by resolution: ss 36D and 377(1)(l).

Local Government (General) Regulation 2005

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Regulation 128	<p>Levying of rates and charges</p> <p>Furnishing information relating to rates and charges levied by the council to the Minister or Director-General if required to do so.</p>	DBS	
Regulation 130	<p>Payment of rates and charges</p> <p>Writing off part or all of a stormwater management services charge or the interest accrued on such a charge where:</p> <p>(a) in the opinion of the council, the ratepayer liable for the charge has demonstrated that the ratepayer has practiced good stormwater management, or</p> <p>(b) the person liable for the charge is an eligible pensioner.</p>	DBS	
Part 6	<p>General delegation - water services and facilities</p> <p>Exercising all functions of council that may legally be delegated in relation to the provision of water services. Includes building, maintaining and operating water services and all associated functions such as restricting water use, erecting signs to indicate the boundaries of a water catchment, installing, maintaining or removing fire hydrants,</p>	DSS	

Local Government (General) Regulation 2005

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	authorising the taking of water without charge, inspecting water supply works, testing and sampling water metres, entering into special contracts for water supply, preparing maps of water services, etc.		
Regulation 137	Water services and facilities Restricting water use.	GM	
Regulation 139	Water services and facilities Erecting notices in a catchment district in order to indicate the boundaries of the district and direct attention to any prohibitions or restrictions.	DSS	
Regulation 141	Water services and facilities Providing water and sewerage services to adjoining councils under an agreement with the other councils.	GM	
Regulation 142	Water services and facilities Installing, removing and maintaining fire hydrants in certain circumstances.	DSS	

Local Government (General) Regulation 2005

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Regulation 142	Water services and facilities Authorising people to take water without charge for the purpose of extinguishing fires.	DSS	
Regulation 143	Water services and facilities Inspecting service pipes or drains connected to a water or sewer main, inspecting drains and sewerage pre-treatment devices, installing meters or other measurement devices and measuring water/sewerage quantities.	DSS	
Regulation 144	Water services and facilities Cutting off or restricting water supply to premises in certain circumstances.	GM	
Regulation 145	Water services and facilities Constructing a new sewer or stormwater drain in certain circumstances.	DSS	
Regulation 145	Water services and facilities	DSS	

Local Government (General) Regulation 2005

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Ordering owners/occupiers of premises to cause the sewers/stormwater drains on their premises to enter into the new sewer or stormwater drain and fairly apportioning the expenses.		
Regulation 146	Water services and facilities Carrying out specified sewerage works in certain circumstances.	DSS	
Regulation 147	Water services and facilities Inspecting and certifying water supply works.	DSS	
Regulation 148	Water services and facilities Preparing and amending maps of water supply, sewerage or stormwater drainage works.	DSS	
Regulation 152	Water services and facilities Authorising the connection of premises to a property service pipe connected to the council's water supply system by a means other than an independent house service pipe.	DSS	

Local Government (General) Regulation 2005

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Regulation 154	Water services and facilities Testing and stamping water meters.	DSS	
Regulation 155	Water services and facilities Requiring owners of premises to protect water meters.	DSS	
Regulation 156	Water services and facilities Authorising a water meter measuring the water supplied to multiple premises and crediting the relevant water account appropriately.	DSS	
Regulation 157	Water services and facilities Lending water meters.	DSS	
Regulation 158	Water services and facilities Arranging for the installation, examining and testing of water meters.	DSS	

Local Government (General) Regulation 2005

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Regulation 158	Water services and facilities Replacing defective water metres.	DSS	
Regulation 160	Water services and facilities Making arrangements allowing water to be removed from premises or used contrary to a council notice restricting the use of water.	DSS	
Regulation 161	Water services and facilities Making special contracts for water supply to unmetered premises and giving permission for occupiers of unmetered premises to use water for non-domestic purposes.	DSS	
Regulation 166	Tendering Deciding the tender method to be used.	GM	
Regulations 167 - 169	Tendering Publishing advertisements inviting tenders.	DBS, DSS, GM	

Local Government (General) Regulation 2005

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Regulation 170	Tendering Informing relevant persons of amendments to tender documents issued by council.	DBS, DSS, GM	
Regulation 171 - 172	Tendering Shortening or extending a tender period and keeping a record of the circumstances of the shortening or extending of the time period and the council staff member handling the matter.	DBS, DSS, GM	
Regulation 174	Tendering Providing a tender box for the safe custody of tenders.	DBS, DSS, GM	
Regulation 176	Tendering Requesting or consenting to the variation of a tender.	DBS, DSS, GM	
Regulation 176	Tendering Keeping a record of the circumstances of variations to tenders and the council staff member handling the matter.	DBS, DSS	

Local Government (General) Regulation 2005

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Regulation 177	Tendering Assessing tenders.	DBS, DSS, GM	
Regulation 179	Tendering Notifying acceptance of the successful tender.	DBS, DSS	
Regulation 204	Management and accountability Establishing and maintaining at least one account with an authorised deposit-taking institution for its consolidated fund and at least one account for its trust fund.	DBS	
Regulation 216	Management and accountability Amending a financial report at the direction of the Director-General and giving public notice of the amendment.	DBS	
Regulation 244	Council meetings	GM	

Local Government (General) Regulation 2005

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	<p>Where a report by the Director-General into the conduct of the council is presented at a meeting of the council in accordance with s433 of the Act, ensuring that the report:</p> <p>(a) is laid on the table at that meeting, and</p> <p>(b) is subsequently available for the information of councillors and members of the public at all reasonable times.</p>		
Regulation 259	<p>Council committees</p> <p>Ensuring that a report of the proceedings of the committee of the whole is recorded in the council's minutes.</p>	GM	
Part 11A	<p>Joint Organisations</p> <p>Exercising all the functions which may be legally delegated under Part 11A of the Local Government (General) Regulation 2005 including consulting with a joint organisation where the Council is a member of that organisation.</p>	GM	

Local Government (General) Regulation 2005

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Regulation 397B	Charters of joint organisations Consulting with a joint organisation about the content of a proposed charter of the joint organisation.	GM	
Regulation 397C	Meeting of joint organisations Consulting with a joint organisation about the content of a proposed code of meeting practice of the joint organisation.	GM	
Regulation 397F	Alternates for voting representatives on board Appointing councillors of the council to be the alternate of any of the mayor, deputy mayor or any other councillor who is a voting representative on the board of the joint organisation.	GM	
Regulation 397H	Statement of strategic regional priorities Consulting with a joint organisation about the content of a proposed statement of strategic regional priorities.	GM	
Regulation 397M	Payment of expenses and provision of facilities	GM	

Local Government (General) Regulation 2005

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Consulting with a joint organisation about the content of a proposed policy concerning the payment of expenses.		

Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005

Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	<p>General delegation – all functions under the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005</p> <p>Exercise of all functions of council under the Act that may be legally delegated.</p>	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Regulation 6	<p>Approvals and Exemptions</p> <p>Granting approvals to operate a manufactured home estate if certain criteria are met</p> <p>Note: Having regard to the Floodplain Development Manual principles if the installation is to occur on flood liable land of Regulation 6(2), 10(1).</p>	GM	<p>Criteria to be met are contained in Part 2 Division 3 of the Regulation</p> <ul style="list-style-type: none"> - Regulation 11 - Regulation 13(2) - Regulation 17(2) - Regulation 18(2) - Regulation 37(b)

Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Regulation 9	Approvals and Exemptions Notifying in writing the holder of an approval to operate a manufactured home estate before installation that the land is flood liable land	EHO/BS, SP	
Regulation 69	Certificates of completion Issuing a certificate of completion for a home or structure, or a written notice that states why such a certificate is not being issued	EHO/BS, SP	Criteria to be considered when determining whether to issue a certificate of completion or not are in Regulation 69(2)
Regulation 71	Approvals and Exemptions Granting approvals to operate a caravan park or camping ground if certain criteria are met Note: Manual principles if the installation is to occur on flood liable land of Regulation 10(1), 71(2)	GM	Criteria to be met are contained in Subdivisions 1-8 of Part 3 Division 3 of the Regulation - Regulation 84(2) - Regulation 88(2) - Regulation 89(2) - Regulation 107(3) - Regulation 125(b) - Regulation 132(3)

Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
			<p>Regulation 70 and 80 also need to be taken into account</p> <p>For a primitive camping ground, criteria to be met is Subdivision 9 of Division 3</p>
Regulation 74	<p>Approvals and Exemptions</p> <p>Notifying in writing the holder of an approval to operate a caravan park or camping ground before installation that the land is flood liable land</p> <p>Note: Having regard to the Floodplain Development Manual principles if the installation is to occur on flood liable land of Regulation 75(1)</p>	EHO/BS, SP	
Regulation 174	Inspections	EHO/BS, SP	

Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Carrying out inspections so far as practicable, in company with the holder of the approval for the manufactured home estate, caravan park or camping ground or an agent of the holder of that approval.		

Local Government Act 1993

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	<p>General delegation - exercise of all functions under the Local Government Act 1993</p> <p>Exercise of all functions of council under the Act that may be lawfully delegated.</p>	GM	<p>Council cannot delegate the functions listed in section 377(1).</p> <p>Council can only directly delegate to the general manager or another "person or body" (e.g. a committee) but not Council employees: section 377(1). The general manager can sub-delegate to Council employees or other persons or bodies: section 378(2).</p> <p>Despite s377(1), council may delegate its functions relating to the granting of financial assistance if certain conditions are met: s377(1A)</p>
Section 9	Meetings	GM	

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Giving public notice of the time and place of council meetings and meetings of those of its committees of which all the members are councillors.		
Section 10A	Meetings Closing parts of a council meeting to the public. .	GM	
Section 10A	Meetings Allowing members of the public to make representations to or at a council meeting as to whether part of the meeting should be closed to the public, before that part of the meeting is closed to the public.	GM	
Section 24	Service functions Providing goods, services and facilities, and carrying out activities, appropriate to the current and future needs within the local community and of the wider public. Council cannot delegate the functions listed in section 377(1).	DBS, DSS, GM	

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Chapter 6, Part 2, Division 2	General delegation - plans of management Making a plan of management for community land. Includes all associated functions such as satisfying notification requirements, amending or revoking plans, etc.	GM	Council may not delegate any of the functions set out in section 377(1).
Section 36	Plans of management Preparing a draft plan of management for community land.	DSS	
Section 38	Plans of management Giving public notice of a draft plan of management.	DSS	
Section 39	Plans of management Forwarding a copy of the draft plan to the person who owns or controls the land if the land is not owned by council.	DSS	
Section 40	Plans of management Adopting or amending a draft plan of management.	GM	

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 45	Managing public land Granting a lease, licence or other estate in respect of community land.	GM	The power to grant a lease, licence or other estate for a term exceeding 5 years cannot be delegated unless the applicant is a non-profit organisation: see sections 46A(3) and 377(1)(i).
Section 53	Managing public land Keeping a register of all land vested in the council or under its control.	DSS	
Section 54	Managing public land Issuing a certificate to an applicant stating the classification of public land.	DSS	
Section 54B	Managing public land Entering into an agreement with the trustees of private trust land for the land to be transferred to the council.	GM	
Section 54C	Environmental upgrade agreements	GM	Section 54C(5) provides that this function can only be delegated to the general manager and that the delegation

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	<p>Entering into an environmental upgrade agreement with a building owner and a finance provider in relation to a building.</p> <p>(See Chapter 6, Part 2A of the Act for detailed requirements as to how to properly exercise this function.)</p>		<p>must specify the building or buildings to which the delegation relates. Clause 136B of the Environmental Planning and Assessment Regulation 2000 provides that the general manager cannot sub-delegate this function.</p>
Various	<p>General delegation - environmental upgrade agreements</p> <p>Exercising all functions of the council in relation to environmental upgrade agreements that may be legally delegated.</p>	DSS, GM	<p>The function of entering into environmental upgrade agreements may only be delegated to the general manager: s54D(5).</p> <p>The council cannot delegate the power to make a charge: s377(1)(d).</p>
Section 54D	<p>Environmental upgrade agreements</p> <p>Entering into an environmental upgrade agreement with a building owner and a finance provider in relation to a building.</p>	GM	<p>This function may only be delegated by the council to the general manager: s54D(5). The delegation must specify the building or buildings to which the delegation relates.</p>

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 54I	Environmental upgrade agreements Levying an environmental upgrade charge in accordance with an environmental upgrade agreement.	DSS, GM	The council cannot delegate the power to make the charge: s377(1)(d).
Section 54L	Environmental upgrade agreements Deducting and retaining from the payment of an environmental upgrade charge any amount that the council is authorised to deduct and retain as a council fee under the agreement.	DSS	
Section 54L	Environmental upgrade agreements Establishing a separate account in the council's trust fund for money paid in respect of environmental upgrade charges.	DBS	
Section 54M	Environmental upgrade agreements Recovering an environmental upgrade charge in accordance with any requirements imposed on the council by an environmental upgrade agreement.	DBS	The council cannot delegate the power to make the charge: s377(1)(d).

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 54P	Environmental upgrade agreements Including particulars of any environmental upgrade agreement entered into by the council in its annual report.	DSS	
Section 54P	Environmental upgrade agreements Information about any environmental upgrade agreement to which it is a party to the Chief Executive of the Office of Environment and Heritage.	GM	
Section 55 and Part 7, Division 4 of the Local Government (General) Regulation 2005.	General delegation – tendering Inviting tenders for certain contracts. Includes all associated administrative functions including deciding the tender method to be used, requiring or determining whether or not to consent to amendments to tenders, considering tenders and notifying tenderers of the outcome of the tender process. (The requirement to invite tenders is contained in section 55 of the Act. Associated administrative functions are contained in	GM	Council cannot delegate the function of accepting tenders to provide services currently provided by members of staff of the council: see section 377(1)(i).

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Part 7, Division 4 of the Local Government (General) Regulation 2005.)		
Section 55	Tendering Inviting tenders for certain contracts.	GM	Council cannot delegate the function of accepting tenders to provide services currently provided by members of staff of the council: see section 377(1)(i).
Section 59A	Water Services and facilities Operating and maintaining Council's water supply, sewerage and stormwater drainage works to ensure that they are used in an efficient manner for their purpose.	DSS	Under section 55, council is required to invite tenders in relation to the carrying out of this work. Council cannot delegate its function of accepting tenders to provide services currently provided by members of staff of the council: see section 377(1)(i).
Section 61	Directions of the Minister for Primary Industries concerning certain works Complying with a direction from the Minister for Primary Industries or a person authorised by the Minister to make a direction that the council take such measures as are specified in the direction to ensure the proper safety, maintenance and working of water treatment works or sewage treatment works.	DSS	

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 62	<p>Directions of the Minister for Primary Industries during emergencies</p> <p>Complying with a direction from the Minister for Primary Industries or a person authorised by the Minister to make a direction that the council take such measures as are specified in the direction where, in the opinion of the Minister, an emergency exists that constitutes a threat to public health or public safety or that is causing or is likely to cause damage to property.</p>	DSS	
Section 64	<p>Construction of works for developers</p> <p>Exercise of the function of a 'water supply authority' in sections 305-307 of the Water Management Act 2000 including determining whether or not to grant a certificate of compliance for development within the meaning of that Act and imposing certain requirements on the applicant before granting a certificate of compliance.</p>	DSS	
Section 67	Private Works	DSS	Council is required to charge a fee for carrying out work under section 67. Council cannot delegate the function of

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Carrying out work on private land by agreement with the owner or occupier of the land.		<p>fixing an amount or rate for the carrying out of the work: see section 377(1)(m).</p> <p>Under section 377(1)(n), council cannot delegate 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.</p>
Chapter 7, Part 1, Divisions 3 and 4	<p>General delegation - approvals</p> <p>Determining an application by granting approval unconditionally or subject to conditions or refusing approval. Includes associated functions such as requesting more information from the applicant, satisfying notification requirements, obtaining concurrence from any relevant concurrence authorities, rejecting incomplete or illegible applications, amending, extending , renewing, revoking or modifying an approval ,etc.</p>	GM	<p>Council may not delegate any of the functions set out in section 377(1).</p> <p>Regulatory functions of the council under Chapter 7 may only be delegated or sub-delegated to:</p> <p>(a) a committee of the council of which all the members are councillors or of which all the members are either councillors or employees of the council, or</p> <p>(b) an employee of the council, or</p>

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
			<p>(c) a county council.</p> <p>(s379(1))</p>
Section 80	<p>Approvals</p> <p>Requiring an applicant to pay an additional fee where an approval is amended.</p>	DSS	<p>Regulatory functions of the council under Chapter 7 may only be delegated or sub-delegated to:</p> <p>(a) a committee of the council of which all the members are councillors or of which all the members are either councillors or employees of the council, or</p> <p>(b) an employee of the council, or</p> <p>(c) a county council.</p>

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
			(s379(1))
Section 82	<p>Approvals</p> <p>Directing that the provisions of a regulation or local policy do not apply to an application for approval. Includes obtaining the concurrence of the Departmental Chief Executive.</p>	DSS	<p>Regulatory functions of the council under Chapter 7 may only be delegated or sub-delegated to:</p> <p>(a) a committee of the council of which all the members are councillors or of which all the members are either councillors or employees of the council, or</p> <p>(b) an employee of the council, or</p> <p>(c) a county council.</p> <p>(s379(1))</p>

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 84	<p>Approvals</p> <p>Giving an applicant for approval written acknowledgement of council's receipt of the application</p>	GM	<p>Regulatory functions of the council under Chapter 7 may only be delegated or sub-delegated to:</p> <p>(a) a committee of the council of which all the members are councillors or of which all the members are either councillors or employees of the council, or</p> <p>(b) an employee of the council, or</p> <p>(c) a county council.</p> <p>(s379(1))</p>
Section 85	<p>Approvals</p> <p>Rejecting unclear or illegible applications.</p>	DSS	<p>Regulatory functions of the council under Chapter 7 may only be delegated or sub-delegated to:</p>

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
			<p>(a) a committee of the council of which all the members are councillors or of which all the members are either councillors or employees of the council, or</p> <p>(b) an employee of the council, or</p> <p>(c) a county council.</p> <p>(s379(1))</p>
Section 86	<p>Approvals</p> <p>Requesting, before the council determines or is taken to have determined an application, that an applicant provide more information.</p>	DSS	<p>Regulatory functions of the council under Chapter 7 may only be delegated or sub-delegated to:</p> <p>(a) a committee of the council of which all the members are councillors or of which all the members are either councillors or employees of the council, or</p>

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
			(b) an employee of the council, or (c) a county council. (s379(1))
Section 88	Approvals Determining whether or not to refund the application fee where the applicant withdraws an application for an approval.	GM	Regulatory functions of the council under Chapter 7 may only be delegated or sub-delegated to: (a) a committee of the council of which all the members are councillors or of which all the members are either councillors or employees of the council, or (b) an employee of the council, or (c) a county council.

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
			(s379(1))
Section 90	<p>Approvals</p> <p>Obtaining the concurrence of any relevant authorities (other than the Governor or the Minister) before granting an approval.</p>	DSS	<p>Regulatory functions of the council under Chapter 7 may only be delegated or sub-delegated to:</p> <p>(a) a committee of the council of which all the members are councillors or of which all the members are either councillors or employees of the council, or</p> <p>(b) an employee of the council, or</p> <p>(c) a county council.</p> <p>(s379(1))</p>

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 94	<p>Approvals</p> <p>Determining an application by granting approval unconditionally or subject to conditions or refusing approval.</p>	GM	<p>Regulatory functions of the council under Chapter 7 may only be delegated or sub-delegated to:</p> <p>(a) a committee of the council of which all the members are councillors or of which all the members are either councillors or employees of the council, or</p> <p>(b) an employee of the council, or</p> <p>(c) a county council.</p> <p>(s379(1))</p>
Section 95	<p>Approvals</p> <p>Granting a deferred commencement approval.</p>	GM	<p>Regulatory functions of the council under Chapter 7 may only be delegated or sub-delegated to:</p>

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
			<p>(a) a committee of the council of which all the members are councillors or of which all the members are either councillors or employees of the council, or</p> <p>(b) an employee of the council, or</p> <p>(c) a county council.</p> <p>(s379(1))</p>
Section 96	<p>Approvals</p> <p>Granting a staged approval.</p>	GM	<p>Regulatory functions of the council under Chapter 7 may only be delegated or sub-delegated to:</p> <p>(a) a committee of the council of which all the members are councillors or of which all the members are either councillors or employees of the council, or</p>

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
			(b) an employee of the council, or (c) a county council. (s379(1))
Section 99	Approvals Giving an applicant notice of council's determination of the application.	GM	Regulatory functions of the council under Chapter 7 may only be delegated or sub-delegated to: (a) a committee of the council of which all the members are councillors or of which all the members are either councillors or employees of the council, or (b) an employee of the council, or (c) a county council.

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
			(s379(1))
Section 100	<p>Approvals</p> <p>Reviewing a determination and confirming or changing the determination after the review.</p>	GM	<p>If the original determination was made by council, council cannot delegate the function of reviewing the determination: sections 100(5)(b) and 377(1)(o).</p> <p>If the original determination was made by a delegate, council cannot delegate the functions of deciding whether or not to review and conducting the review to the person who made the original determination. Council can only delegate these functions to another delegate who is not subordinate to the delegate who made the original determination: see sections 100(4A) and 100(5)(a).</p> <p>Regulatory functions of the council under Chapter 7 may only be delegated or sub-delegated to:</p>

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
			<p>(a) a committee of the council of which all the members are councillors or of which all the members are either councillors or employees of the council, or</p> <p>(b) an employee of the council, or</p> <p>(c) a county council.</p> <p>(s379(1))</p>
Section 103	<p>Approvals</p> <p>Varying the lapsing date of an approval.</p>	GM	<p>Regulatory functions of the council under Chapter 7 may only be delegated or sub-delegated to:</p> <p>(a) a committee of the council of which all the members are councillors or of which all the members are either councillors or employees of the council, or</p>

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
			(b) an employee of the council, or (c) a county council. (s379(1))
Section 106	Approvals Amending an approval.	GM	Regulatory functions of the council under Chapter 7 may only be delegated or sub-delegated to: (a) a committee of the council of which all the members are councillors or of which all the members are either councillors or employees of the council, or (b) an employee of the council, or (c) a county council.

