

## Ordinary Council Meeting - 22 July 2025 Attachments

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**Profit and Loss**

Glamorgan Spring Bay Council  
For the year ended 30 June 2025

Account	YTD Actual	YTD Budget	Budget Var	Var %	2024/25 Budget	Notes
<b>Trading Income</b>						
Rate Revenue	13,874,052	13,871,977	2,075	0%	13,871,977	
Statutory Charges	698,951	691,962	6,989	1%	691,962	
User Charges	847,267	1,026,149	(178,882)	-17%	1,026,149	1
Grants	1,674,289	1,467,660	206,629	14%	1,467,660	2
Interest & Investment Revenue	1,054,742	632,404	422,338	67%	632,404	3
Other Revenue	723,063	646,335	76,728	12%	646,335	4
<b>Total Trading Income</b>	<b>18,872,365</b>	<b>18,336,487</b>	<b>535,878</b>	<b>3%</b>	<b>18,336,487</b>	
<b>Gross Profit</b>	<b>18,872,365</b>	<b>18,336,487</b>	<b>535,878</b>	<b>3%</b>	<b>18,336,487</b>	
<b>Capital Grants</b>						
Grants Commonwealth Capital - Other	1,341,175	2,662,443	(1,321,268)	-50%	2,662,443	5
Grants Commonwealth Capital - Roads to Recovery	478,204	497,000	(18,796)	-4%	497,000	
Grants State Capital - Other	2,364,806	2,626,623	(261,817)	-10%	2,626,623	6
<b>Total Capital Grants</b>	<b>4,184,185</