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
			(s379(1))
Section 107	Approvals Extending or renewing an approval.	GM	Regulatory functions of the council under Chapter 7 may only be delegated or sub-delegated to: (a) a committee of the council of which all the members are councillors or of which all the members are either councillors or employees of the council, or (b) an employee of the council, or (c) a county council. (s379(1))

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 107A	<p>Approvals</p> <p>Inviting a person with a sewage management system approval to apply to renew the approval.</p>	GM	<p>Regulatory functions of the council under Chapter 7 may only be delegated or sub-delegated to:</p> <p>(a) a committee of the council of which all the members are councillors or of which all the members are either councillors or employees of the council, or</p> <p>(b) an employee of the council, or</p> <p>(c) a county council.</p> <p>(s379(1))</p>
Section 108	<p>Approvals</p> <p>Revoking or modifying an approval.</p>	GM	<p>Regulatory functions of the council under Chapter 7 may only be delegated or sub-delegated to:</p>

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	(Section 109 sets out the limited circumstances in which an approval may be revoked or modified.)		<p>(a) a committee of the council of which all the members are councillors or of which all the members are either councillors or employees of the council, or</p> <p>(b) an employee of the council, or</p> <p>(c) a county council.</p> <p>(s379(1))</p>
Section 110	<p>Approvals</p> <p>Giving notice of a proposed revocation or modification to any relevant concurrence authorities and anyone who would be disadvantaged by the revocation or modification.</p>	GM	<p>Council cannot delegate the function of giving notice to the Governor or the Minister: section 377(1)(s).</p> <p>Regulatory functions of the council under Chapter 7 may only be delegated or sub-delegated to:</p>

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
			<p>(a) a committee of the council of which all the members are councillors or of which all the members are either councillors or employees of the council, or</p> <p>(b) an employee of the council, or</p> <p>(c) a county council.</p> <p>(s379(1))</p>
Section 113	<p>Approvals</p> <p>Keeping a record of approvals granted under Part 1 of the Act and of decisions on appeal from any determination made under Part 1.</p>	DSS	<p>Regulatory functions of the council under Chapter 7 may only be delegated or sub-delegated to:</p> <p>(a) a committee of the council of which all the members are councillors or of which all the members are either councillors or employees of the council, or</p>

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
			<p>(b) an employee of the council, or</p> <p>(c) a county council.</p> <p>(s379(1))</p>
Section 117	<p>Approvals</p> <p>Giving an applicant for a filming approval written acknowledgement of council's receipt of the application and advising the applicant the amount of the fee payable for the application.</p>	GM	<p>Council cannot delegate the function of fixing a fee: section 377(1)(e).</p> <p>Regulatory functions of the council under Chapter 7 may only be delegated or sub-delegated to:</p> <p>(a) a committee of the council of which all the members are councillors or of which all the members are either councillors or employees of the council, or</p> <p>(b) an employee of the council, or</p>

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
			<p>(c) a county council.</p> <p>(s379(1))</p>
Section 117	<p>Approvals</p> <p>Rejecting an unclear application made for a filming proposal.</p>	GM	<p>Regulatory functions of the council under Chapter 7 may only be delegated or sub-delegated to:</p> <p>(a) a committee of the council of which all the members are councillors or of which all the members are either councillors or employees of the council, or</p> <p>(b) an employee of the council, or</p> <p>(c) a county council.</p> <p>(s379(1))</p>

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Sections 119B(6) and 119C(8)	<p>Approvals</p> <p>Giving an applicant for a filming approval notice of council's determination of the application and, where council refuses an application, giving the applicant reasons and notifying the applicant of any right of appeal.</p>	GM	<p>Regulatory functions of the council under Chapter 7 may only be delegated or sub-delegated to:</p> <p>(a) a committee of the council of which all the members are councillors or of which all the members are either councillors or employees of the council, or</p> <p>(b) an employee of the council, or</p> <p>(c) a county council.</p> <p>(s379(1))</p>
Section 119D	Approvals	GM	Regulatory functions of the council under Chapter 7 may only be delegated or sub-delegated to:

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Making and adopting a filming protocol including forwarding the protocol to the Departmental Chief Executive for approval.		<p>(a) a committee of the council of which all the members are councillors or of which all the members are either councillors or employees of the council, or</p> <p>(b) an employee of the council, or</p> <p>(c) a county council.</p> <p>(s379(1))</p>
Chapter 7, Part 2	<p>General delegation - orders</p> <p>Exercising all functions of council in relation to the making, modification or revocation of orders.</p>	GM	<p>Regulatory functions of the council under Chapter 7 may only be delegated or sub-delegated to:</p> <p>(a) a committee of the council of which all the members are councillors or of which all the members are either councillors or employees of the council, or</p>

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	(The functions and responsibilities of council in relation to the making, modification and revocation of orders are set out in Chapter 7, Part 2 of the Act.)		(b) an employee of the council, or (c) a county council. (s379(1))
Section 124	Orders Ordering a person to do or refrain from doing a thing specified in Column 1 in circumstances specified in Column 2 of the table at section 124 of the Act. For example, ordering a person to demolish a building, to comply with an approval, to do such things as required to ensure that premises are kept in a safe or healthy condition.	GM	Regulatory functions of the council under Chapter 7 may only be delegated or sub-delegated to: (a) a committee of the council of which all the members are councillors or of which all the members are either councillors or employees of the council, or (b) an employee of the council, or

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
			<p>(c) a county council.</p> <p>(s379(1))</p>
Section 125	<p>Orders</p> <p>Abating a public nuisance or ordering a person responsible for a public nuisance to abate it.</p>	DSS	<p>Regulatory functions of the council under Chapter 7 may only be delegated or sub-delegated to:</p> <p>(a) a committee of the council of which all the members are councillors or of which all the members are either councillors or employees of the council, or</p> <p>(b) an employee of the council, or</p> <p>(c) a county council.</p> <p>(s379(1))</p>

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 131A(2)	<p>Orders</p> <p>Where an order issued is likely to make a person homeless and the person is not able to arrange alternative accommodation, providing the person with information on alternative accommodation or any other assistance council considers appropriate.</p>	GM	<p>Regulatory functions of the council under Chapter 7 may only be delegated or sub-delegated to:</p> <p>(a) a committee of the council of which all the members are councillors or of which all the members are either councillors or employees of the council, or</p> <p>(b) an employee of the council, or</p> <p>(c) a county council.</p> <p>(s379(1))</p>
Section 132	Orders	GM	Regulatory functions of the council under Chapter 7 may only be delegated or sub-delegated to:

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Giving notice of a proposed order to the person to whom the order is to be directed.		<p>(a) a committee of the council of which all the members are councillors or of which all the members are either councillors or employees of the council, or</p> <p>(b) an employee of the council, or</p> <p>(c) a county council.</p> <p>(s379(1))</p>
Section 134	<p>Orders</p> <p>Hearing representations from a person to whom an order is proposed to be directed.</p>	GM	<p>Regulatory functions of the council under Chapter 7 may only be delegated or sub-delegated to:</p> <p>(a) a committee of the council of which all the members are councillors or of which all the members are either councillors or employees of the council, or</p>

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
			<p>(b) an employee of the council, or</p> <p>(c) a county council.</p> <p>(s379(1))</p>
Section 136	<p>Orders</p> <p>Giving a person to whom an order is directed, reasons for the making of the order.</p>	GM	<p>Regulatory functions of the council under Chapter 7 may only be delegated or sub-delegated to:</p> <p>(a) a committee of the council of which all the members are councillors or of which all the members are either councillors or employees of the council, or</p> <p>(b) an employee of the council, or</p>

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
			<p>(c) a county council.</p> <p>(s379(1))</p>
Section 138	<p>Orders</p> <p>Giving a person notice of an order including providing information on the person's right to appeal to the Land and Environment Court.</p>	GM	<p>Regulatory functions of the council under Chapter 7 may only be delegated or sub-delegated to:</p> <p>(a) a committee of the council of which all the members are councillors or of which all the members are either councillors or employees of the council, or</p> <p>(b) an employee of the council, or</p> <p>(c) a county council.</p> <p>(s379(1))</p>

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 141	<p>Orders</p> <p>Determining whether or not to accept or reject the particulars of work proposed to be done by a person to comply with an order.</p>	GM	<p>Regulatory functions of the council under Chapter 7 may only be delegated or sub-delegated to:</p> <p>(a) a committee of the council of which all the members are councillors or of which all the members are either councillors or employees of the council, or</p> <p>(b) an employee of the council, or</p> <p>(c) a county council.</p> <p>(s379(1))</p>
Section 141	Orders	GM	Regulatory functions of the council under Chapter 7 may only be delegated or sub-delegated to:

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Preparing particulars of the work that council considers necessary for a person to comply with an order where council accepts the particulars of work with modifications or rejects the particulars, or if an owner fails to submit particulars of work.		<p>(a) a committee of the council of which all the members are councillors or of which all the members are either councillors or employees of the council, or</p> <p>(b) an employee of the council, or</p> <p>(c) a county council.</p> <p>(s379(1))</p>
Section 141	<p>Orders</p> <p>Ordering a person to carry out work where the particulars of the work are settled by the council.</p>	GM	<p>Regulatory functions of the council under Chapter 7 may only be delegated or sub-delegated to:</p> <p>(a) a committee of the council of which all the members are councillors or of which all the members are either councillors or employees of the council, or</p>

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
			<p>(b) an employee of the council, or</p> <p>(c) a county council.</p> <p>(s379(1))</p>
Section 141	<p>Orders</p> <p>Bringing court proceedings to recover the expenses incurred by council in preparing particulars of work necessary for a person to comply with an order as a debt in court proceedings.</p>	GM	<p>Regulatory functions of the council under Chapter 7 may only be delegated or sub-delegated to:</p> <p>(a) a committee of the council of which all the members are councillors or of which all the members are either councillors or employees of the council, or</p> <p>(b) an employee of the council, or</p>

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
			<p>(c) a county council.</p> <p>(s379(1))</p>
Section 142	<p>Orders</p> <p>Giving the Heritage Council notice of a proposed order of council in respect of a heritage item.</p>	GM	<p>Regulatory functions of the council under Chapter 7 may only be delegated or sub-delegated to:</p> <p>(a) a committee of the council of which all the members are councillors or of which all the members are either councillors or employees of the council, or</p> <p>(b) an employee of the council, or</p> <p>(c) a county council.</p> <p>(s379(1))</p>

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 148	<p>Orders</p> <p>Ordering the occupier of land to permit the owner of the land to carry out work on the land that is specified in an order.</p>	GM	<p>Regulatory functions of the council under Chapter 7 may only be delegated or sub-delegated to:</p> <p>(a) a committee of the council of which all the members are councillors or of which all the members are either councillors or employees of the council, or</p> <p>(b) an employee of the council, or</p> <p>(c) a county council.</p> <p>(s379(1))</p>
Sections 152 and 153	<p>Orders</p> <p>Modifying or revoking an order.</p>	GM	<p>Regulatory functions of the council under Chapter 7 may only be delegated or sub-delegated to:</p>

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
			<p>(a) a committee of the council of which all the members are councillors or of which all the members are either councillors or employees of the council, or</p> <p>(b) an employee of the council, or</p> <p>(c) a county council.</p> <p>(s379(1))</p>
Chapter 7, Part 3	<p>General delegation - local policies for approvals and orders</p> <p>Making local policies for approvals and orders. Includes all associated functions such as preparing a draft policy, submitting the policy to the Departmental Chief Executive for approval, determining whether or not to adopt the policy, satisfying public exhibition and notification requirements, etc.</p>	GM	<p>Council cannot delegate any of the function contained in section 377(1).</p> <p>Regulatory functions of the council under Chapter 7 may only be delegated or sub-delegated to:</p>

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
			<p>(a) a committee of the council of which all the members are councillors or of which all the members are either councillors or employees of the council, or</p> <p>(b) an employee of the council, or</p> <p>(c) a county council.</p> <p>(s379(1))</p>
Sections 158 and 159	<p>Local policies for approvals and orders</p> <p>Preparing draft local policies for approvals and orders.</p>	GM	<p>Regulatory functions of the council under Chapter 7 may only be delegated or sub-delegated to:</p> <p>(a) a committee of the council of which all the members are councillors or of which all the members are either councillors or employees of the council, or</p>

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
			<p>(b) an employee of the council, or</p> <p>(c) a county council.</p> <p>(s379(1))</p>
Section 160	<p>Local policies for approvals and orders</p> <p>Publicly exhibiting and notifying a draft local policy.</p>	GM	<p>Regulatory functions of the council under Chapter 7 may only be delegated or sub-delegated to:</p> <p>(a) a committee of the council of which all the members are councillors or of which all the members are either councillors or employees of the council, or</p> <p>(b) an employee of the council, or</p> <p>(c) a county council.</p>

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
			(s379(1))
Section 161	Local policies for approvals and orders Determining whether or not to adopt a draft local policy.	GM	Regulatory functions of the council under Chapter 7 may only be delegated or sub-delegated to: (a) a committee of the council of which all the members are councillors or of which all the members are either councillors or employees of the council, or (b) an employee of the council, or (c) a county council. (s379(1))

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 165	Local policies for approvals and orders Amending or revoking a local policy.	GM	Regulatory functions of the council under Chapter 7 may only be delegated or sub-delegated to: (a) a committee of the council of which all the members are councillors or of which all the members are either councillors or employees of the council, or (b) an employee of the council, or (c) a county council. (s379(1))
Section 166	Local policies for approvals and orders Giving public notice of the adoption or revocation of a local policy.	GM	Regulatory functions of the council under Chapter 7 may only be delegated or sub-delegated to:

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
			<p>(a) a committee of the council of which all the members are councillors or of which all the members are either councillors or employees of the council, or</p> <p>(b) an employee of the council, or</p> <p>(c) a county council.</p> <p>(s379(1))</p>
Section 167	<p>Local policies for approvals and orders</p> <p>Determining whether or not to charge a fee for inspecting a copy of a local policy.</p>	GM	<p>The council cannot delegate the function of fixing the amount of the fee: section 377(1)(e).</p> <p>Regulatory functions of the council under Chapter 7 may only be delegated or sub-delegated to:</p>

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
			<p>(a) a committee of the council of which all the members are councillors or of which all the members are either councillors or employees of the council, or</p> <p>(b) an employee of the council, or</p> <p>(c) a county council.</p> <p>(s379(1))</p>
Section 191	<p>Entry onto land and other powers</p> <p>Authorising a council employee or other person to enter a premises for the purpose of enabling council to exercise its functions.</p>	GM	Note that council cannot delegate the power to authorise a person to use force to gain entry to a premises: section 377(1)(p).

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 191A	Entry onto land and other powers Authorising a council employee or other person to enter a premises to carry out water supply work, sewerage work or stormwater drainage work on or under the premises	GM	Note that council cannot delegate the power to authorise a person to use force to gain entry to a premises: section 377(1)(p).
Section 193	Entry onto land and other powers Giving written notice to the owner or occupier of premises that council intends to carry out an inspection of the premises.	GM	
Section 195	Entry onto land and other powers Giving notice of use of force or urgent entry onto a premises to the appropriate authorities.	GM	
Section 197	Entry onto land and other powers Recovering the reasonable costs of an inspection from the owner or occupier of the premises.	GM	
Section 199	Entry onto land and other powers	GM	The authorisation must bear the signature of the general manager: section 199(2)(f).

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Issuing written authorities to persons authorised by council to enter a premises.		
Section 210A	Council's area Consulting the Electoral Commissioner and the Australian Statistician regarding the proposed division of council's area into wards or altering ward boundaries.	GM	
Section 210A	Council's area Giving public notice of the proposed division of council's area into wards or altering ward boundaries.	GM	
Section 210A	Council's area Publicly exhibiting the proposed division of council's area into wards or altering ward boundaries.	GM	
Section 210B	Council's area Giving public notice of council's proposal to abolish all wards within the council area.	GM	Under section 210B, the decision to abolish all wards within the council area must be made by resolution of council. Under that section council is also required to

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
			obtain the approval of the Minister before abolishing all wards within its area. Council cannot delegate the function of applying to the Minister for approval: section 377(1)(s).
Section 211	Council's area Reviewing ward boundaries.	GM	
Section 217	Council's area Making representations to the Minister regarding a proposal to constitute an area within the State that affects the council.	GM	
Section 224A	Constitution of Council Giving public notice of a proposed resolution by council to reduce the number of councillors.	GM	The decision to apply to the Minister to reduce the number of councillors must be made by resolution (s. 224A(1)) and cannot be delegated (see s.377(1)(s) and (u)).
Chapter 9, Part 2, Division 5	General delegation - paying councillors Paying fees and expenses and providing facilities to the Mayor, Deputy Mayor and councillors. Includes all associated functions such as adopting a policy for such payment.	GM	Council cannot delegate the function of fixing a fee: section 377(1)(e).

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Sections 248 and 249	Paying councillors Paying each councillor and the Mayor an annual fee.	GM	Council cannot delegate the function of fixing a fee: section 377(1)(e).
Section 252	Paying councillors Adopting or amending a policy concerning the payment of expenses incurred by, and the provision of facilities to, the mayor, the deputy mayor and other councillors in relation to discharging the functions of civic office. Note: This must occur within the first 12 months of each term of the council	GM	
Section 253	Paying councillors Giving public notice of council's intention to adopt or amend a policy for the payment of expenses or provision of facilities incurred by the Mayor, deputy Mayor or councillors.	GM	
Sections 332 and 333	Council's organisation structure	GM	

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Determining and re-determining an organisation structure, the positions to be included in that structure and the resources to be allocated to the employment of staff.		
Section 345	Equal opportunity Preparing and implementing an equal opportunity plan.	GM	
Section 356	Financial assistance Giving public notice of council's proposed resolution to contribute money or otherwise grant financial assistance to persons for the purpose of exercising its functions.	GM	Council cannot delegate the function of deciding whether or not to contribute money or otherwise grant financial assistance to persons under section 356: section 377(1)(q).
Chapter 12, Part2, Division 1	General delegation - making a code of meeting practice Making a code of meeting practice. Includes all associated functions such as preparing a draft code, satisfying public notification requirements, adopting and amending the code, determining whether or not to charge a fee for the inspection of a code, etc.	GM	

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 361	Making a code of meeting practice Preparing a draft code of meeting practice	GM	
Section 361	Making a code of meeting practice Giving public notice of a draft code of meeting practice.	GM	
Section 361	Making a code of meeting practice Publicly exhibiting a draft code of meeting practice.	GM	
Section 360 and 362	Making a code of meeting practice Adopting a code of meeting practice.	GM	The adopted code of meeting practice must incorporate the mandatory provisions of the model code prescribed by the regulations.
Section 363	Making a code of meeting practice Amending a code of meeting practice.	GM	
Section 364	Making a code of meeting practice	GM	

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Determining whether or not to charge a fee for the inspection of a meeting code of practice.		
Section 375	Council meetings Keeping full and accurate minutes of the proceedings of a meeting of council.	GM	
Section 381	Exercise of functions imposed on employees, Councillors or the Mayor Exercise of any of the functions conferred or imposed on an employee of a council or on the mayor or a councillor of a council (otherwise then by delegation) which is taken by this section to be conferred or imposed on the council.	GM	
Section 382	Insurance against liability Making arrangements for council's insurance against public liability and professional liability.	GM	

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 387	Weed control Exercising weed control functions if proclaimed with concurrence with the Minister administering the Biosecurity Act 2015	ACO, DSS	
Section 400E	Public-private partnerships Preparing an assessment of a project to be carried out under a public-private partnership between council and a private body.	GM	Council cannot delegate the function of deciding to enter into a public-private partnership - this must be done by resolution of council: section 400L.
Sections 400F and 400G	Public-private partnerships Forwarding the assessment of a project to be carried out under a public-private partnership to, where relevant, the Departmental Chief Executive or the Project Review Committee.	GM	
Section 400H	Public-private partnerships Preparing an assessment of public-private partnership that has been varied when directed to do so by the Departmental Chief Executive and forwarding the assessment to the Departmental Chief Executive.	GM	

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Chapter 13, Part 2	General delegation - strategic planning Making a community strategic plan, a resourcing plan, a delivery plan and an operational plan. Includes all associated functions such as exhibiting draft plans and forwarding copies of plans to relevant persons and bodies, and endorsing a community strategic plan, a resourcing plan or a delivery plan.	GM	Council cannot delegate any of the functions in section 377(1) of the Act. Specifically, council cannot delegate the function of adopting an operational plan: section 377(1)(j).
Section 402	Strategic planning Preparing a community strategic plan.	GM	Council cannot delegate the function of endorsing a community strategic plan: section 402(5).
Section 402	Strategic planning Reviewing the council's community strategic plan following the ordinary election of councillors and determining whether or not to endorse the existing plan, endorse amendments to the existing plan or develop and endorse a new community strategic plan.	GM	
Section 402	Strategic planning	GM	

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Posting a copy of the strategic plan on the council's website and providing the Departmental Chief Executive with a copy within 28 days after the plan is adopted.		
Section 403	Strategic planning Preparing a resourcing strategy.	GM	
Section 404	Strategic planning Preparing a delivery program. Includes associated functions including satisfying public exhibition and notification requirements.	GM	Council cannot delegate the function of endorsing a delivery plan: section 404(3).
Section 404	Strategic planning Establishing a new delivery program after each ordinary election of councillors.	GM	
Section 404	Strategic planning Publicly exhibiting a draft delivery plan.	GM	

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 405	Strategic planning Preparing a draft operational plan.	GM	Council cannot delegate the function of adopting an operational plan: section 377(1)(j).
Section 405	Strategic planning Giving public notice and publicly exhibiting a draft operational plan.	GM	
Section 405	Strategic planning Posting a copy of the operational plan on the council's website within 28 days after the plan is adopted.	GM	
Section 410	Financial management Using money raised from the levying of rates or charges for an alternative purpose where the purpose for which the money was levied has been achieved or is no longer required to be achieved.	GM	
Section 410	Financial management	GM	Council cannot delegate the function of applying to the Minister for an internal loan: section 377(1)(s).

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Using money that is not yet needed for the purpose for which it was raised for any other purpose by way of an internal loan with the approval of the Minister.		
Chapter 13, Part 3, Division 2	General delegation - accounting records and financial reports Keeping accounting records and preparing council's annual financial report. Includes all associated functions such as applying to the Departmental Chief Executive for an extension to the time for preparing a financial report, fixing a date for and giving public notice of the presentation of council's financial report at a council meeting, etc.	GM	
Section 412	Accounting records and financial reports Keeping accounting records.	GM	
Section 413	Accounting records and financial reports Preparing annual financial reports and referring them for audit.	GM	Council cannot delegate the function of adopting a financial statement included in an annual financial report: section 377(1)(k).
Section 416	Accounting records and financial reports	GM	

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Applying to the Departmental Chief Executive for an extension to the time for preparing an annual financial report and notifying the council's auditor of the application.		
Section 417	Accounting records and financial reports Sending a copy of the auditor's report on the council's financial reports, together with a copy of the council's audited financial reports, to the Departmental Chief Executive and to the Australian Bureau of Statistics.	GM	
Section 418	Accounting records and financial reports Fixing a date for the meeting at which council proposes to present its audited financial reports and giving public notice of that date.	GM	
Section 420	Accounting records and financial reports Referring copies of submissions received by council regarding council's audited financial reports to the auditor.	GM	

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 420	Accounting records and financial reports Taking such action as council considers appropriate with respect to any such submission, including the giving of notice to the Departmental Chief Executive of any matter that appears to require amendment of the council's financial reports.	GM	
Section 421E	Other audit functions Bearing the costs of the Auditor-General if Council requested the provision of their audit-related services	DBS	
Section 422	Auditors Bearing the costs of the Auditor-General in auditing Council's financial reports (including any audit of a Council entity), or in any other inspection or audit carried out by the Auditor-General under this Division or at Council's request	DBS	
Section 428	Annual reports Preparing council's annual report.	GM	

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 428	Annual reports Posting a copy of the council's annual report on the council's website and providing a copy to the Minister.	GM	
Section 429	Inquiries and reviews Providing the Minister or the Departmental Chief Executive with information concerning the council, its operations or its activities when directed to do so by the Minister or the Departmental Chief Executive .	GM	
Section 433	Inquiries and reviews Presenting the Departmental Chief Executive 's report of an investigation of the council at the next council meeting after the report is received.	GM	
Section 434	Inquiries and reviews Complying with an order by the Minister to do such things or to refrain from doing such things arising from the recommendations	GM	

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	contained in a report by the Departmental Chief Executive following an investigation of the council.		
Section 434A	<p>Inquiries and reviews</p> <p>Complying with an order by the Minister that the council present a copy of a report made by the Ombudsman under section 26 of the Ombudsman Act 1974 concerning the conduct of the council (together with a copy of the Minister's order) at the next meeting of the council occurring after the order is made.</p>	GM	
Section 434A	<p>Inquiries and reviews</p> <p>Complying with an order by the Minister to do such things or to refrain from doing such things arising from the recommendations contained in a report by the Ombudsman under section 26 of the Ombudsman Act 1974 concerning the conduct of the council.</p>	GM	
Section 434B	<p>Inquiries and reviews</p> <p>Paying to the Departmental Chief Executive the reasonable expenses incurred by the Departmental Chief Executive in</p>	GM	

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	respect of an investigation under Division 1 of Part 5 of Chapter 13 of the Act.		
Section 434B	<p>Inquiries and reviews</p> <p>Applying to the to the Civil and Administrative Tribunal for an administrative review under the Administrative Decisions Review Act 1997 the Departmental Chief Executive's determination of the reasonable expenses incurred by the Departmental Chief Executive in respect of an investigation under Division 1 of Part 5 of Chapter 13 of the Act.</p>	GM	
Section 437	<p>Inquiries and reviews</p> <p>Giving effect to a decision of the Civil and Administrative Tribunal on an administrative review of a decision by the Departmental Chief Executive to surcharge a person.</p>	GM	
Section 438D	<p>Performance improvement orders</p> <p>Publishing a performance improvement order on the council's website.</p>	GM	

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 438E	Performance improvement orders Complying with a performance improvement order issued by the Minister	GM	
Section 438F	Performance improvement orders Providing the Minister with a written report on the council's compliance with a performance improvement order.	GM	
Section 438H	Compliance with performance improvement order Cooperating with a temporary advisor appointed by the council.	GM	
Section 438H	Compliance with performance improvement order Providing a copy of the temporary advisor's comments (if any) on a proposed compliance report to the Minister.	GM	
Section 438HB	Financial controllers Recommending to the Minister to appoint a financial controller for the Council.	GM	

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 438HC	Financial controllers Providing any information or assistance to the financial controller appointed to the council which is reasonably required for the financial controller to exercise their functions.	DBS	
Section 438HC	Financial controller Providing the opportunity for the financial controller to review any proposed compliance reports at least 14 days before it is given to the Minister.	GM	
Section 438H	Financial controller Giving the Minister a copy of the financial controller's comments (if any) on the compliance report.	GM	
Section 438K	Temporary suspension of council Making submissions to the Minister in respect of the Minister's intention to suspend the council.	GM	
Section 438V	Public inquiries	GM	

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Paying to the Departmental Chief Executive on behalf of the State, the reasonable expenses incurred by the State in holding a public inquiry into the council if the inquiry relates to a recurring problem with the administration of a council.		
Section 438V	Public inquiries Applying to the Civil and Administrative Tribunal for an administrative review under the Administrative Decisions Review Act 1997 of the Departmental Chief Executive 's determination as to the reasonable expenses incurred by the State in holding a public inquiry into the council where the inquiry relates to a recurring problem with the administration of a council..	GM	
Section 440	Conduct Adopting, reviewing and adjusting the council's code of conduct.	DBS, GM	
Section 440AA	Conduct Adopting a procedure for administering the model code.	DBS, GM	

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 440M	<p>Conduct</p> <p>Paying to the Department an amount determined by the Departmental Chief Executive to be the reasonable expenses incurred by or in respect of the Department in the conduct of an investigation into a councillor of the council under this Division 3 of Part 1 of Chapter 14 of the Act.</p>	DBS, GM	
Section 440M	<p>Conduct</p> <p>Applying to the Civil and Administrative Tribunal for a review of the Departmental Chief Executive's determination of the amount of expenses incurred by the Department in conducting an investigation into a Councillor.</p>	DBS, GM	
Chapter 15	<p>General delegation - council rates, charges and fees</p> <p>Exercising all functions that may be lawfully exercised in relation to council rates and charges.</p>	DBS, GM	Council cannot delegate the functions of making rates and charges: sections 377(1)(b) and (d) and section 535. Council cannot delegate the fixing of a fee: section 377(1)(e).
Section 513	Council rates, charges and fees	DBS, GM	

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Requesting the Valuer-General to provide estimates of certain values specified in section 513.		
Section 514	Council rates, charges and fees Declaring each parcel of rateable land in the council's area to be farmland, residential, mining or business for the purposes of ordinary rates.	DBS, GM	
Section 518B	Council rates, charges and fees Determining a subcategory of land for mixed development land for the purpose of rates.	DBS, GM	
Section 520	Council rates, charges and fees Giving notice to each rateable person of the category declared for each parcel of land for which the person is rateable.	DBS, GM	
Section 523	Council rates, charges and fees Reviewing the categorisation of land.	DBS, GM	

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 525	Council rates, charges and fees Declaring rateable land to be of a particular category on the application of a rateable person.	DBS, GM	
Section 525	Council rates, charges and fees Giving a rateable person who applies for a declaration under section 525 notice of the council's determination and reasons for the determination.	DBS, GM	
Section 527	Council rates, charges and fees Making an appropriate adjustment of rates paid or payable by a rateable person following a change in category of land.	DBS, GM	
Section 529	Council rates, charges and fees Determining sub-categories of rateable land.	DBS, GM	
Section 531A	Council rates, charges and fees	DBS, GM	

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Making an appropriate adjustment of a charge following a change in category or sub-category of land.		
Section 531B	Council rates, charges and fees Treating separate parcels of land as a single parcel and levying a charge accordingly if levying it normally would apply unfairly and could cause hardship.	DBS, GM	
Section 546	Council rates, charges and fees Serving a notice of a rate or charge.	DBS, GM	
Section 548A	Council rates, charges and fees Aggregating the land values of parcels of land and levying the rate on the aggregated land values if the levying of a minimum rate or of a rate containing a base amount would apply unfairly and could cause hardship.	DBS, GM	
Section 558	Council rates, charges and fees Determining whether or not a land or body is exempt from a rate.	DBS, GM	

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 558	Council rates, charges and fees Revoking or altering an exemption	DBS, GM	
Section 563	Council rates, charges and fees Discounting the amount of a rate or charge where the rate or charge is paid promptly and on full.	DBS, GM	
Section 564	Council rates, charges and fees Entering into an agreement with a person for the payment of rates and charges and writing off interest accrued if the person complies with the agreement.	DBS, GM, RO	
Section 565	Council rates, charges and fees Waiving the payment of rates and charges where a person pays or enters into a written agreement to pay a lump sum towards the capital cost of any works, services or facilities for which the special rate or charge is made	DBS, GM	

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 567	Council rates, charges and fees Writing off accrued interest for rates and charges payable where a person cannot pay due to circumstances beyond the person's control or where payment of the interest would cause the person hardship.	DBS, GM	
Section 569	Council rates, charges and fees Serving notice on the occupier of land of the amount of any rate or charge or the amount of any judgment unpaid in respect of the land.	DBS, GM	
Section 570	Council rates, charges and fees Accepting a transfer of land in satisfaction of outstanding rates and charges or accrued interest.	DBS, GM	
Section 575	Council rates, charges and fees Reducing a rate or charge for eligible pensioners.	DBS, GM, RO	

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 577	Council rates, charges and fees Ordering that a person is an eligible pensioner in certain circumstances.	DBS, GM	
Section 578	Council rates, charges and fees Giving directions about giving a refund on rates or charges, charging interest on overdue rates and charges and any other matters if the council makes a retrospective order under section 577.	DBS, GM	
Section 579	Council rates, charges and fees In certain circumstances reducing a subsequent rate or charge without requiring a further application if a reduced rate or charge already applies.	DBS, GM	
Section 582	Council rates, charges and fees Waiving or reducing rates, charges and interest due by any person prescribed by the regulations who receives a pension, benefit or allowance under the Social Security Act 1991 (Cth).	DBS, GM, RO	

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	(Regulation 136 of the Local Government (General) Regulation 2005 prescribes persons who receive a pension, benefit or allowance under the Social Security Act 1991 (Cth) as eligible persons under section 582 of the Act.)		
Section 583	Council rates, charges and fees Writing off amounts of rates, charges and interest which have been reduced or waived.	DBS, GM	
Section 586	Council rates, charges and fees Referring applications for the postponement of rates to the Valuer-General.	DBS, GM	
Section 591	Council rates, charges and fees Postponing the payment of rates.	DBS, GM	
Section 593	Council rates, charges and fees	DBS, GM	

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Refunding any amount of rates paid which exceeds the amount of rates remaining after part of the rates is postponed.		
Section 594	Council rates, charges and fees On a redetermination of the attributable part of the land value of land, adjusting amounts payable for rates or to be postponed. Refunding amounts paid in excess and recovering amounts short-paid.	DBS, GM	
Section 595	Council rates, charges and fees Writing off postponed rates and accrued interest after 5 years.	DBS, GM, RO	
Section 598	Council rates, charges and fees Requiring the Valuer-General to re-determine the value of land where circumstances of the occupation of the land change for the purpose of re-determining the rates payable.	DBS, GM, RO	
Section 599	Council rates, charges and fees	DBS, GM	

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	If a reduced rate applies, reducing the subsequent rate without requiring a further application.		
Section 600	Council rates, charges and fees Writing off and abandoning the amount of a rebate.	DBS, GM	
Section 601	Council rates, charges and fees Where a ratepayer suffers hardship because of the making and levying of a rate on a valuation having a later base date than any valuation previously used by a council, waiving, reducing or deferring the payment of the whole or any part of the increase in the amount of the rate.	DBS, GM	
Section 602	Council rates, charges and fees Keeping a record of the rates charges levied over land in the council's area.	DBS, GM	
Section 603	Council rates, charges and fees	DBS, GM	

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Issuing certificates to a person as to the amount payable to council in rates and charges or otherwise in respect of a parcel of land.		
Section 606A	Council rates, charges and fees Providing an estimate of coastal protection service charges.	DBS, GM	
Section 606B	Council rates, charges and fees Providing a person who is liable to pay a coastal protection service charge with an independent report on the cost to council of providing those services.	DBS, GM	
Section 606C	Council rates, charges and fees Providing an independent report on the cost to the council of providing coastal protection services to the Coastal Protection Minister.	DBS, GM	
Section 607	Council rates, charges and fees	DBS, GM	Council must, by resolution, fix an amount above which rates and charges can only be written off by the council. The general manager may write off any rate or charge

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	<p>Writing off rates and charges and interest accrued on unpaid rates and charges in circumstances specified by the Local Government (General) Regulation 2005.</p> <p>(See regulations 130-132 of the Local Government (General) Regulation 2005 for the circumstances in which rates and charges may be written off.)</p>		below that amount. If no such resolution is made rates and charges can only be written off by council and not by a delegate: regulation 131.
Section 608	<p>Council rates, charges and fees</p> <p>Charging and recovering fees for services.</p>	DBS, GM	Council cannot delegate the function of fixing the amount of a fee: section 377(1)(e).
Section 610E	<p>Council rates, charges and fees</p> <p>Determining categories of hardship under which a fee may be waived or reduced and giving public notice of proposed categories.</p>	DBS, GM	
Section 610E	<p>Council rates, charges and fees</p> <p>Waiving or reducing fees where a person falls within a category of hardship determined by the council.</p>	DBS, GM	

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 610F	Council rates, charges and fees Giving public notice of a fee.	DBS, GM	
Section 616	Council rates, charges and fees Making submissions to the Grants Commission with respect the Commission's recommendations to the Minister on the allocation of grants to councils.	DBS, GM	
Section 625	Council rates, charges and fees Investing money that is not, for the time being, required by the council for any other purpose.	DBS, GM	
Section 632A	Offences Declaring the whole or part of a public place to be an alcohol prohibited area. Includes obtaining the approval of the Police Area Commander or Police District Commander.	DSS, GM	
Section 633	Offences	DSS, GM	

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Erecting notices regarding the conduct and costume of bathers, the use of a place or the use of water-based recreational equipment.		
Section 644	Offences Preparing a proposal for an alcohol-free zone.	DSS, GM	Council cannot delegate the function of adopting the proposal: section 644B.
Section 644A	Offences Giving public notice of a proposed alcohol-free zone by publishing a notice in a manner that the council is satisfied is likely to bring the notice to the attention of members of the public and giving a copy of the proposal to the officer in charge of the nearest police station and each holder of a liquor licence for premises that border on, or adjoin or are adjacent to, the proposed alcohol-free zone.	DSS, GM	
Section 644B	Offences Giving public notice of council's adoption of an alcohol-free zone.	DSS, GM	

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 644C	Offences Erecting signs identifying alcohol-free zones.	DSS, GM	
Section 650	Offences Erecting signs identifying free-parking areas and the conditions of using those areas.	DSS, GM	
Section 650	Offences Entering into an agreement with the owner of private land under which the land, or any part of the land, is set aside for use as a free parking area.	DSS, GM	
Section 650A	Strata parking area Entering into an agreement with the owners corporation for the setting aside of common property for use as a strata parking area.	GM	The Regulations may also make provision for agreements between owners corporations and local councils under Section 650A (Section 271 of the Strata Schemes Management Act 2015). Approval is required for a strata parking area or any other agreement conferring functions on Council in relation to a

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
			strata parking area by special resolution of the owners corporation, and must comply with any requirements for such schemes prescribed by Regulations under the Strata Schemes Management Act 2015.
Section 650A	Community scheme parking area Entering into an agreement with the association of a community, precinct or neighbourhood scheme for the setting aside of common property for use as a community scheme parking area.	GM	Approval is required for a community scheme parking area or any other agreement conferring functions on council in relation to a community scheme parking area by special resolution of the association, and must comply with any requirements for such schemes prescribed by Regulations under the Community Land Management Act 1989.
Section 650A	Strata and community scheme parking areas Exercising the functions under this section for both strata and community scheme parking areas, including erecting signs and notices.	GM	
Section 650A	Strata and community scheme parking areas	GM	

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Following the guidelines established by the Director-General for agreements regarding strata or community scheme parking areas		
Section 673	Enforcement Bringing proceedings in the Land and Environment Court or other specified court for an order to remedy or restrain a breach of the Act.	GM	
Section 678	Enforcement Giving effect to the terms of a council order where the person the subject of the order fails to comply.	GM	
Section 678	Enforcement Bringing court proceedings to recover the costs incurred by council in carrying out the terms of an order where the person the subject of the order fails to comply.	GM	
Section 689	Enforcement	GM	

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Paying the expenses incurred by an employee of council because of any proceedings which the employee is authorised by or under the Act or any other Act to take out of the council's consolidated fund.		
Section 690	<p>Enforcement</p> <p>Recovering from a person:</p> <p>a) any sum of money for damages sustained by the council because of the persons act or default, and</p> <p>b) the costs and expenses incurred by the council in remedying that damage, and</p> <p>c) the value of anything wasted, misused, or unlawfully consumed, diverted or taken by the person.</p>	GM	
Section 694	<p>Enforcement</p> <p>Allocating to the council's consolidated fund any fine or forfeiture imposed under any Act, or imposed for a contempt of a</p>	GM	

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	court order to remedy or restrain a breach of the Act or any other Act, and recovered in proceedings instituted by the council.		
Section 695	Enforcement Bringing court proceedings to recover a debt.	DBS, GM	
Section 696	Enforcement Apportioning things to be done or money, costs or expenses to be paid between two people required to do something or pay, money costs or expenses by council.	DBS, GM	
Section 713	Unpaid rates and charges Selling land in relation to which a rate or charge is overdue. Includes obtaining a valuation of the land by the Valuer-General.	DBS, GM	The general manager or the public officer must certify in writing certain matters before land can be sold under this section: see section 713(3).

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 715	Unpaid rates and charges Giving notice of the proposed sale of land in relation to which a rate or charge has become overdue.	DBS, GM	
Section 718	Unpaid rates and charges Applying the proceeds of the sale of land in relation to which rates or charges have become overdue.	DBS, GM	
Section 734	Public hearings Making a report of a public hearing public.	GM	
Section 735A	Certificates as to notices Issuing certificates as to whether land is subject to outstanding notices.	DBS, GM	
Section 739A	Record keeping Retaining, preserving and destroying council records.	DBS, GM	

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Dictionary to the Act and various sections	<p>Appointing authorised officers</p> <p>Appointing authorised persons for the purpose of exercising regulatory functions under the Act and the Regulations including issuing penalty notices (section 679), applying for a search warrant (section 201), giving directions to drivers of vehicles in free parking areas (section 650), removing offenders from community land (section 681), etc.</p> <p>(The Dictionary defines an “authorised person” to mean “ an employee of a council generally or specially authorised by the council in respect of or whose duty it is to deal with, or to act in regard to, any acts, matters or things in relation to which the expression is used”.)</p>	GM	Authorised officers must be Council employees: Dictionary.

NSW Local Land Services Act 2013

Local Land Services Act 2013			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation – all functions under the Local Land Services Act 2013 Exercise of all functions of council under the Act that may be legally delegated.	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Section 78	Grazing of stock on a public road Determining whether or not to consent to the grazing of stock on a public road that is not a Crown road and that is vested in the council.	ACO, DSS	
Section 109	Stock watering places in the council's area Constructing water storage works or carrying out improvement to water storage works in relation to a stock watering place in the council's area..	ACO, DSS	

Local Land Services Act 2013			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 109	<p>Stock watering places in the council's area</p> <p>Obtaining the approval of the Minister before constructing a water storage work or carrying out any improvements, maintenance or repairs to a water storage work the cost of which exceeds \$20,000 (or such other amount as may be prescribed by the regulations).</p>	ACO, DSS	
Section 110	<p>Stock watering places in the council's area</p> <p>Applying to the Civil and Administrative Tribunal for a determination in relation to a dispute between the council and the Minister administering the Crown Lands Act 1989 as to the amount of compensation payable by the Minister to the Council for improvements made to a stock watering place on Crown Land in the council's area.</p>	ACO, DSS	
Section 111	<p>Stock watering places in the council's area</p> <p>Leasing a stock watering place in the council's area including determining whether or not to consent to a transfer of an existing lease of a stock watering place.</p>	ACO, DSS	
Section 112	<p>Stock watering places in the council's area</p>	ACO, DSS	

Local Land Services Act 2013			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Supplying water to any person or stock of a class prescribed by the regulations or allowing stock to depasture at the stock watering place in the circumstances, and in accordance with any conditions, prescribed by the regulations,		

NSW Marine Estate Management Act 2014

Marine Estate Management Act 2014			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	<p>General delegation – all functions under the Small Marine Pollution Act 2012</p> <p>Exercise of all functions of council under the Act that may be legally delegated.</p> <p>(Council has functions as a ‘public authority’ under the Act)</p>	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Section 55	<p>Development within marine parks and aquatic reserves</p> <p>Obtaining the concurrence of the relevant Ministers to the granting of consent by the council for the carrying out of development within a marine park or an aquatic reserve.</p>	GM	
Section 56	<p>Development affecting marine parks and aquatic reserves</p> <p>Consulting with relevant Ministers where a proposed development for which the council is a consent authority is likely to have an effect on the plants or animals within the marine park or aquatic reserve and their habitat.</p>	GM	

Motor Vehicle Sports (Public Safety) Regulation 2010

Motor Vehicle Sports (Public Safety) Regulation 2010			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	<p>General delegation – all functions under the Small Motor Vehicle Sports (Public Safety) Regulation 2010</p> <p>Exercise of all functions of council under the Regulation that may be legally delegated.</p>	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Regulation 5	<p>Certificates in relation to motor vehicle racing</p> <p>Issuing a certificate to a person seeking a licence from the Director-General of Communities NSW to conduct motor vehicle racing stating that development consent is not necessary for that use of the relevant land or that development consent has been obtained by the person and the particulars and any conditions of the consent.</p>	DSS, GM	

National Parks and Wildlife Act 1974

National Parks and Wildlife Act 1974			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	<p>General delegation – all functions under the National Parks and Wildlife Act 1974</p> <p>Exercise of all functions of council under the Act that may be legally delegated.</p> <p>(Council has functions as a 'public authority' under the Act)</p>	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Various	<p>Reservation of regional park</p> <p>A local council nominated under subsection 74O (3) (c) (iii) by the Minister:</p>	GM	On the publication of a notice under Part 4A reserving lands as a regional park, the Chief Executive has the care, control and management of the regional park until such time as a board of management is established for the regional park. Thereafter the board has the care, control and management of the park.

National Parks and Wildlife Act 1974

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	<p>(a) has, subject to this Act, the care, control and management of the regional park concerned, and</p> <p>(b) has the powers and functions conferred or imposed on it by or under this Act, and</p> <p>(c) is, in the exercise of such powers and functions, subject to the control and direction of the Minister.</p>		
Section 47V	<p>Reports</p> <p>Providing reports to the Minister as required and</p> <p>(b) keeping such records as may be required by the Minister, and</p> <p>(c) giving the Minister such information as the Minister requires in relation to the care, control and management of the park by the council, and</p> <p>(d) sending to the Minister such records kept by the council in relation to the care, control and management of the park as the Minister requires.</p>	GM	A council may only delegate this function if it has the care, control and management of the regional park as nominated by the Minister under subsection 47O(3) (c) (iii).

National Parks and Wildlife Act 1974

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 72	<p>Preparation of plans of management</p> <p>Causing a plan of management to be prepared for the regional park as soon as practicable after the reservation of the land concerned in accordance with the Act.</p> <p>Note: See s.74 and s.75 for additional procedures regarding catchment areas and special areas under the Hunter Water Act 1991.</p>	GM	A council may only delegate this function if it has the care, control and management of the regional park as nominated by the Minister under subsection 47O(3) (c) (iii).
Section 73A	<p>Public exhibition of and consultation on plans of management</p> <p>Giving notice of the preparation of the plan in accordance with the Act and Regulations</p>	GM	A council may only delegate this function if it has the care, control and management of the regional park as nominated by the Minister under subsection 47O(3) (c) (iii).
Section 73B	Adoption, amendment and cancellation of plans of management	GM	A council may only delegate this function if it has the care, control and management of the regional park as nominated by the Minister under subsection 47O(3) (c) (iii).

National Parks and Wildlife Act 1974			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Causing the amendment, alternation or new plan of management to be prepared as instructed by the Minister.		
Section 81	Operations under plan of management Carrying out and giving effect to a plan of management for a regional park adopted by the Minister.	GM	A council may only delegate this function if it has the care, control and management of the regional park as nominated by the Minister under subsection 47O(3) (c) (iii).

National Parks and Wildlife Regulation 2019

National Parks and Wildlife Regulation 2019			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	<p>General delegation – all functions under the National Parks and Wildlife Regulation 2019</p> <p>Exercise of all functions of council under the Act that may be legally delegated.</p> <p>(Council may have functions as a 'park authority' under the Act)</p>	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Part 2; cl 35	<p>Regulation of use of parks</p> <p>Exercising all the functions of the Council as a park authority under Part 2 of the National Parks and Wildlife Regulation 2019 in relation to the regulation of a regional park.</p>	GM	Council will have the functions of the park authority (except in connection with the imposition or waiver of fees and charges) in relation to a regional park for which the council has the care, control and management of the park: cl.3.

National Parks and Wildlife Regulation 2019			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Clause 8	<p>Removal of persons by direction</p> <p>Authorising a person to exercise the powers conferred by clause 8 of the National Parks and Wildlife Regulation 2019 as a designated officer in relation to a park for which the Council is the park authority.</p>	GM	Council will have the functions of the park authority (except in connection with the imposition or waiver of fees and charges) in relation to a regional park for which the council has the care, control and management of the park: cl.3.
Clause 10	<p>Use of vehicles, animals, vessels and machines in parks</p> <p>Authorising person to exercise the powers conferred under cl.10 of the National Parks and Wildlife Regulation 2019 as designated officer in relation to the regulation of traffic in a park for which the Council is the park authority.</p>	GM	Council will have the functions of the park authority (except in connection with the imposition or waiver of fees and charges) in relation to a regional park for which the council has the care, control and management of the park: cl.3.

NSW Natural Resources Access Regulator Act 2017

Natural Resources Access Regulator Act 2017			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	<p>General delegation – all functions under the Natural Resources Access Regulator Act 2017</p> <p>Exercise of all functions of council under the Act that may be legally delegated.</p> <p>(Council will have functions under the Natural Resources Access Regulator Act 2017 if it is the statutory body responsible for the administration of natural resources management legislation).</p>	GM	<p>Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.</p> <p>Notes: natural resources management legislation means any of the following Acts and the regulations and other instruments made under those Acts:</p> <ul style="list-style-type: none"> (a) this Act, (b) Water Management Act 2000, (c) Water Act 1912, (d) any other Act or part of an Act administered by a relevant Minister that is prescribed by the regulations.

Long Service Leave Act 1955

Long Service Leave Act 1955			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation - all functions under the Long Service Leave Act 1955 Exercise of all functions of council under the Act that may be legally delegated.	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Section 4	Long service leave Entering into agreements with employees regarding long service leave.	DBS	
Section 8	Long service leave Keeping a long service leave record in a form approved by the Minister.	DBS	

NSW Marine Pollution Act 2012

Marine Pollution Act 2012			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	<p>General delegation – all functions under the Small Marine Pollution Act 2012</p> <p>Exercise of all functions of council under the Act that may be legally delegated.</p> <p>(Council has functions as a ‘public authority’ under the Act)</p>	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Section 205	<p>Marine pollution compliance cost notices</p> <p>Where the council has taken clean-up action on its own initiative in relation to a marine pollution incident, requiring, by notice in writing:</p> <p>(a) the occupier of the premises at or from which the council suspects that the marine pollution incident occurred, or</p>	GM	

Marine Pollution Act 2012

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	<p>(b) the person who is reasonably suspected by the council of having caused the marine pollution incident,</p> <p>or both, to pay all or any reasonable costs and expenses incurred by it in connection with the clean-up action.</p> <p>(Note: under section 194 the council may take clean-up action in relation to a marine pollution incident and may do so itself or through its employees, agents or contractors)</p>		
Section 194	<p>Clean-up of marine pollution</p> <p>Taking such clean-up action as the council considers necessary in relation to a marine pollution incident.</p>	GM	
Section 206	<p>Clean-up of marine pollution</p> <p>Recovering the cost of clean-up action taken by the council on its own initiative in relation to a marine pollution incident as a debt in a court of competent jurisdiction.</p>	GM	

Road Transport Act 2013

Road Transport Act 2013			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	<p>General delegation</p> <p>Exercise of all the functions under the Act that may be legally delegated.</p> <p>(Under section 142, the Council has functions under the Act as the 'appropriate roads authority' in relation to roads within its local government area)</p>	GM	Council cannot sub-delegate the functions listed in section 377(1) of the Local Government Act 1993.
Section 142	<p>Recovering expenses of removing dangers and obstructions to traffic</p> <p>Bringing Court proceedings to recover as a debt the expenses incurred by the council in removing or otherwise dealing with obstructions or damagers to traffic in relation to a road for which the council is the appropriate roads authority.</p>	DSS	

Sydney Water Act 1994

Sydney Water Act 1994			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation – all functions under the Sydney Water Act 1994 Exercise of all functions of council under the Act that may be legally delegated.	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Section 71	Requiring a compliance certificate as a condition of development consent Imposing a condition on a development consent or other approval requiring a compliance certificate to be obtained from the Sydney Water Corporation.	GM	
Section 78	Giving notice to the Sydney Water Corporation Giving the Sydney Water Corporation notice of a development application received by council that may have an impact on the operations of the Corporation.	GM	

Ombudsman Act 1974

Ombudsman Act 1974			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation – all functions under the Ombudsman Act 1974 Exercise of all functions of council under the Act that may be legally delegated.	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Section 12	Complaints to Ombudsman Making a complaint to the ombudsman. (This may be done by “any person (including a public authority)”.)	DBS, GM	
Section 18	Ombudsman investigations Providing the Ombudsman with information required by the Ombudsman for the purpose of an investigation.	DBS, GM	

Ombudsman Act 1974

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 24	Ombudsman investigations Making submissions to the Ombudsman regarding an investigation of council.	DBS, GM	
Section 26	Ombudsman investigations Notifying the Ombudsman of any action taken or proposed to be taken in consequence of a report of the Ombudsman.	DBS, GM	
Section 35B	Ombudsman investigations Applying to the Supreme Court for a determination as to the jurisdiction of the Ombudsman to conduct an investigation.	DBS, GM	

Pesticides Act 1999

Pesticides Act 1999			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation Exercise of all functions given to council in its capacity as a public authority under the Pesticides Act 1999 that may be legally delegated.	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Section 5A	Prescribed pesticide work Carrying out of any 'prescribed pesticide work', including employing or engaging persons to carry out the activities for the Council.	GM	
Section 20	Clean-up by public authorities Taking such clean-up action as the council considers necessary in relation to any pesticide pollution incident.	GM	
Section 28	Compliance cost notices Recovering by notice in writing the cost of clean-up action taken by the council on its own initiative in relation to a pesticide pollution incident.	GM	

Pesticides Act 1999			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 29	Recovery of amounts Recovering the cost of clean-up action taken by the council on its own initiative in relation to a pesticide pollution incident as a debt in a court of competent jurisdiction.	GM	
Section 30	Registration of compliance cost notices in relation to land Applying to the Registrar-General for registration of a compliance cost notice in relation to any land owned by the person to whom the notice was issued.	GM	
Section 96	Recovery of costs, expenses and compensation after offence proved Recovering, in the Land and Environment Court, costs and expenses and/or compensation for loss or damage to property incurred by the Council in connection with an offence committed under the Act.	GM	

Pesticides Regulation 2017

Pesticides Regulation 2017			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation Exercise of all functions of a public authority under the Regulation that may be legally delegated.	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Part 5, Division 2	Obligations on public authorities concerning use of pesticide Completing a pesticide use notification plan and notifying the EPA and the public of the use of pesticides. Notes: Contents, notification and amendments of plan to be accordance with Regulations	GM	

Plumbing and Drainage Act 2011

Plumbing and Drainage Act 2011			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	<p>General delegation – all functions under the Plumbing and Drainage Act 2011</p> <p>Exercise of all functions of council under the Act that may be legally delegated.</p>	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Various	<p>Delegation</p> <p>Exercising functions of the plumbing regulator delegated to the Council.</p>	GM	The sub-delegation of any function delegated to the Council by the plumbing regulator can only be to the general manager of the Council or executive officer of the joint organisation or a person engaged as a contractor by the council or joint organisation whom the council or joint organisation considers has the necessary skills, knowledge or experience to exercise the function. (s 21)
12	Inspecting drainage work	DSS, UE	A Council only has this power if it has been delegated this power by the plumbing regulator in accordance with s21.

Plumbing and Drainage Act 2011			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	<p>Inspecting any plumbing and drainage work for the purpose of monitoring compliance with the Act</p> <p>Note: S13(3) the responsible person must be advised of the inspection window and to make the works accessible prior to it being carried out</p>		
s.14 – various	<p>General delegation - Rectification of defective plumbing and drainage</p> <p>Directing the responsible person, by written notice to do any of the things specified in clause 14 necessary to rectify defective plumbing and drainage</p>	DSS, UE	A Council only has this power if it has been delegated this power by the plumbing regulator in accordance with s21.
14	<p>Defective plumbing and drainage works</p> <p>Directing the responsible person, by written notice to carry out repairs of work done otherwise than in a proper and skilful manner</p>	DSS, UE	A Council only has this power if it has been delegated this power by the plumbing regulator in accordance with s21.

Plumbing and Drainage Act 2011			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	<p>Notes: S13(3) the responsible person must be advised of the inspection window and to make the works accessible prior to it being carried out</p> <p>A direction is of no effect if issued more than 2 years after the plumbing and drainage work to which it related has been completed.</p>		
14	<p>Defective plumbing and drainage works</p> <p>Directing the responsible person, by written notice to make work code compliant</p> <p>Notes: S13(3) the responsible person must be advised of the inspection window and to make the works accessible prior to it being carried out</p> <p>A direction is of no effect if issued more than 2 years after the plumbing and drainage work to which it related has been completed.</p>	DSS, UE	A Council only has this power if it has been delegated this power by the plumbing regulator in accordance with s21.

Plumbing and Drainage Act 2011			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
14	<p>Defective plumbing and drainage works</p> <p>Directing the responsible person, by written notice to repair a defective fitting used in any of the work done</p> <p>Notes: S13(3) the responsible person must be advised of the inspection window and to make the works accessible prior to it being carried out</p> <p>A direction is of no effect if issued more than 2 years after the plumbing and drainage work to which it related has been completed.</p>	DSS, UE	A Council only has this power if it has been delegated this power by the plumbing regulator in accordance with s21.
14	<p>Defective plumbing and drainage works</p> <p>Directing the responsible person, by written notice to replace an unauthorised fitting in the work done with an authorised fitting</p>	DSS, UE	A Council only has this power if it has been delegated this power by the plumbing regulator in accordance with s21.

Plumbing and Drainage Act 2011

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	<p>Notes: S13(3) the responsible person must be advised of the inspection window and to make the works accessible prior to it being carried out</p> <p>A direction is of no effect if issued more than 2 years after the plumbing and drainage work to which it related has been completed.</p>		
14	<p>Defective plumbing and drainage works</p> <p>Directing the responsible person, by written notice to disconnect the supply of water to part or all of the premises if there is a risk to public health</p> <p>Notes: S13(3) the responsible person must be advised of the inspection window and to make the works accessible prior to it being carried out</p> <p>A direction is of no effect if issued more than 2 years after the plumbing and drainage work to which it related has been completed.</p>	DSS, UE	A Council only has this power if it has been delegated this power by the plumbing regulator in accordance with s21.

Plumbing and Drainage Act 2011			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
14	<p>Defective plumbing and drainage works</p> <p>Directing the responsible person, by written notice to disconnect a sanitary plumbing or drainage system from a sewer if there is a risk to public health</p> <p>Notes: S13(3) the responsible person must be advised of the inspection window and to make the works accessible prior to it being carried out</p> <p>A direction is of no effect if issued more than 2 years after the plumbing and drainage work to which it related has been completed.</p>	DSS, UE	A Council only has this power if it has been delegated this power by the plumbing regulator in accordance with s21.
20	<p>Authorisation of fittings</p> <p>Authorising fittings that may be used or are not to be used in plumbing and drainage work by order published in the gazette</p>	DSS, UE	

Plumbing and Drainage Act 2011

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Note: S13(3) the responsible person must be advised of the inspection window and to make the works accessible prior to it being carried out		
20	<p>Authorisation of fittings</p> <p>Authorising fittings that may be used or are not to be used in plumbing and drainage work by order published in the gazette</p> <p>Note: S13(3) the responsible person must be advised of the inspection window and to make the works accessible prior to it being carried out</p>	DSS, UE	
22	<p>Appointment of inspectors</p> <p>Appointing an eligible person as an inspector</p>	GM	<p>A Council only has this power if it has been delegated this power by the plumbing regulator in accordance with s21.</p> <p>Persons eligible for appointment as an inspector are: members of the Government Service, or</p>

Plumbing and Drainage Act 2011			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Note: S13(3) the responsible person must be advised of the inspection window and to make the works accessible prior to it being carried out		officer or employee of a local council, joint organisation or county council, or a person, or an officer or employee of a person, to whom the functions of the plumbing regulator have been delegated under this Act, or an investigator under the Fair Trading Act 1987.
23	<p>Appointment of enforcement officers</p> <p>Appointing an eligible person as an enforcement officer</p> <p>Note: S13(3) the responsible person must be advised of the inspection window and to make the works accessible prior to it being carried out</p>	GM	<p>A Council only has this power if it has been delegated this power by the plumbing regulator in accordance with s21.</p> <p>Persons eligible for appointment as an inspector are: members of the Government Service, or an officer or employee of a local council, joint organisation or county council, or an investigator under the Fair Trading Act 1987.</p>
31	Notice of entry	DSS, UE	Notice is not required for non-residential premises where consent of the owner or occupier is obtained, if entry is for the purposes of carrying out an inspection of plumbing and drainage work under Division 3 of Part 2 and the plumbing

Plumbing and Drainage Act 2011

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	<p>Notifying the owner or occupier of premises in writing before an enforcement officer enters the premises of the intention to enter the premises.</p> <p>Note: S13(3) the responsible person must be advised of the inspection window and to make the works accessible prior to it being carried out</p>		<p>regulator has advised the responsible person for the work that it will be carrying out the inspection, or if entry is required urgently and the case is one in which the plumbing regulator has authorised in writing (either generally or in a particular case) entry without notice, or under a search warrant.</p>
32	<p>Use of force</p> <p>Authorising the reasonable use of force for the purpose of gaining entry to non-residential premises in writing, in respect of the particular entry concerned and by specifying the circumstances which are required to exist before force may be used</p> <p>Notes: The authority must be in the form required by s,32(2)</p> <p>S13(3) the responsible person must be advised of the inspection window and to make the works accessible prior to it being carried out</p>	GM	<p>22(3) does not apply where entry is in accordance with a search warrant</p>

Plumbing and Drainage Act 2011

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
33	<p>Notification of use of force</p> <p>Notifying such persons or authorities as appear appropriate in the circumstances where an enforcement officer uses force for the purpose of gaining entry to a premises or enters in the case of an emergency without giving written notice to the owner or occupier.</p> <p>Note: S13(3) the responsible person must be advised of the inspection window and to make the works accessible prior to it being carried out</p>	GM	
37	<p>Care to be taken</p> <p>Providing where necessary other means of access in place of any access taken away or interrupted by an authorised person</p>	DSS, UE	

Plumbing and Drainage Act 2011			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Note: S13(3) the responsible person must be advised of the inspection window and to make the works accessible prior to it being carried out		
37	<p>Care to be taken</p> <p>Fencing and keeping secure any pit, trench, hole or bore made in the exercise of a function under Part 4 of the Act</p> <p>Note: S13(3) the responsible person must be advised of the inspection window and to make the works accessible prior to it being carried out</p>	DSS, UE	By written notice the responsible person for the plumbing and drainage work that is the subject of the inspection may be made the responsible person to carry out such works.
38	<p>Recovering costs</p> <p>Recovering the reasonable costs of entry and inspection from the owner or occupier of the premises or the responsible person for the plumbing and drainage work that is the subject of the inspection if an</p>	DBS	

Plumbing and Drainage Act 2011			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	<p>authorised person has entered premises for the purposes or an inspection and as a result of that inspection requires work to be done.</p> <p>Note: S13(3) the responsible person must be advised of the inspection window and to make the works accessible prior to it being carried out</p>		
47	<p>Providing Information to Plumbing Regulator</p> <p>Providing information to the plumbing regulator if the plumbing regulator considers the provision of the information is necessary to exercise his or her functions.</p>	DSS, UE	
47	<p>Providing information</p> <p>Providing information obtained in connection with administration of this Act in the role of plumbing regulator to a local council, joint organisation or county council if the council or joint organisation</p>	DSS, UE	

Plumbing and Drainage Act 2011

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	<p>considers the provision of the information is necessary to enable the council or joint organisation to exercise its functions to a network utility operator if the network utility operator considers the provision of the information is necessary to enable the operator to exercise its functions, or to the Ministry of Health if the Ministry considers the provision of the information is necessary to prevent, or otherwise relates to, a risk to public health.</p> <p>Note: S13(3) the responsible person must be advised of the inspection window and to make the works accessible prior to it being carried out</p>		

Plumbing and Drainage Regulation 2017

Plumbing and Drainage Regulation 2017			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	<p>General delegation – all functions under the Plumbing and Drainage Regulation 2017</p> <p>Exercise of all functions of council under the Regulation that may be legally delegated.</p>	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Section 10	<p>Additional information requests for proposed performance solutions</p> <p>Issuing the responsible person for the work under section 9 of the Act a notice in writing requiring the person to provide the following documents:</p> <p>(a) expert assessments of a type specified in the notice in relation to the proposed performance solution;</p> <p>(b) information of a type specified in the notice in relation to the qualifications of experts whose advice on the proposed performance solution was relied on by the responsible person;</p>	EHO/BS, SP	<p>A Council will only have this power if it is exercising the functions of the plumbing regulator in accordance with s21 of the Plumbing and Drainage Act 2011.</p> <p>The notice must be issued not later than 15 business days after receiving a notice of work under section 9 of the Act.</p>

Plumbing and Drainage Regulation 2017

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	(c) information of a type specified in the notice as to the design and suitability of the proposed performance solution.		
Section 13	<p>Fees</p> <p>Waiving, reducing or refunding payment of (or postponing the requirement to pay) any fee, or part of any fee, set out in Schedule 1.</p>	DSS	A Council will only have this power if it is exercising the functions of the plumbing regulator in accordance with s21 of the Plumbing and Drainage Act 2011.

Poisons and Therapeutic Goods Regulation 2008

Poisons and Therapeutic Goods Regulation 2008			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	<p>General delegation – all functions under the Poisons and Therapeutic Goods Regulation 2008</p> <p>Exercise of all functions of council under the Regulation that may be legally delegated.</p>	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Clause 65	<p>Nomination of authorised person under the Poisons and Therapeutic Goods Regulation 2008</p> <p>Nominating an authorised person for the purposes of administering pentobarbitone sodium for the destruction of animals.</p>	GM	

Privacy and Personal Information Protection Act 1998

Privacy and Personal Information Protection Act 1998			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation – all functions under the Privacy and Personal Information Protection Act 1998 Exercise of all functions of council under the Act that may be legally delegated.	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Section 3	Investigative agency Carry out the functions of an investigative agency	DBS	The exercise of investigative functions must be authorised by an Act or statutory rule (or authority must be necessarily implied or reasonably contemplated under an Act or statutory rule) and be exercised in circumstances where the exercise of those investigative functions may result in action or proceedings being taken against a person or body under investigation
Various	Privacy Principles Complying with the privacy of personal information principles under the Privacy and Personal Information Protection Act	DBS	

Privacy and Personal Information Protection Act 1998

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 8	Collection of personal information Collecting personal information that is reasonably necessary for a lawful purpose that is directly related to a function or activity of Council	DBS	Personal information must not be collected unlawfully
Section 9	Collection of personal information Collecting personal information directly from the individual to which the information relates Notes: If the personal information relates to someone under 16: personal information may also be provided by a parent or guardian, not the individual themselves Council may collect information from someone else, so long as the individual to which the information relates has authorised the collection	DBS	
Section 10	Collection of personal information	DBS	

Privacy and Personal Information Protection Act 1998			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Taking steps which are reasonable in the circumstances to ensure that before collection, or as soon as practicable after, the individual to which the information relates is aware of listed criteria		
Section 11	Collection of personal information Taking steps which are reasonable in the circumstances (having regard to the purposes for which the information is collected) to ensure that information is relevant to that purpose, is not excessive, and is accurate, up to date and complete	DBS	Council must not use the information collected unless they take reasonable steps to satisfy that it is relevant, accurate, up to date, complete and not misleading (Section 16 of the Privacy and Personal Information Protection Act).
Section 11	Collection of personal information Taking steps which are reasonable in the circumstances (having regard to the purposes for which the information is collected) to ensure that collection does not intrude to an unreasonable extent on the personal affairs of the individual to whom the information relates	DBS	
Section 12	Retention of personal information Ensuring that the information is kept for no longer than is necessary for the purposes for which the information may lawfully be used	DBS	

Privacy and Personal Information Protection Act 1998

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 12	Retention of personal information Ensuring that the information is disposed of securely and in accordance with any requirements for the retention and disposal of personal information	DBS	
Section 12	Retention of personal information Ensuring that the information is protected by taking such security safeguards as are reasonable in the circumstances	DBS	
Section 12	Retention of personal information Council must do everything reasonably within its power to prevent unauthorised use or disclosure of the information if it is necessary for the information to be given to a person in connection with the provision of a service to the agency	DBS	
Section 13	Information about personal information Taking steps that are reasonable in the circumstances to enable any person to ascertain whether the agency holds personal information,	DBS	

Privacy and Personal Information Protection Act 1998

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	<p>and whether the agency holds personal information relating to that person.</p> <p>Note: S23A(1) compliance with s13 not required if compliance would reveal to the public that ASIO had requested, or been provided with, information about a person.</p>		
Section 13	<p>Information about personal information</p> <p>Taking steps that are reasonable if Council does hold information which relates to an individual to enable any person to ascertain the nature of that information; the main purposes for which the information is used; and that person's entitlement to gain access to the information.</p> <p>Note: S23A(1) compliance with s13 not required if compliance would reveal to the public that ASIO had requested, or been provided with, information about a person.</p>	DBS	

Privacy and Personal Information Protection Act 1998

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 14	<p>Access to personal information</p> <p>Providing an individual to which the information relates, access to that information when they request so, without excessive delay or expense</p> <p>Note: S23A(1) compliance with s14 not required if compliance would reveal to the public that ASIO had requested, or been provided with, information about a person.</p>	DBS	
Section 15	<p>Alteration of personal information</p> <p>Making appropriate amendments to personal information held by Council, at the request of the individual to whom the information relates, to ensure the information is accurate, and having regard to the purpose for which the information was collected (or is to be used) and to any purpose that is directly related to that purpose, is relevant, up to date, complete and not misleading</p>	DBS	
Section 15	Alteration of personal information	DBS	

Privacy and Personal Information Protection Act 1998

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Taking reasonable steps to attach to the information any statement provided by that individual in such a manner as is capable of being read with the information about the amendment sought, if requested by the individual concerned		
Section 17	Limits on use of personal information Using the information collected only for the purpose for which it was collected, unless the circumstances fall into one of the listed exceptions	DBS	
Section 18	Limits on disclosure of personal information Disclosing personal information only to the person to which the information relates, unless the circumstances fall into one of the listed exceptions for which Council can validly disclose personal information to another person or body Note: S23A(2) compliance with s18 not required if disclosure requested by Director General of ASIO for a purpose related to ASIO's functions for which it is reasonably necessary and is	DBS	

Privacy and Personal Information Protection Act 1998

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	disclosed to an officer of or employee of ASIO authorised in writing to receive the information by the Director-General		
Section 19	Special restrictions on the disclosure of information Disclosing personal information about an individual to any person or body outside of NSW jurisdiction (including Commonwealth jurisdiction) where certain listed criteria are satisfied	DBS	
Part 2, Division 3	Exemptions to compliance with privacy principles Non-compliance with statutory obligations by Council, acting as either a public sector agency or investigative agency, is permitted in specific circumstances	DBS	
Section 31	Making privacy codes of practice Preparing a draft privacy code of practice. Includes consulting with other appropriate bodies and submitting the draft code to the Minister.	DBS	
Section 33	Making privacy management plans	DBS	

Privacy and Personal Information Protection Act 1998

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Preparing, implementing and amending a privacy management plan and providing a copy to the Privacy Commissioner.		
Section 53	<p>Review of conduct</p> <p>Conducting internal reviews, deciding what action to take after a review and notifying the applicant of the decision.</p>	DBS	The person who conducts the internal review must be as far as practicable someone who was not substantially involved in any matter relating to the conduct the subject of the application, is an employee or officer of the council and is otherwise suitably qualified to deal with the application: section 53(4).
Section 54	<p>Review of conduct</p> <p>Notifying the Privacy Commissioner of an application for internal review, keeping the Commissioner informed of the progress of the review and informing them of the outcome.</p>	DBS	
Section 54	<p>Review of conduct</p> <p>Requesting the Privacy Commissioner to undertake an internal review on behalf of the council or make a report to the council in relation to the application for review.</p>	DBS	
Section 57	Public registers	DBS	

Privacy and Personal Information Protection Act 1998

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Requiring a person who applies to inspect personal information in a public register to give a statutory declaration as to the intended use of that information		
Section 58	Public registers Suppressing information in a public register upon request by the person to whom the information relates.	DBS	

Protection of the Environment (Clean Air) Regulation 2010

Protection of the Environment (Clean Air) Regulation 2010			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	<p>General delegation – all functions under the Protection of the Environment (Clean Air) Regulation 2010</p> <p>Exercise of all functions of council under the Regulation that may be legally delegated.</p>	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Regulation 13	<p>Approval for certain fires or incinerators</p> <p>Granting approval for the burning of dead and dry vegetation.</p> <p>(This function can only be exercised by the councils specified in Schedule 8, Part 2 of the Protection of the Environment (Clean Air) Regulation 2010.)</p>	DSS, GM	

Protection of the Environment (General) Regulation 2009

Protection of the Environment (General) Regulation 2009			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	<p>General delegation – all functions under the Protection of the Environment (General) Regulation 2009</p> <p>Exercise of all functions of council under the Regulation that may be legally delegated.</p>	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Regulation 81	<p>Appointing authorised officers</p> <p>Authorising members of council staff to be enforcement officers for the purpose of issuing penalty notices under section 224 of the Act.</p>	DSS, GM	

Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2019

Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2019			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	<p>General delegation – all functions under the Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2019</p> <p>Exercise of all functions of council under the Regulation that may be legally delegated.</p>	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Regulation 29	<p>Exemptions</p> <p>Exempting a person or a class of persons specified in a written order, from any provision of the Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2019 specified in the order to the extent that the provision applies to the person or class in respect of any storage system specified in the order.</p>	GM	This function can only be exercised if the Council is the appropriate regulatory authority)

Protection of the Environment Operations Act 1997

Protection of the Environment Operations Act 1997			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation - all functions under the Protection of the Environment Operations Act 1997 Exercise of all functions of council under the Act that may be legally delegated.	DSS	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Chapter 4, Parts 4.1-3, 4.5 and 4.6.	General delegation - issuing clean-up and prevention notices Issuing clean-up and prevention notices. Includes associated functions such as issuing compliance costs notices, bringing court proceedings to recover unpaid compliance costs as a debt, registering a compliance cost notice in relation to land on the title to the land, revoking or varying notices, carrying out the terms of a notice, extending or waiving in whole or part the fee payable to council in connection with a clean-up or prevention notice, etc.	DSS, EHO/BS	
Section 91	Issuing clean-up and prevention notices Issuing clean-up notices.	DSS, EHO/BS	

Protection of the Environment Operations Act 1997

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 92	<p>Issuing clean-up and prevention notices</p> <p>Taking such clean-up action as it considers necessary if it reasonably suspects that a pollution incident has occurred or is occurring.</p> <p>(Clean-up action can be taken by council through its employees, agents or contractors: section 92.)</p>	DSS, EHO/BS	
Section 94	<p>Issuing clean-up and prevention notices</p> <p>Extending the time for payment of or waiving in whole or part the fee for a clean-up notice.</p>	DSS, EHO/BS	
Section 96	<p>Issuing clean-up and prevention notices</p> <p>Issuing prevention notices.</p>	DSS, EHO/BS	
Section 98	<p>Issuing clean-up and prevention notices</p> <p>Taking action to cause a prevention notice to be complied with if the person to whom it is issued does not comply.</p>	DSS, EHO/BS	

Protection of the Environment Operations Act 1997			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	(Action can be taken by council through its employees, agents or contractors: section 98.)		
Section 100	Issuing clean-up and prevention notices Extending the time for payment of or waiving in whole or part the fee for a prevention notice.	DSS, EHO/BS	
Section 104	Issuing clean-up and prevention notices Issuing compliance cost notices.	DSS, EHO/BS	
Section 105	Issuing clean-up and prevention notices Bringing court proceedings to recover unpaid amounts specified in compliance cost notices as a debt.	DSS, GM	
Section 106	Issuing clean-up and prevention notices Applying to the Registrar-General for registration of a compliance cost notice in relation to any land owned by the person to whom the notice was issued	DSS, EHO/BS	

Protection of the Environment Operations Act 1997			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 110	Issuing clean-up and prevention notices Revoking or varying notices.	DSS, EHO/BS	
Section 135D	Smoke abatement notices Revoking smoke abatement notices issued by authorised officers of council.	DSS	
Sections 187	Appointing authorised officers Appointing council officers or employees, or the officers or employees of another council, as authorised officers for the purposes of the POEO Act.	DSS	A reference to the POEO Act in Chapter 7 of the POEO Act is taken to include a reference to each of the additional Acts listed in s.186.
Section 189	Appointing authorised officers Providing authorised officers with identification cards	DSS, EHO/BS	
Sections 192 and 212A	Investigations Requiring a person, by written notice, to furnish information or records in relation to any matter regarding the council's responsibilities or functions under the POEO and revoking or varying such a notice.	DSS, EHO/BS	

Protection of the Environment Operations Act 1997

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 200	Investigations Requiring the owner or occupier of premises to provide an authorised officer with reasonable assistance and facilities while entering or searching the premises.	DSS, EHO/BS	
Section 202	Investigations Compensating interested parties for any damage caused by an authorised officer in exercising a power of entering premises.	DSS, GM	
Sections 203 and 212A	Investigations Requiring a corporation to nominate a director or officer to be the corporation's representative for the purpose of answering questions including revoking or varying such a requirement.	DSS, EHO/BS	
Section 212C	Action by Council where it is not the appropriate regulatory authority Notifying the appropriate regulatory authority if the council exercises functions for which it is not the appropriate regulatory authority.	DSS, EHO/BS	
Section 212C	Action by Council where it is not the appropriate regulatory authority	DSS, EHO/BS	

Protection of the Environment Operations Act 1997			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Directing a regulatory authority not to exercise functions for which the council is the appropriate regulatory authority.		
Sections 217, 218 and 219	<p>Court proceedings</p> <p>Bringing criminal proceedings for offences against the POEO Act or Regulations.</p> <p>(Under section 217, proceedings can be brought by the “appropriate regulatory authority”. Under section 218, proceedings can be brought by a “local authority”. Under section 219 “any person” can bring proceedings with leave of the Land and Environment Court.</p> <p>Note: under section 218A and 220, this function can be exercised by agents of the council appointed for that purpose or officers and employees of council.)</p>	DSS, GM	
Section 252	<p>Court proceedings</p> <p>Bringing civil proceedings to remedy or restrain a breach of the POEO Act or the regulations and giving the EPA notice of those proceedings.</p>	DSS, GM	

Protection of the Environment Operations Act 1997			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	(Proceedings can be brought under this section by “any person”.)		
Section 253	<p>Court proceedings</p> <p>Bringing civil proceedings to remedy or restrain a breach or threatened breach of any other Act where that breach is or is likely to cause harm to the environment and notifying the EPA of those proceedings.</p> <p>(Proceedings can be brought under this section by “any person”.)</p>	DSS, GM	
Chapter 8, Part 8.6, Division 1	<p>General delegation - issuing noise control notices</p> <p>Issuing noise control notices. Includes associated functions such as varying or revoking noise control notices, issuing compliance costs notices, bringing court proceedings to recover unpaid compliance costs as a debt, extending the time for payment of the fee associated with the issue of a noise control notice or varying the fee in whole or part.</p>	DSS, EHO/BS	
Section 264	<p>Issuing noise control notices</p> <p>Issuing noise control notices.</p>	DSS, EHO/BS	

Protection of the Environment Operations Act 1997

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 266	Issuing noise control notices Revoking or varying a noise control notice.	DSS, EHO/BS	
Section 267A	Issuing noise control notices Extending the time for payment of or waiving in whole or part the fee for a noise control notice.	DSS, EHO/BS	
Section 267B	Issuing noise control notices Issuing compliance cost notices in relation to a noise control notice.	DSS, EHO/BS	
Section 267B	Issuing noise control notices Bringing court proceedings to recover the amount specified in a compliance cost notice, issued in relation to a noise control notice, as a debt.	DSS, EHO/BS	
Section 308	Public register Keeping a public register relating to the council's actions under the POEO Act.	DSS, EHO/BS	
Section 316	Disputes between Council and EPA	GM	

Protection of the Environment Operations Act 1997			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Referring a dispute between the council and the EPA to the Premier for settlement.		

Public Health (Tobacco) Act 2008

Public Health (Tobacco) Act 2008			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	<p>General delegation – all functions under the Public Health (Tobacco) Act 2008</p> <p>Exercise of all functions of council under the Act that may be legally delegated.</p>	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Section 49	Recovering costs payable under a Local Court order for tobacco advertising in contravention of the Act or the Regulations by commencing Court proceedings.	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.

Public Health Act 2010

Public Health Act 2010			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation – all functions under the Public Health Act 2010 Exercise of all functions of council under the Regulation that may be legally delegated.	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Section 4	Council responsibility for public health Taking appropriate measures to ensure compliance with the Public Health Act 2010 in relation to private water suppliers, water carters, public swimming pools and spa pools, regulated systems and premises on which skin penetration procedures are carried out.	DSS, EHO/BS	
Sections 4 and 126	Appointing authorised officers Appointing authorised officers to enable the council to exercise its functions under the Public Health Act 2010 and ensuring that these officers duly exercise their functions.	DSS, GM	
Section 25	Water quality assurance programs	DSS, UE	

Public Health Act 2010			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	<p>Establishing and implementing a water quality assurance program, and .providing a copy of Council's quality assurance program to the Secretary.</p> <p>(This is a function of council only where council is a “supplier of drinking water”. Under section 4, council is a supplier of drinking water if it is exercising water supply functions under Chapter 6, Part 3, Division 2 of the Local Government Act 1993.)</p>		
Section 44	<p>Improvement notices and prohibition orders</p> <p>Taking the action required under an improvement notice issued to the occupier of premises at which there is a regulated system or a public swimming pool or spa pool or premises at which a person carries out skin penetration procedures where the occupier of those premises fails to comply with the improvement notice.</p>	DSS, EHO/BS	
Section 45	<p>Improvement notices and prohibition notices</p> <p>Serving a prohibition order on the occupier of premises at which there is a regulated system or a public swimming pool or spa pool or premises at which a person carries out skin penetration procedures where the occupier of those premises has failed to comply with an improvement notice.</p>	DSS, EHO/BS	

Public Health Act 2010			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 45	<p>Improvement notices and prohibition notices</p> <p>Giving a certificate of clearance if, after an inspection of a premises subject to a prohibition order, an authorised officer of the council is satisfied that there is no serious danger to public health.</p>	DSS, EHO/BS	
Section 49	<p>Prohibition order</p> <p>Determining the amount of compensation payable by the council to a person to whom a prohibition order was issued by the council where the order was not made in good faith or there were no grounds for the order and the person suffered a loss as a result of the order,</p>	DSS, EHO/BS	
Section 110	<p>Investigations</p> <p>Directing a corporation to nominate a director or officer to represent the corporation for the purpose of answering questions.</p>	DSS, GM	

Public Health Act 2010

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 126	<p>Appointment of authorised officers</p> <p>Appointing a member of council staff to be an authorised officer, either generally or in relation to any particular function exercisable by authorised officers under this Act or the Local Government Act 1993 relating to public health.</p>	DSS, GM	

Public Health Regulation 2012

Public Health Regulation 2012			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation – all functions under the Public Health Regulation 2013 Exercise of all functions of council under the Regulation that may be legally delegated.	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Regulations 13Y, 20 and 32	Legionella control Maintaining registers of cooling - water systems and warm-water systems, public swimming pools and spa pools and premises where skin penetration procedures are carried out in its area and making it available for inspection by the Director-General and others.	DSS, EHO/BS	
Regulation 20	Register of public pools and spas Keeping a register of public swimming pools and spa pools (other than natural swimming pools) within the council's local government area.	DSS, EHO/BS	

Public Health Regulation 2012			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Regulation 20	<p>Register of public pools and spas</p> <p>Making the register of public pools and spas in the council's local government area available for inspection without charge to the Director-General, a public health officer or an officer of the Ministry of Health authorised by the Director-General.</p>	DSS, EHO/BS	
Regulation 34	<p>Quality assurance</p> <p>Providing the Director-General with a copy of the council's most recent quality assurance program.</p> <p>(This is a function of council only where council is a "supplier of drinking water". Under section 4, council is a supplier of drinking water if it is exercising water supply functions under Chapter 6, Part 3, Division 2 of the Local Government Act 1993.)</p>	DSS, EHO/BS	
Regulation 35	<p>Records regarding supply of drinking water</p> <p>Keeping a record of each water carter to which the council supplies water.</p>	DSS, EHO/BS	

Public Health Regulation 2012			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	(This is a function of council where council is a “supplier of drinking water”. Under section 4, council is a supplier of drinking water if it is exercising water supply functions under Chapter 6, Part 3, Division 2 of the Local Government Act 1993.)		
Regulation 48	Giving public notice of health risks Notifying the relevant public health officer of public health risks.	DSS, EHO/BS	
Regulation 96	Notices to the Director-General Providing the Director-General with information about improvement notices and prohibition orders.	GM	
Regulation 97	Fees Extending the time for payment or waiving all or part of a fee imposed by an improvement notice or a prohibition order.	DSS, EHO/BS	

Public Interest Disclosures Act 1994

Public Interest Disclosures Act 1994			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation – all functions under the Public Interests Disclosures Act 1994 Exercise of all functions of council under the Act that may be legally delegated.	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Section 6CA	Report to Ombudsman Providing a report to the Ombudsman on council's compliance with its obligations under the Act.	DBS	
Section 6D	Public interest disclosures policy Preparing a public interest disclosures policy.	DBS	
Section 6D	Public interest disclosures policy Providing a written copy of the policy and acknowledgement of the receipt of the disclosure to the person making the public interest disclosure. This does not apply to a	DBS	

Public Interest Disclosures Act 1994			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	disclosure made by a public official in their daily functions as such official, or while under statutory or legal obligation.		
Section 6E	<p>Head of public authority responsibilities</p> <p>General Manager of the council is responsible for ensuring there is a policy, staff are aware of the contents of the policy, ensuring compliance with the policy, and appointing someone responsible for receiving public interest disclosures for the council.</p>	DBS	
Section 20	<p>Reprisals</p> <p>Referral of evidence in relation to the commission of an offence of reprisal to the Commissioner of Police or the Independent Commission Against Corruption.</p>	DBS	
Section 20B	<p>Reprisals</p> <p>Applying to the Supreme Court, with the approval of the Attorney-General, for an injunction to prevent the commission of a reprisal offence under section 20 of the Act.</p>	DBS	
See section 27	Notification to person making disclosure	DBS	

Public Interest Disclosures Act 1994			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Notifying the person who made a disclosure of the action or proposed action to be taken in respect of the disclosure.		

Public Works and Procurement Act 1912

Public Works and Procurement Act 1912			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	<p>General delegation – all functions under the Public Works and Procurement Act 1912</p> <p>Exercise of all functions of council under the Act that may be legally delegated.</p>	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Section 153(2)	<p>National works</p> <p>Maintaining, managing and administering works handed over to the council by the Minister</p>	GM	
Section 154(4)	National works	GM	

Public Works and Procurement Act 1912			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Maintaining, managing and administering works handed over to the council by the Transport for NSW.		
Section 157(2)	<p>Agent of Minister</p> <p>Acting as the Minister's agent where national work concerned is partly outside the council's area</p>	GM	157(1) The Minister may appoint a council as the Minister's agent for the care, control and management of a national work.
Section 157(3)	<p>Agent of Minister</p> <p>Taking legal proceeding's in the Council's its own name to recover penalties for offences related to a national work whilst acting as the Minister's agent</p>	GM	157(1) The Minister may appoint a council as the Minister's agent for the care, control and management of a national work.

Public Works and Procurement Regulation 2019

Public Works and Procurement Regulation 2019			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation – all functions under the Public Works and Procurement Regulation 2019 Exercise of all functions of council under the Act that may be legally delegated.	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Clause 6	Procurement arrangements for other public bodies Entering into an agreement with the New South Wales Procurement Board relating to the procurement of goods and services by and for the Council.	GM	

NSW Real Property Act 1900

Real Property Act 1900			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation – all functions under the Real Property Act 1900 Exercise of all functions of council under the Act that may be legally delegated.	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Section 135B	Application may be made for a boundary determination Making an application to the Registrar-General for the determination under Part 14A of the Real Property Act 1900 of the position of the common boundary of adjoining lands.	GM	Section 135D sets out the requirement for an application for a boundary determination under this Part.
Section 135J	Appeals to Land and Environment Court Appealing to the Land and Environment Court of NSW for the determination by the Court of the position of the boundary.	GM	An appeal must be made not later than 28 days after notice of the Registrar-General's determination is given. A Council which is not the owner of one of the parcels of land in relation to which the boundary determination is being appealed must join each owner of land adjoining the boundary as a party to the proceedings outlined in subsection 135J(3A).

Residential Tenancies Regulation 2019

Residential Tenancies Regulation 2019			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation – all functions under the Residential Tenancies Regulation 2019 Exercise of all functions of council under the Act that may be legally delegated.	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Clause 25	Refuge or crisis accommodation Providing refuge or crisis accommodation to a person under an agreement, Note: This agreement is exempt from the operation of this Act unless agreed in writing between the parties that the agreement is not to be exempt	GM	
Clause 25	Refuge or crisis accommodation Providing a referral to the owner or operator of a caravan park under an agreement that the accommodation in the caravan park is required for temporary refuge or temporary crisis accommodation	GM	

Residential Tenancies Regulation 2019

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Note: This agreement is exempt from the operation of this Act unless agreed in writing between the parties that the agreement is not to be exempt		
Clause 25	Refuge or crisis accommodation Extending the referral by written request to the owner or operator of the caravan park, for the owner or operator to continue providing temporary refuge or temporary crisis accommodation in the caravan park to the person	GM	

Road Transport (General) Act 2005

Road Transport (General) Act 2005			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation – all functions under the Road Transport (General) Act 2005 Exercise of all functions of council under the Act that may be legally delegated.	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Section 28	Vehicle mass restrictions Putting up signs prohibiting vehicles of a certain mass from travelling of roads, bridges and causeways and from using a road-ferry.	DSS	
Sections 210	Applying for a roads compensation order Applying to the court for a roads compensation order for damage to road infrastructure incurred by council as the result of an offence against the Act. (This is a function of council only in relation to roads for which it is the “roads authority”. Council is the roads authority for all public roads in its area other than any freeway or	DSS	

Road Transport (General) Act 2005			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Crown road and any public road for which some other public authority is declared by the regulations to be the roads authority: section 7 of the Roads Act 1993.)		
Section 211	Applying for a roads compensation order Issuing a certificate to be used in evidence in proceedings brought by council for a roads compensation order that states that council maintains the road concerned.	DSS	
Section 212	Applying for a roads compensation order Serving on a defendant a copy of a certificate to be used by the council in evidence in proceedings brought by council for a roads compensation order that states that council maintains the road concerned.	DSS	

Road Transport (General) Regulation 2013

Road Transport (General) Regulation 2013			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	<p>General delegation – exercise of all functions under the Regulation relating to parking</p> <p>Exercising all of the functions of the council in relation to parking under the Regulation.</p> <p>(Council has functions as a ‘parking authority’ in relation to parking within its local government area at Part 5 of the Regulation)</p>	DSS, GM	
Regulation 60	<p>Establishing and operating metered parking schemes</p> <p>Establishing and operating a metred parking scheme for a road within council’s area of operation including setting aside metered parking spaces and installing parking metres.</p>	GM	The fixing of a fee for a parking space can only be done by resolution of the council: reg 60(3) and s377(1)(e) of the Local Government Act 1993.

Road Transport (General) Regulation 2013			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Regulation 65	Establishing and operating metered parking schemes Temporarily closing a metered parking space	ACO, DSS	
Regulation 66	Establishing and operating– ticket parking schemes Establishing and operating a ticket parking scheme including setting aside ticket parking areas and installing devices for use in connection with the payment of fees for using such spaces.	GM	The fixing of a fee for a parking space can only be done by resolution of the council: reg 66(3) and s377(1)(e) of the Local Government Act 1993.
Regulation 72	Establishing and operating ticket parking schemes Temporarily closing a ticket parking space.	ACO, DSS	
Regulation 73	Establishing and operating coupon parking schemes Establishing a coupon parking scheme including setting aside coupon parking areas, adopting such means of and schemes for payment of fees for using coupon parking spaces, and installing devices for use in connection with the payment of such fees.	GM	The fixing of a fee for a parking space can only be done by resolution of the council: reg 73(3) and s377(1)(e) of the Local Government Act 1993.

Road Transport (General) Regulation 2013

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Regulation 74	Establishing and operating coupon parking schemes Issuing of prepaid parking coupons for use within council's area of operations.	ACO, DSS	
Regulation 77	Establishing and operating coupon parking schemes Temporarily closing a coupon parking areas or space.	ACO, DSS	
Regulation 78	Establishing and operating phone parking schemes Establishing and operating a phone parking scheme including setting aside an area as a phone parking area, setting aside metered, ticket or coupon parking space as a phone parking space, and adopting such schemes for the payment of phone parking fees as approved by Transport for NSW.	GM	The fixing of a fee for a parking space can only be done by resolution of the council: reg 78(3) and s377(1)(e) of the Local Government Act 1993.
Regulation 81	Establishing and operating phone parking schemes Temporarily discontinuing or closing a phone parking area or space.	ACO, DSS	

Road Transport (General) Regulation 2013

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Regulation 82	Establishing and operating common pay parking schemes Agreeing with one or more other councils concerning the establishment of ticket, phone or coupon parking schemes on a common payment basis.	GM	The fixing of a fee for a parking space can only be done by resolution of the council: reg 82(2) and s377(1)(e) of the Local Government Act 1993.
Regulation 95	Parking permits Issuing of parking permits.	ACO, DSS	
Regulation 148	Mass requirements on certain roads and bridges Conspicuously displaying on or adjacent to a road, bridge, or road-ferry concerned a limit notice prohibiting vehicles with a laden mass exceeding a specified maximum from passing along or over a road, bridge, or causeway, or from using a road-ferry maintained in connection with a road.	DSS	

Road Transport (Safety and Traffic Management) Act 1999

Road Transport (Safety and Traffic Management) Act 1999			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation - all functions under the Road Transport (Safety and Traffic Management) Act 1999 Exercise of all functions of council under the Act that may be legally delegated.	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Section 75	Appointing authorised officers Appointing authorised officers for the purpose of the removing dangers and obstructions to traffic on a road or road related area within council's local government area.	DSS	
Section 75	Court proceedings Bringing court proceedings to recover the cost of the removal of dangers or obstructions to traffic on a road or a road related area.	DSS	

Roads Act 1993

Roads Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	<p>General delegation - all functions under the Roads Act 1993</p> <p>Exercise of all functions of council under the Act that may be legally delegated.</p> <p>(All of the functions of council under the Act in its capacity as a “roads authority” do not need to be delegated. Under section 253, “employees”, “agents” and “independent contractors” of a roads authority have express power to carry out any of its functions. Council is the roads authority for all public roads in its area other than any freeway or Crown road and any public road for which some other public authority is declared by the regulations to be the roads authority.)</p>	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Sections 9, 10, 16 and 17	<p>General delegation - creating public roads</p> <p>Creating public roads by registering a plan of subdivision or other plan or by publishing notice of the dedication of council land as public road in the</p>	DSS	

Roads Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Government Gazette. Includes all associated functions such as satisfying notification requirements.		
Section 9	<p>Creating public roads</p> <p>Creating a public road by registering a plan of subdivision or other plan that bears a statement of intention to dedicate specified land as a public road.</p> <p>(This can be done by “a person”.)</p>	DSS	
Section 10	<p>Creating public roads</p> <p>Dedicating council land as a public road.</p>	DSS	
Section 16	<p>Creating public roads</p> <p>Dedicating land that is set aside for the purposes of a road left in a subdivision of land effected before 1 January 1907 or in a plan of subdivision that was registered before 1 January 1920 as a public road.</p>	DSS	
Section 17	Creating public roads	DSS	

Roads Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Giving notice of council's intention to dedicate land as a public road to the owner of the land.		
Section 37	Closing public roads Determining whether or not to consent to the closure of a public road by the Minister.	DSS	
Section 86	Road work Carrying out work or directing the owner to carry out work at a private road to prevent the road from becoming unsafe or unsightly. Where council carries out the work, this function includes apportioning the cost of the work between the owners of the land.	GM	Council cannot delegate the functions of fixing the amount or rate for the carrying out of work on private land or deciding to carry out work on private for less than the amount or rate fixed by council: sections 377(1)(m) and (n) of the Local Government Act 1993.
Section 88	Tree Felling Removing or lopping any tree or other vegetation that is on or overhanging a public road if, in its opinion, it is necessary to do so for the purpose of carrying out road work or removing a traffic hazard.	DSS	

Roads Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Sections 125 and 126	<p>Footway restaurant approvals</p> <p>Granting approval for the use part of a public road for restaurant purposes. Includes the erecting by council itself or the authorising of the erection and maintenance of structures in, on or over any part of the road the subject of the approval.</p> <p>Note: Approvals for a 'classified road' under the Act require the agreement of Transport for NSW.</p>	DSS	
Section 138	<p>Works and structures</p> <p>Granting consent to an application under s.138 of the Roads Act 1993 for a person to carry out an activity or works in, on or over a public road for which the Council is the appropriate roads authority.</p>	DSS	
Sections 159	<p>Control of Transport for NSW land</p> <p>Agreeing to take control of land within the council's area that is owned by Transport for NSW.</p>	DSS	

Roads Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 209	<p>Cost of road work on public road forming boundary between local government areas</p> <p>Agreeing with another council to apportion the cost of carrying out road work on a classified road forming the boundary between local government areas.</p>	DSS	
Section 209	<p>Cost of road work on public road forming boundary between local government areas</p> <p>Making submissions to the Transport for NSW in relation to the apportionment of the cost of carrying out road work on a classified road forming the boundary between local government areas where councils cannot agree on that apportionment.</p>	DSS	
Section 220	<p>Contribution to the costs of road work</p> <p>Making a contribution towards the construction of drainage located outside of the council's local government area where required to do so by Transport for NSW.</p>	DSS	

Roads Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 228	Providing information to Transport for NSW Furnishing to Transport for NSW information relevant to the administration of the Roads Act 1993.	DSS	

Rural Fires Act 1997

Rural Fires Act 1997			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation – all functions under the Rural Fires Act 1997 Exercise of all functions of council under the Act that may be legally delegated	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Section 7	Responsible local authorities Agreeing with another council to combine responsibility for and in respect of their rural fire districts or that one council be responsible for both rural fire districts.	DSS	
Section 12A	Rural fire district service agreements Entering into a rural fire district service agreement with the Commissioner of the NSW Rural Fire Service.	DSS	

Rural Fires Act 1997			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 12A	Rural fire district service agreements Exercising the functions and carry out the obligations in accordance with a rural fire district service agreement.	DSS	
Section 15	Rural fire brigades Forming rural fire brigades.	DSS	
Section 17	Rural fire brigades Disbanding rural fire brigades.	DSS	
Section 18	Rural fire brigades Determining the territory and appointing the officers of rural fire brigades formed by the council.	DSS	
Section 20	Rural fire brigades Keeping a register of the members of rural fire brigades formed by the council.	DSS	

Rural Fires Act 1997			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 37	<p>Fire control officers</p> <p>Providing facilities and accommodation to enable the fire control officer to exercise his or her functions including consulting with and obtaining the approval of the Commissioner of the NSW Rural Fire Service regarding the standard of the facilities or accommodation</p>	DSS	
Section 62	<p>Bush fire management plans and draft bush fire management plans</p> <p>Making a bush fire management plan or draft bush fire management plan available for public inspection at the council's office.</p>	DSS	
Section 62W	<p>Construction and maintenance of fire trails</p> <p>Constructing (to extent not already constructed) and maintaining existing designated fire trails and registered fire trails on land for which the council is responsible for</p> <p>Note: 62ZF Fire trail includes a former fire trail that has fallen into disuse, been wholly or partially blocked, damaged or destroyed.</p>	DSS	
Section 62ZK	Application for termination	GM	

Rural Fires Act 1997			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Applying to the Commissioner in writing for the termination of the registration of a fire trail.		
Section 63	Bush fire prevention Taking steps prevent bushfires starting on and spreading from any land or roads owned, controlled or managed by council.	DSS	
Section 74	Bush fire prevention Reporting to the Commissioner less than 1 month after the end of the financial year on its activities to reduce bush fire hazards on its managed land during the previous financial year.	DSS	
Section 74	Bush fire prevention Reporting to the Commissioner less than a week after the end of each month on activities done to reduce bush fire hazards in the preceding month; and reasons why planned activities weren't carried out.	DSS	

Rural Fires Act 1997			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 74C	Bush fire prevention Referring bushfire hazard complaints to the Commissioner of the NSW Rural Fire Service.	DSS	
Section 83	Declaration of local bush fire danger period Consulting with and making recommendations to the Commissioner of the NSW Rural Fire Service regarding a proposal to declare a local bush fire danger period.	DSS	
Section 100F	Bush fire prevention Issuing bush fire hazard reduction certificates.	DSS	
Section 100G	Bush fire prevention Certifying certain matters before carrying out bush fire hazard reduction work on land.	DSS	
Section 104	Providing information to the Commissioner Providing information to the Commissioner to enable the Minister to prepare the rural fire brigade funding target.	DSS	

Rural Fires Act 1997			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 109 and 111	<p>Council to pay rural fire brigade contribution</p> <p>Paying the State Revenue Commissioner a rural fire brigade contribution for each financial year if Council is considered a “relevant council” in accordance with an instalment notice given to Council by the State Revenue Commissioner on or before the following dates in a financial year:</p> <ul style="list-style-type: none"> - 30 September - 31 December - 31 March - 30 June. <p>Notes: The amount payable is determined by the Minister for each relevant council (s 110(1)).</p> <p>The contribution to be paid for a rural fire district is to be paid by the relevant council or councils, the whole or part of which is included in the rural fire district (s 110(4)).</p>	DBS	

Rural Fires Act 1997			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	The contributions are payable in 4 instalments (s 110A).		
Section 110	Council to pay rural fire brigade contribution Giving the Minister any document or information required by the Minister to determine the Council's rural fire brigade contribution if requested by the Minister	DBS	
Section 126	Providing information to the Commissioner Furnishing information relating to the exercise of the council's functions under the Act to the Commissioner or Bush Fire Co-ordinating Committee.	DSS	
Dictionary	Appointing authorised officers Appointing authorised officers.	DSS, GM	

Rural Fires Regulation 2013

Rural Fires Regulation 2013			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation - all functions under the Rural Fires Regulation 2013 Exercise of all functions of council under the Regulation that may be legally delegated.	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Regulation 10	Rural fire brigades Deciding appeals against disciplinary action proposed by the appropriate disciplinary authority.	DSS	
Regulation 14	Bush Fire Management Committees Nominating people for membership of the Bush Fire Management Committee.	DSS	
Regulation 23	Bush fire prevention Carrying out roadside bushfire hazard reduction work.	DSS	

Rural Lands Protection Act 1998

Rural Lands Protection Act 1998			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	<p>General delegation - all functions under the Rural Lands Protection Act 1998</p> <p>Exercise of all functions of council under the Act that may be legally delegated.</p>	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Section 131	<p>Controlling stock watering places</p> <p>Controlling a stock watering place declared to be a town water supply under the Act. Includes constructing and maintaining water storage works, leasing a stock watering place, supplying water to prescribed stock, etc.: see Part 9 of the Act.</p>	GM	Council must obtain the approval of the Minister administering the Rural Lands Act before constructing a water storage work or carrying out any improvements, maintenance or repairs to a water storage work the cost of which exceeds \$20,000 (or such other amount as may be prescribed by the regulations). The function of applying to the Minister for approval cannot be delegated by council: section 377(1)(s) of the Local Government Act.
Section 156	<p>Complying with a pest control order from the Minister</p> <p>Complying with a pest control order made by the Minister in relation to public land under the care and control of the council.</p>	ACO, DSS	

Rural Lands Protection Act 1998			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	(This is a function of council where council is an “occupier of public land”. Includes roads and reserve trust land for which council is responsible: see Dictionary to the Act.)		

Service NSW (One-Stop Access to Government Services) Act 2013

Service NSW (One-Stop Access to Government Services) Act 2013			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 7	Delegating customer service functions to the CEO of Service NSW after the Council, by resolution, approved the delegation	GM	Council cannot delegate a customer service function to the CEO of Service NSW unless approved by resolution within the council beforehand.
Section 8	Entering into an agreement with the CEO of Service NSW providing for the CEO to exercise a non-statutory customer service function after the Council, by resolution, has approved the agreement.	DBS	Council cannot enter into an agreement with the CEO of Service NSW unless the agreement has been approved by a resolution of the council beforehand.

NSW Small Business Commissioner Act 2013

Small Business Commissioner Act 2013			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	<p>General delegation – all functions under the Small Business Commissioner Act 2013</p> <p>Exercise of all functions of council under the Act that may be legally delegated.</p> <p>(Council has functions as a ‘government agency’ under the Act)</p>	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Section 16	<p>Providing information to the Small Business Commissioner</p> <p>Providing information to the Small Business Commissioner regarding the council’s dealings with small businesses if required to do so by the Commissioner.</p>	DBS	
Section 18	Mediation and production of documents	DBS	

Small Business Commissioner Act 2013			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Attending meeting and/ or producing a document or thing for the purpose of a mediation involving a small business if required to do so by the Commissioner.		
Section 21	Information sharing arrangement Entering into an arrangement with the Small Business Commissioner for the purposes of sharing or exchanging any information that is held by the Commissioner or the council.	DBS	
Section 21	Information sharing arrangement Requesting information from or disclosing information to the Small Business Commissioner in accordance with an information sharing arrangement between the Commissioner and Council	DBS	
Section 27	Making submissions to the Small Business Commissioner Making submissions to the Small Business Commissioner on a matter covered in a report by the Commissioner that relates to Council.	DBS	

NSW State Debt Recovery Act 2018

State Debt Recovery Act 2018			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	<p>General delegation – all functions under the State Debt Recovery Act 2018</p> <p>Exercising of all functions of council under the State Debt Recovery Act that may be legally delegated, including serving and revoking debt notices, entering into agreements about the recovery of council debt, providing information etc.</p>	GM	
Part 3, Division 1	<p>Debt Notices</p> <p>Serving a debt notice for any referable debt that is unpaid to the person by whom the referable debt is payable and revoking a debt notice.</p>	DBS	
Part 3, Division 2	<p>Referral of debt to Chief Commissioner</p> <p>Referring a referable debt to the Chief Commissioner for the making of a debt recovery order if the debt remains unpaid 7 days after a debt notice has been served.</p>	DBS	
Part 3, Division 3	Administrative arrangements relating to referable debts	DBS	

State Debt Recovery Act 2018			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Entering into an agreement with the Chief Commissioner about the taking of debt recovery action under the State Debt Recovery Act 2018 in respect of fees, charges or other amounts payable to the public authority.		
Part 3, Division 4	Internal Reviews Conducting a review of the referrable debt, including determining the procedure for a review, requesting additional information, confirming or revoking a debt notice, serving a new debt notice in cases of mistake of identity changing payment arrangements.	GM	
Section 105	Access to information held by police, NSW government agencies and State owned corporations Providing the Chief Commissioner any information specified in a request for the purpose of enabling the Chief Commission to take debt recovery action against a debtor or to ascertain the financial circumstances of a debtor.	GM	

State Emergency and Rescue Management Act 1989

State Emergency and Rescue Management Act 1989			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation - all functions under the State Emergency and Rescue Management Act 1989 Exercise of all functions of council under the Act that may be legally delegated.	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Section 27	Emergency management Entering into an agreement with another local council to combine emergency management arrangements.	GM	The councils must seek the approval of the Minister. The function of seeking the Minister's approval cannot be delegated: section 377(1)(s) of the Local Government Act.
Section 28	Emergency management Nominating a senior member of staff to chair the Local Emergency Management Committee.	GM	
Section 32	Emergency management	GM	

State Emergency and Rescue Management Act 1989

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Providing executive support facilities for the Local Emergency Management Committee and the Local Emergency Operations Controller in the council's area.		
Section 57	Emergency management Keeping a register of the personnel who comprise an accredited rescue unit managed by council.	GM	

State Emergency Service Act 1989

State Emergency Service Act 1989			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation - all functions under the State Emergency Services Act 1989 Exercise of all functions of council under the Act that may be legally delegated.	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Section 17	Local controllers Recommending persons for appointment as local commander.	DSS	
Section 24C	Giving information to the Commissioner Giving information to the Commissioner of the State Emergency Service to enable the Minister to prepare the estimated SES expenditure.	DSS	
Section 24H and 24J	Council to pay SES contribution	DBS	

State Emergency Service Act 1989

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	<p>Paying the State Revenue Commissioner a SES contribution for each financial year in accordance with an instalment notice given to Council by the State Revenue Commissioner on or before the following dates in a financial year:</p> <ul style="list-style-type: none"> - 30 September - 31 December - 31 March - 30 June. <p>Notes: The amount payable is determined by the Minister for each relevant council (s 24I(1)).</p> <p>The contributions are payable in 4 instalments (s 24IA).</p>		
Section 24I	<p>Council to pay SES contribution</p> <p>Giving the Minister any document or information required by the Minister to determine the Council's SES contribution if requested by the Minister</p>	DBS	

State Emergency Service Act 1989			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 24X	Disposal of equipment purchased from NSWSES Fund Seeking the Commissioner's consent to sell or dispose of equipment purchased or constructed from money to the credit of the NSWSES Fund.	DSS	

State Records Act 1998

State Records Act 1998			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation - all functions under the State Records Act 1998 Exercise of all functions of council under the Act that may be legally delegated.	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Section 11	Management of State records Ensuring the safe custody and proper preservation of State records under council's control.	DBS	
Section 12	Management of State records Keeping records of council's activities.	DBS	
Section 14	Management of State records Ensuring records are accessible by maintaining the technology/equipment necessary for accessing the records.	DBS	

State Records Act 1998			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	(This function only exists in relation to records being held by council under an agreement with State Records Authority: section 14(2).)		
Section 15	<p>Management of State records</p> <p>Providing the State Records Authority with access to State records required by the authority for the purpose of enabling the Authority to monitor compliance with the Act and the State Records Regulations.</p>	DBS	
Section 18	<p>Management of State records</p> <p>Entering into an agreement with the State Records Authority for the keeping, protection and control of records relating to any intergovernmental functions of council.</p>	DBS	
Section 24	<p>Protection of State records</p> <p>Granting consent for the disposal of a State record for which council is responsible by the State Records Authority.</p>	DBS	
Section 28	Control of State records not currently in use	DBS	

State Records Act 1998			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Making a determination that a State record of council that is more than 25 years old is still in use by council for official purposes.		
Section 29	Control of State records not currently in use Providing the State Records Authority with access to documents to which the Authority is entitled under the Act.	DBS	
Section 32	Control of State records not currently in use Requesting that the State Records Authority take control of State records held by council.	DBS	
Section 36A	Control of State records not currently in use Entering into an access arrangement with the State Records Authority under which the Authority is to provide council with access to State archives.	DBS	
Section 51	Public access to State records after 30 years Making and revoking access directions in relation to certain State records under the control of council.	DBS	

State Records Act 1998			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 57	Public access to State records after 30 years Authorising early public access to a State record under council's control.	DBS	

Strata Schemes (Freehold Development) Act 1973

Strata Schemes (Freehold Development) Act 1973			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation - all functions under the Strata Schemes (Freehold Development) Act 1973 Exercise of all functions of council under the Act that may be legally delegated.	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Section 28B	Land in strata schemes - staged development - freehold development Certifying certain matters in relation to the granting of approval for the subdivision of land by a strata plan and the subsequent subdivision of a lot in that plan by a strata plan of subdivision.	DSS, EHO/BS	
Section 28J	Land in strata schemes - staged development - freehold development Approving amendments to strata development contracts.	DSS, EHO/BS	

Strata Schemes (Freehold Development) Act 1973			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 28QA	Land in strata schemes - staged development - freehold development Appearing in Land and Environment Court Proceedings in relation to an application for extension or conclusion of a development scheme.	DSS, EHO/BS	
Part 2, Division 4 of the Act and regulations 28 and 30 of the Strata Schemes (Freehold Development) Regulation 2012.	General delegation - issuing strata certificates - freehold development Issuing strata certificates. Includes associated functions such as satisfying notification requirements, keeping relevant records and documents and conducting building inspections, etc.	DSS, EHO/BS	
Section 37	Issuing strata certificates - freehold development Issuing strata certificates.	DSS, EHO/BS	
Section 37	Issuing strata certificates - freehold development Giving notice to the relevant body corporate of an application made to council for a strata certificate in respect of a plan illustrating a proposed subdivision.	DSS, EHO/BS	

Strata Schemes (Freehold Development) Act 1973			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 39	Issuing strata certificates - freehold development Attaching conditions to strata certificates restricting the use of utility lots.	DSS, EHO/BS	
Section 39	Issuing strata certificates - freehold development Releasing lots from a utility lot restriction.	DSS, EHO/BS	
Section 40	Issuing strata certificates - freehold development Notifying the applicant for a strata certificate of the council's decision.	DSS, EHO/BS	

Strata Schemes (Leasehold Development) Act 1986

Strata Schemes (Leasehold Development) Act 1986			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	<p>General delegation - all functions under the Strata Schemes (Leasehold) Development Act 1986</p> <p>Exercise of all functions of council under the Act that may be legally delegated.</p>	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Section 42	<p>Land in strata schemes - staged development - leasehold development</p> <p>Certifying certain matters in relation to the granting of approval for the subdivision of land by a strata plan and the subsequent subdivision of a lot in that plan by a strata plan of subdivision.</p>	DSS, EHO/BS	
Section 50	<p>Land in strata schemes - staged development - leasehold development</p> <p>Approving amendments to strata development contracts.</p>	DSS, EHO/BS	

Strata Schemes (Leasehold Development) Act 1986			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 57AA	Land in strata schemes - staged development - leasehold development Appearing in Land and Environment Court Proceedings in relation to an application for extension or conclusion of a development scheme.	DSS, EHO/BS	
Part 2, Division 7 of the Act and regulations 29 and 31 of the Strata Schemes (Leasehold Development) Regulation 2012	General delegation - issuing strata certificates - leasehold development Issuing strata certificates. Includes associated functions such as satisfying notification requirements, keeping relevant records and documents and conducting building inspections, etc.	DSS, EHO/BS	
Section 66	Issuing strata certificates Issuing strata certificates.	DSS, EHO/BS	
Section 66	Issuing strata certificates - leasehold development Giving notice to the relevant body corporate of an application made to council for a strata certificate in respect of a plan illustrating a proposed subdivision.	DSS, EHO/BS	

Strata Schemes (Leasehold Development) Act 1986			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 68	Issuing strata certificates - leasehold development Attaching conditions to strata certificates restricting the use of utility lots.	DSS, EHO/BS	
Section 68	Issuing strata certificates - leasehold development Releasing lots from a utility lot restriction.	DSS, EHO/BS	
Section 69	Issuing strata certificates - leasehold development Notifying the applicant for a strata certificate of the council's decision.	DSS, EHO/BS	

Strata Schemes Development Act 2015

Strata Schemes Development Act 2015			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation – all functions under the Strata Schemes Development Act 2015 Exercise of all functions of council under the Act that may be legally delegated.	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Section 54	Issue of strata certificates Issuing a strata certificate for a proposed strata plan that does not include a development lot if the conditions set out in the subsection are met.	GM	Section 57 contains additional restrictions when a local council may issue a strata certificate. The Regulations may also make provisions relating to the issue of strata certificates (Section 70 of the Strata Schemes Development Act 2015).
Section 54	Issue of strata certificates	GM	Section 57 contains additional restrictions when a local council may issue a strata certificate.

Strata Schemes Development Act 2015

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Issuing a strata certificate for a proposed strata plan that includes a development lot, or a proposed strata plan of subdivision of a development lot, if the conditions set out in the subsection are met		The Regulations may also make provisions relating to the issue of strata certificates (Section 70 of the Strata Schemes Development Act 2015).
Section 55	<p>Giving notice of strata certificate application</p> <p>Sending notice by registered post to the owners corporation of a proposed subdivision when an application is made for a strata certificate relating to a proposed strata plan of subdivision (other than a subdivision of a development lot) that does not subdivide or create common property in a strata scheme.</p> <p>Note: This section does not apply if the strata certificate application was accompanied by a certificate under the seal of the owners corporation certifying that the corporation has, by resolution, agreed to the proposed subdivision</p> <p>A plan in respect of which a certificate is given under Section 55(3) of the Act must be signed by each person who attested the affixing of</p>	GM	<p>The notice must specify that the owners corporation can give its views on the proposed subdivision no less than 21 days after the notice was sent.</p> <p>The notice must be in an approved form and be accompanied by a copy of the proposed strata plan of subdivision (Regulation 16 of the Strata Schemes Development Regulation 2016).</p>

Strata Schemes Development Act 2015			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	the seal of the owners corporation on the certificate (Regulation 20(2) of the Strata Schemes Development Regulation 2016.		
Section 55	Issue of strata certificates Issuing a strata certificate after considering the conditions specified in the subsection	GM	Section 57 contains additional restrictions when a local council may issue a strata certificate An inspection is required prior to issuing a strata certificate (Regulation 17 of the Strata Schemes Development Regulation 2016).
Section 56	Issue of strata certificates Issuing a strata certificate for a proposed notice of conversion if the application was accompanied by a certificate under the seal of the owners corporation certifying that it has, by special resolution, agreed to the proposed conversion and the council is satisfied the proposed conversion will not interfere with the existing or likely future amenity of the neighbourhood.	GM	Section 57 contains additional restrictions when a local council may issue a strata certificate The Regulations may also make provisions relating to the issue of strata certificates (Section 70 of the Strata Schemes Development Act 2015).

Strata Schemes Development Act 2015

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	<p>Note: Council need not be satisfied that the proposed conversion will not interfere with the existing or likely future amenity of the neighbourhood if a relevant planning approval is in force in relation to the notice of conversion.</p>		
Section 62	<p>Strata certificates relating to encroachments onto public places and utility lots</p> <p>Issuing a strata certificate for a plan where the building to which the certificate relates encroaches on a public space.</p>	GM	<p>The strata certificate must refer to the existence of the encroachment and indicate that the council does not object to the encroachment.</p> <p>If the registration of the plan will result in the creation of a utility lot, the council may impose a condition (a restrictive use condition) on the strata certificate restricting the use of the utility lot to use by an owner or occupier of a lot or proposed lot (other than a utility lot) in the strata scheme to which the plan relates in accordance with the requirements of Section 63 of the Strata Schemes Development Act 2015.</p> <p>The Regulations may also make provisions relating to the issue of strata certificates (Section 70 of the Strata Schemes Development Act 2015).</p>

Strata Schemes Development Act 2015

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 64	<p>Strata certificates relating to encroachments onto public places and utility lots</p> <p>Executing an instrument in the approved form releasing a lot from a restriction on receipt of an application made by the owner or a registered mortgagee of the utility lot to which the condition relates.</p>	GM	
Section 65	<p>Notice of decisions and appeals</p> <p>Giving notice of Council's decision on an application for a strata certificate to the applicant.</p>	GM	<p>If the application is refused, the notice must state the grounds for refusal and advise the applicant that they may appeal the refusal and the time period in which they can appeal.</p> <p>If the certificate is issued subject to a restrictive use condition, the notice must state that the applicant may appeal the decision to impose a restrictive use condition and the time period in which they can appeal.</p> <p>The Regulations may also make provisions relating to the issue of strata certificates (Section 70 of the Strata Schemes Development Act 2015).</p>

Strata Schemes Development Act 2015

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 75	<p>Obligations of planning authorities</p> <p>Granting a planning approval in accordance with the section and certifying in the approved form that carrying out the permitted development would not contravene any conditions subject to which the approval was granted, or any environmental planning instrument in force when the approval was granted.</p>	GM	Delegation to grant a planning approval must also be held under the Environmental Planning and Assessment Act 1979.

Strata Schemes Development Regulation 2016

Strata Schemes Development Regulation 2016			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation – all functions under the Strata Schemes Development Regulation 2016 Exercise of all functions of council under the Regulations that may be legally delegated.	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Regulation 16	Certification Giving a notice under Section 55(1) of the Act in an approved form and accompanied by a copy of the proposed strata plan of subdivision.	GM	
Regulation 17	Certification Inspecting each building containing a proposed lot to which a proposed strata plan or proposed strata plan of subdivision relates and any common property outside each of those buildings before issuing a strata certificate, in order to be satisfied of specific listed criteria.	GM	

Strata Schemes Development Regulation 2016

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Note: The inspection may take place after all construction works on the building site are complete or substantially complete.		
Regulation 19	Certification Keeping a record of the date of issue of each relevant strata certificate as part of the register kept under Regulations 264 or 265 of the Environmental Planning and Assessment Regulation 2000.	GM	
Regulation 19	Certification Keeping a copy of the strata certificate and associated documents for each relevant strata certificate.	GM	
Regulation 19	Certification Making a copy of the strata certificate and associated documents available for inspection at Council's principal office, free of charge, during its ordinary office hours.	GM	
Regulation 19	Certification Setting a reasonable copying charge for the copying of any such document referred to in Regulation 19 of the Strata Schemes Development Regulation 2016.	GM	

Strata Schemes Management Act 2015

Strata Schemes Management Act 2015			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation – all functions under the Strata Schemes Management Act 2015 Exercise of all functions of council under the Act that may be legally delegated.	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Section 112	Common property Entering into a licence agreement with the owners corporation for strata parking area under Section 650A of the Local Government Act 1993.	GM	
Section 235	Order relating to use of utility lot Applying to the Civil and Administrative Tribunal for an order directed to the owner of a utility lot and any other person who received notice of the application to refrain from committing a breach of a restriction imposed under Section 63 of the Strata Schemes Development Act 2015 on the use of the utility lot.	GM	

Strata Schemes Management Act 2015			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 236	Order for reallocation of unit entitlements Applying to the Civil and Administrative Tribunal for an order to reallocate unit entitlements.	GM	The application must be accompanied by a certificate specifying the valuation (made at the time of registration or immediately after the change in permitted land use) of each of the lots to which the application relates.
Section 268	Powers of entry by public authority or public officer Entering part of a parcel of land where necessary in order to exercise a power of entry which has been given to the Council or officer under any Act.	GM	

Strata Schemes Management Regulation 2016

Strata Schemes Management Regulation 2016			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	<p>General delegation – all functions under the Strata Schemes Management Regulation 2016</p> <p>Exercise of all functions of council under the Regulations that may be legally delegated.</p>	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Schedule 3, Clause 15	<p>Disposal of waste</p> <p>Providing bins to individual lots in a strata management scheme for waste.</p>	GM	

Supreme Court Act 1970

Supreme Court Act 1970			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	<p>General delegation – all functions under the Supreme Court Act 1970</p> <p>Exercise of all functions of council under the Act that may be legally delegated.</p>	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Section 23	<p>Commencing and carrying on proceedings</p> <p>Commencing and carrying on legal proceedings within the jurisdiction of the Supreme Court.</p>	GM	
Section 101	<p>Appeal in proceedings before the Court</p> <p>Appealing any judgment or order of the Supreme Court to the Court of Appeal, including:</p>	GM	

Supreme Court Act 1970			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	(i) any opinion, decision, direction or determination of the Supreme Court in a Division on a stated case, (ii) any exercise of a power to which section 24 of the Supreme Court Act 1970 applies, and (iii) any determination of the Supreme Court in a Division in proceedings remitted under subsection (4) of section 51 of the Supreme Court Act 1970.		
Section 101	Appeal in proceedings before the Court Seeking leave of the Court of Appeal to appeal a judgment or order of the Supreme Court where leave is required.	GM	

Swimming Pools Act 1992

Swimming Pools Act 1992			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation - all functions under the Swimming Pools Act 1992 Exercise of all functions of council under the Act that may be legally delegated.	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Section 5	Council's duties regarding swimming pools Taking appropriate steps to ensure that council is notified of the existence of all relevant swimming pools within its area, promoting awareness of the requirements of the Act and investigating complaints about breaches of the Act.	DSS, EHO/BS	
Section 22	Compliance with swimming pool barrier requirements Granting exemptions from barrier requirements for swimming pools with or without conditions.	DSS, EHO/BS	

Swimming Pools Act 1992			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	(Further requirements associated with the exercise of this function, such as notification requirements, are contained in Part 4 of the Swimming Pools Regulation 2008.)		
Section 22B	<p>Inspections</p> <p>Developing a program for the inspection of swimming pools in the council's area.</p> <p>Inspection to occur at least once every 3 years.</p>	DSS, EHO/BS	
Section 22B	<p>Inspections</p> <p>Adopting a program for the inspection of swimming pools in the council's area.</p>	DSS, EHO/BS	
Section 22B	<p>Inspections</p> <p>Inspecting swimming pools in accordance with the council's program for inspections.</p>	DSS, EHO/BS	

Swimming Pools Act 1992			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 22C	Inspections Inspecting swimming pools at the request of the owner of a premises.	DSS, EHO/BS	
Section 22D	Certificates of compliance Entering details of a certificate of compliance in respect of a swimming pool into the Register.	DSS, EHO/BS	
Section 22D	Certificates of compliance Determining whether or not to issue a certificate of compliance in respect of a swimming pool. Note: Certificates of non-compliance are issued under Part 5 of the Swimming Pool Regulation	DSS, EHO/BS	

Swimming Pools Act 1992			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 22F	<p>Fee for inspections</p> <p>Charging a fee for carrying out an inspection of a swimming pool.</p> <p>Council must include in its annual report the requirements under Regulation 18BC of the Swimming Pool Regulations 2008.</p>	GM	Council cannot delegate the function of fixing the fee: 377(1)(3) of the Local Government Act 1993.
Section 22F	<p>Information on inspections of swimming pools</p> <p>Including in the council's annual report under section 428 of the Local Government Act 1993 such information (if any) in relation to inspections of swimming pools.</p>	DSS, EHO/BS	
Section 23	<p>Orders requiring compliance with swimming pool barrier requirements</p> <p>Determining whether or not to issue an order to the owner of a premises on which a swimming pool is located requiring compliance with barrier requirements.</p>	DSS, EHO/BS	
Section 23	Orders requiring compliance with swimming pool barrier requirements	DSS, EHO/BS	

Swimming Pools Act 1992			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Issuing a notice to the owner of a premises of the council's intention to serve an order directing compliance with barrier requirements.		
Section 23A	Orders requiring compliance with swimming pool barrier requirements Directing an authorised person to carry out some or all of the requirements of an order to comply with barrier requirements.	DSS, EHO/BS	
Section 23A	Orders requiring compliance with swimming pool barrier requirements Notifying the occupier of premises of council's intention to carry out the terms of an order requiring compliance with barrier requirements	DSS, EHO/BS	
Section 23A	Compliance with swimming pool barrier requirements Seeking the consent of an occupier of a premises to enter the premises to carry out the terms of an order issued under section 23 of the Act.	DSS, EHO/BS	
Section 23A	Compliance with swimming pool barrier requirements	DSS, EHO/BS	

Swimming Pools Act 1992			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Bringing court proceedings to recover the reasonable costs of carrying out the terms of an order issued under section 23 of the Act as a debt.		
Section 27	Appointing authorised officers Appointing as authorised officers council employees or, with the approval of the Director-General of the Department of Premier and Cabinet or other officer of the Department designated by the Director-General, any other persons.	DSS, GM	
Section 27	Appointing authorised officers Issuing authorised officers with a certificate of identification.	DSS, GM	
Section 29A	Investigations Investigating complaints to council about alleged contraventions of the Act. includes associated functions such as conducting inspections, satisfying notification requirements, etc.	DSS, EHO/BS	
Section 29A	Investigations	DSS, EHO/BS	

Swimming Pools Act 1992			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Giving notice to the owner or occupier of a premises the subject of an investigation of council's intention to examine the premises and arranging with the owner or occupier to carry out the examination at a time that is convenient to the owner or occupier.		
Section 30	<p>Court proceedings</p> <p>Bringing proceedings in the Land and Environment Court for an order to remedy or restrain a breach of the Act.</p>	DSS, GM	
Section 30B	<p>Register</p> <p>Entering information about a swimming pool provided by the owner of the premises required by Regulation 18C of the Swimming Pools Regulation 2008 onto the Director General's Register of Swimming Pools.</p>	DSS, EHO/BS	

Swimming Pools Regulation 2018

Swimming Pools Regulation 2018			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	<p>General delegation – all functions under the Swimming Pools Regulation 2008</p> <p>Exercise of all functions of council under the Swimming Pools Regulation that may be legally delegated. Including approving applications, giving notice of council's decision, establishment and implementation of a strategy for community engagement and issuing non-compliance certificates</p>	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Regulation 12	<p>Compliance with swimming pool barrier requirements</p> <p>Approving a form for application to council for exemptions from barrier requirements.</p>	DSS, EHO/BS	
Regulation 15	<p>Compliance with swimming pool barrier requirements</p> <p>Giving notice to the owner of the premises on which the pool is located of council's decision where council refuses to grant an exemption to barrier requirements or where council imposes conditions on an exemption to barrier requirements.</p>	DSS, EHO/BS	

Swimming Pools Regulation 2018			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Regulation 16	<p>Community engagement</p> <p>Establishing and implementing a strategy for engagement with the local community when developing a program for the inspection of swimming pools in the council's area.</p>	DSS, EHO/BS	
Regulation 20	<p>Notice of refusal to issue certificate of compliance</p> <p>Notifying the owner of a premises of the council's decision to refuse to issue a certificate of compliance for a swimming pool after an inspection carried out under Section 22F of the Swimming Pools Act 1992.</p> <p>Note: The notice must contain the prescribed information under this Section.</p>	DSS, EHO/BS	
Regulation 21	<p>Certificates of non-compliance</p> <p>Issuing a certificate of non-compliance to the owner in respect of a swimming pool if the pool has been inspected under Section 22C of the Act and they are satisfied that the requirements have not been met.</p>	DSS, EHO/BS	

Swimming Pools Regulation 2018

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Note: The certificate of non-compliance must contain the prescribed information under this Section.		
Regulation 21	<p>Certificates of non-compliance</p> <p>Issuing a certificate of non-compliance within 7 days of the date of inspection.</p> <p>Note: This requirement applies whether or not a notice under Regulation 18B has been provided</p>	DSS, EHO/BS	

Taxation Administration Act 1996

Taxation Administration Act 1996			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	<p>General delegation – all functions under the Sydney Taxation Administration Act 1994</p> <p>Exercise of all functions of council under the Act that may be legally delegated.</p>	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Section 80B	<p>Arrangements with the Chief Commissioner of State Revenue</p> <p>Entering into an arrangement with the Chief Commissioner of State Revenue in connection with the exercise of investigative functions by the Chief Commissioner or by authorised officers under a non-taxation law, for the payment of a fee or otherwise.</p>	DBS, GM	

Transport Administration Act 1988

Transport Administration Act 1988			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation – all functions under the Transport Administration Act 1988 Exercise of all functions of council under the Act that may be legally delegated.	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Part 6	General delegation – exercise of functions under the Act delegated to council by Transport for NSW. Exercise of functions under the Act that have been delegated to council by Transport for NSW. (TfNSW may delegate any of its functions, other than the power of delegation: s 50)	GM	Council can only delegate to the general manager if authorised in writing to do so by Transport for NSW. : section 50 of the Act and regulation 35 of the Transport Administration (General) Regulation 2005. Council cannot sub-delegate the functions listed in section 377(1) of the Local Government Act 1993.

Transport Administration Act 1988			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Sections 53A and 53B	Complying with directions from TfNSW Complying with directions given or recommendations made to council by Transport for NSW.	DSS	
Section 80A	Agreements for subsidies from TfNSW Entering into an agreement with TfNSW for the payment by TfNSW of subsidies to the council regarding traffic route lighting.	DSS	
Section 111	Disputes with a transport authority Referring a dispute between the council and a transport authority or TfNSW to the Minister administering the Local Government Act 1993.	DSS	
Schedule 6A, clause 14	Submissions regarding rail infrastructure and facilities	DSS	

Transport Administration Act 1988			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Making submissions to the owner of rail infrastructure facilities regarding a proposal by the owner to carry out work (other than routine repairs or maintenance work) connected with erection or installation of new rail infrastructure facilities.		

Trees (Disputes Between Neighbours) Act 2006

Trees (Disputes Between Neighbours) Act 2006 New Provision			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation – all functions under the Trees (Disputes Between Neighbours) Act 2006 Exercise of all functions of council under the Act that may be legally delegated.	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Sections 13 and 14G	Appearing in Court proceedings for tree disputes Appearing before the court in proceedings in relation to a tree where consent to interfere with the tree would be required from council under the Environmental Planning and Assessment Act 1979.	DSS, EHO/BS	
Section 17	Enforcing Court orders in relation to a tree Entering land for the purpose of carrying out work in relation to a court order made under the Act or ascertaining whether work has been carried out in relation to the order.	DSS, EHO/BS	

Trees (Disputes Between Neighbours) Act 2006 New Provision			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 17	Enforcing Court orders in relation to a tree Giving prior written notice to the occupier of land of council's intention to enter the land for the purpose of carrying out work in relation to a court order made under the Act or to ascertain whether work has been carried out in relation to the order.	DSS, EHO/BS	
Section 17	Enforcing Court orders in relation to a tree Giving written authorisation to a person to enter land for the purpose of carrying out work in relation to a court order made under the Act or to ascertain whether work has been carried out in relation to the order.	DSS, EHO/BS	
Section 17	Court proceedings Bringing court proceedings to recover the reasonable costs of carrying work under a court order in relation to a tree where the person to whom the order is directed fails to comply.	DSS, EHO/BS	
Section 17A	Enforcing Court orders in relation to a tree Applying to the Registrar-General for the registration as a charge on the title to the land of a court order for the payment of costs to council for carrying out work under the Act. Includes associated functions such as certifying that the amount owed to council has	DSS, EHO/BS	

Trees (Disputes Between Neighbours) Act 2006 New Provision			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	been paid, cancelling the charge, requiring a person to cover the costs of registering the charge incurred by council and bringing proceedings to recover those costs.		
Section 17A	Enforcing Court orders in relation to a tree Certifying in writing that an amount payable to council under a court order which has been registered as a charge on the title to the land has been paid to the council or that council otherwise agrees to the cancellation of the charge.	DSS, EHO/BS	
Section 17A	Enforcing Court orders in relation to a tree Determining whether or not to consent to the sale of property over which a court order has been registered as a charge on the land.	DSS, EHO/BS	
Section 17A	Enforcing Court orders in relation to a tree - Court Proceedings Bringing court proceedings to recover as a debt the reasonable costs and expenses incurred by council in respect of the registration of a court order as a charge on the land.	DSS, EHO/BS	

Trustee Act 1925

Trustee Act 1925			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation – all functions under the Trustee Act 1925 Exercise of all functions of council under the Act that may be legally delegated.	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Part 2, Division 2	General delegation – exercise of powers and duties of trustee Where council is a trustee of a reserve trust or a reserve trust manager, investing trust funds. Includes managing investments.	DBS	
Section 82A	Improvement of and repairs to trust property Where council is a trustee of a reserve trust or a reserve trust manager, expending money for improvement and/or repairs to trust property up to the prescribed amount.	DBS	

Valuation of Land Act 1916

Valuation of Land Act 1916			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation – all functions under the Valuation of Land Act 1916 Exercise of all functions of council under the Act that may be legally delegated.	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Section 31	Notices and objections to valuations Objecting to a land valuation of the Valuer-General in relation land over which council levies rates.	DBS	
Section 32	Notices and objections to valuations Notifying the Valuer-General when land/occupiers are liable to pay rates to council under an Act.	DBS	
Section 37	Court proceedings	DBS	

Valuation of Land Act 1916			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Commencing an appeal in the Land and Environment Court against a land valuation of the Valuer-General. (This can be done by any person entitled to object to a valuation under Part 3 of the Act which includes a council: see section 31.)		
Section 50	Valuation lists Obtaining the consent of the Valuer-General for the alteration of a valuation list.	DBS	
Section 51	Valuation lists Requesting a new valuation list from the Valuer-General.	DBS	
Section 60A	Valuation lists Requesting that the Valuer-General make a new valuation of land.	DBS	
Section 72	Boundaries of rating or taxing areas	DBS	

Valuation of Land Act 1916			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Providing the Valuer-General with information on the boundaries of the council's local government area and any changes in ownership of land in that area.		
Section 76	Information from Valuer-General Entering into an agreement with the Valuer-General for the provision of information to council by the Valuer-General.	DBS	

Valuation of Land Regulation 2012

Valuation of Land Regulation 2012			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	<p>General delegation – all functions under the Valuation of Land Regulation 2012</p> <p>Exercise of all functions of council under the Regulation that may be legally delegated.</p>	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Regulation 6	<p>Notices and objections to valuations</p> <p>Withdrawing an objection to a land valuation of the Valuer-General in relation land over which council levies rates.</p>	DBS	

Waste Avoidance and Resource Recovery (Container Deposit Scheme) Regulation 2017

Waste Avoidance and Resource Recovery (Container Deposit Scheme) Regulation 2017			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation – all functions under the Waste Avoidance and Resource Recovery (Container Deposit Scheme) Regulation 2017 Exercise of all functions of council under the Regulations that may be legally delegated.	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Regulation 18	Entitlement to processing refunds Informing the EPA in writing that Council considers that in the circumstances it is fair and reasonable that there is no such refund sharing agreement in force between a material recovery facility operator and Council for the purpose of processing refunds and paying the operator	GM	This provision does not apply if the containers to which the claim relates are processed by the material recovery facility operator within 12 months after the Scheme commencement day
Regulation 18	Entitlement to processing refunds Entering into a processing agreement with the material recovery facility operator on or after the Scheme commencement day for the purpose of processing refunds and paying the operator	GM	This provision does not apply if the containers to which the claim relates are processed by the material recovery facility operator within 12 months after the Scheme commencement day

Waste Avoidance and Resource Recovery (Container Deposit Scheme) Regulation 2017

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Regulation 18	<p>Entitlement to processing refunds</p> <p>Informing the EPA in writing that Council considers the terms of a refund sharing agreement in force between a material recovery facility operator and Council to be fair and reasonable</p>	GM	<p>This provision does not apply if the containers to which the claim relates are processed by the material recovery facility operator within 12 months after the Scheme commencement day</p>

NSW Water Management Act 2000

Water Management Act 2000			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation – all functions under the Water Management Act Exercise of all functions of council under the Act that may be legally delegated.	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Section 36	Submissions on draft management plan Making a submission on a draft management plan for water management relating the council's area.	DSS	
Section 318	Acquisition and divesting of land Determining whether or not to consent to a proclamation by the Governor vesting in the council the estate or interest of a water supply authority in any land on which is situated a work of the water supply authority (whether wholly or partly completed).	GM	

Water Management Act 2000			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation – all functions relating to access licences Exercise of all of the functions that the council may have under the Act in relation to access licences.	DSS	
Section 61	Access licences Applying for an access licence (including a local water utility access licence where the council is a local water utility). (A “person” can apply for an access licence)	DSS	
Section 62	Access licences Objecting to the granting of an access licence. (A “person” can object to the granting of an access licence)	DSS	

Water Management Act 2000			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 62	<p>Access licences</p> <p>Providing additional information to and consulting with the Minister where the council is an applicant for an access licence or an objector to an application for an access licence.</p> <p>(A “person” can apply for or object to the granting of an access licence)</p>	DSS	
Section 62	<p>Access licences</p> <p>Attending a mediation where the council is an applicant for an access licence or an objector to an application for an access licence.</p> <p>(A “person” can apply for or object to the granting of an access licence)</p>	DSS	
Section 71M	<p>Access licences</p> <p>Transferring an access licence.</p>	DSS	

Water Management Act 2000			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 71N	Access licences Obtaining the consent of the proposed transferee of an access licence (other than a local water utility access licence) held by the council.	DSS	
Section 77	Access licences Surrendering an access licence held by the council subject to subsection (2B).	DSS	
Section 78A	Access licences Making submissions to the Minister on a proposal by the Minister to suspend or cancel an access licence held by the council.	GM	
Section 79	Access licences Applying to the Land and Environment Court in relation to a determination by the Minister as to the compensation payable to the council where the Minister compulsorily acquires an access licence held by the council.	GM	

Water Management Act 2000			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Sections 87 and 87AA	Access licences Claiming compensation for reductions in water allocations arising during or after the initial period for which a management plan is in force including appealing to the Land and Environment Court against a determination by the Minister as to the amount of compensation payable.	GM	
Various	General delegation – all functions relating to water use approvals, water management work approvals and activity approvals Exercise of all of the functions that the council may have under the Act in relation to water use approvals, water management work approvals and activity approvals.	DSS	
Section 92	Water use approvals, water management work approvals and activity approvals Providing additional information to the Minister in relation to an application by the council for an approval.	GM	
Section 93	Water use approvals, water management work approvals and activity approvals Objecting to the granting of an approval.	DSS	

Water Management Act 2000			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	("any person" can object to the granting of an approval)		
Section 93	Water use approvals, water management work approvals and activity approvals Providing additional information to and consulting with the Minister in relation to an objection by the council to the granting of an approval.	GM	
Section 93	Water use approvals, water management work approvals and activity approvals Attending a mediation where the council is an applicant for an approval or an objector to the granting of an approval.	DSS	
Section 95	Water use approvals, water management work approvals and activity approvals Determining whether or not to consent to the Minister: a) granting a combined approval instead of separate approvals in relation to more than one type of approval or in relation to more than one use, work or activity or type or kind of use, work or activity, or (b) combining a new approval with an existing approval.	GM	

Water Management Act 2000			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 105	Water use approvals, water management work approvals and activity approvals Applying for the extension of an approval held by the council.	DSS	
Section 107	Water use approvals, water management work approvals and activity approvals Applying for the amendment of an approval held by the council.	DSS	
Section 107	Water use approvals, water management work approvals and activity approvals Making submissions to the Minister with respect to action proposed by the Minister to amend an approval by creating 2 or more approvals from a single approval, or in other circumstances prescribed by the regulations.	GM	
Section 108	Water use approvals, water management work approvals and activity approvals Surrendering an approval held by the council, subject to subsection (1A).	DSS	

Water Management Act 2000			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Section 336E	<p>Enforcement of undertakings</p> <p>Recommending that the Minister accept an undertaking under s.336E of the Water Management Act 2000 where the Council has negotiated with a person proposing to give the undertaking in connection with their functions as the public authority under the Act.</p>	GM	

Water Supply (Critical Needs) Act 2019

Water Supply (Critical Needs) Act 2019			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Various	<p>General delegation – all functions under the Water Supply (Critical Needs) Act 2019</p> <p>Exercise of all functions of council under the Act that may be legally delegated.</p>	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Section 8	<p>Authorisation of Minister to carry out water supply development</p> <p>Applying to the Planning Secretary for an authorisation to carry out the development described in Schedule 2 of the Water Supply (Critical Needs) Act 2019.</p>	GM	
Part 5	<p>Co-ordination and co-operation of public authorities</p> <p>Exercising all the functions of the Council under Pt 5 of the Water Supply (Critical Needs) Act 2019 including entering into agreements, complying with requests, directions and decisions, complying with notification requirements and undertaking dispute resolution.</p>	GM	

Financial Delegation: Sub-Delegations to Council Officers - Expenditure Authorisation

The General Manager may sub- delegate a function delegated to the General Manager by the Council to any person or body (including another employee of the Council) under Section 378 of the *Local Government Act 1993*. Authority is hereby delegated to those staff, as designated below to, exercise those powers, duties and function in line with the authority and limitations of this expenditure authorisation.

Delegation:

1. To authorise all expenditure and/or purchase orders within the adopted Council budget.
2. To obtain quotations and to authorise the purchase of goods, works and services up to a cost as listed in the schedule provided that:
 - a) due provision has been made in the approved estimates for the incurring of such expenditure or the incurring of such expenditure has been otherwise approved by the General Manager; and
 - b) an official order is placed in accordance with Council's policies and procedures.

Position title	Purchase order spend limit	Credit card spend limit	Petty cash reimbursement limit	Westpac delegations for creditors & payroll
Mayor (Administrator)	Unlimited	\$5,000	<\$25	NIL
General Manager	Unlimited	\$10,000	<\$25	YES
Director – Business Services	\$150,000	\$5,000	<\$25	YES
Director – Shire Services	\$250,000	\$5,000	<\$25	YES
Director – Projects	\$150,000	NIL	<\$25	NIL
Deputy Director – Shire Services	\$150,000	\$5,000	<\$25	NIL
Executive Assistant – General Manager	\$5,000	NIL	<\$25	NIL
WHS/Risk Officer	\$5,000	NIL	<\$25	NIL
Governance Officer	NIL	NIL	<\$25	NIL
Community Engagement Officer	NIL	NIL	<\$25	NIL
Project Manager	\$50,000	NIL	<\$25	NIL
Building Project Manager	\$50,000	NIL	<\$25	NIL
Project Engineer	\$50,000	NIL	<\$25	NIL
Administration Officer – Business Services	\$5,000	NIL	<\$25	NIL
Administration/Fleet Officer – Business Services	NIL	NIL	<\$25	NIL

Position title	Purchase order spend limit	Credit card spend limit	Petty cash reimbursement limit	Westpac delegations for creditors & payroll
Records Officer	NIL	NIL	<\$25	NIL
Human Resources Officer	\$5,000	NIL	<\$25	NIL
Cemeteries Officer	NIL	NIL	<\$25	NIL
Cleaners	NIL	NIL	<\$25	NIL
Finance Manager	\$50,000	NIL	<\$25	YES
Senior Finance Officer	\$5,000	NIL	<\$25	NIL
Accounts Payable	NIL	NIL	<\$25	NIL
Rates Projects Officer	NIL	NIL	<\$25	NIL
Accounts Receivable	NIL	NIL	<\$25	NIL
Payroll Officer	NIL	NIL	<\$25	NIL
Rates Officer	NIL	NIL	<\$25	NIL
Team Leader – Wilcannia Post Office	\$5,000	NIL	<\$25	NIL
Administration Officer – Wilcannia Post Office	NIL	NIL	<\$25	NIL
Menindee RTC Coordinator	\$2,500	NIL	<\$25	NIL
Admin Officer – Menindee	\$2,500	NIL	<\$25	NIL
Admin Officer – Ivanhoe	\$2,500	NIL	<\$25	NIL
Engineering Technical Officer	NIL	NIL	<\$25	NIL
Engineering Admin Officer	\$2,500	\$2,500	<\$25	NIL
Overseer – Roads	NIL	NIL	<\$25	NIL
Assistance Overseer –Roads	NIL	NIL	<\$25	NIL
Ganger - Roads	NIL	NIL	<\$25	NIL
Roads and Assets Engineer	\$50,000	NIL	<\$25	NIL
Roads – Store Person	\$5,000	NIL	<\$25	NIL
Utilities Engineer	\$50,000	NIL	<\$25	NIL
WTP Operator – Ivanhoe	NIL	NIL	<\$25	NIL
WTP Operator – White Cliffs	NIL	NIL	<\$25	NIL

Position title	Purchase order spend limit	Credit card spend limit	Petty cash reimbursement limit	Westpac delegations for creditors & payroll
WTP Operator – Wilcannia	NIL	NIL	<\$25	NIL
Work Supervisor	\$5,000	NIL	<\$25	NIL
Town Ganger – Wilcannia	\$1,000	NIL	<\$25	NIL
Field Staff – Wilcannia	NIL	NIL	<\$25	NIL
Town Ganger – Ivanhoe	\$1,000	NIL	<\$25	NIL
Field Staff – Ivanhoe	NIL	NIL	<\$25	NIL
Town Ganger – Menindee	\$1,000	NIL	<\$25	NIL
Assistance Town Ganger – Menindee	NIL	NIL	<\$25	NIL
Field Staff – Menindee	NIL	NIL	<\$25	NIL
Town Ganger – White Cliffs	\$1,000	NIL	<\$25	NIL
Field Staff – White Cliffs	NIL	NIL	<\$25	NIL
Building Maintenance Supervisor	\$5,000	NIL	<\$25	NIL
Building Maintenance Officer	NIL	NIL	<\$25	NIL
Senior Planner	\$5,000	NIL	<\$25	NIL
Environmental Engineer	\$50,000	NIL	<\$25	NIL
Swimming Pool Attendants/lifeguards	NIL	NIL	<\$25	NIL
Inspections Officer/Environmental Health Officer	\$2,500	NIL	<\$25	NIL
Ranger	\$1,000	NIL	<\$25	NIL
Temporary Relief Rangers	NIL	NIL	<\$25	NIL

Note: Temporary staff appointments only to be issued authorisations by the General Manager.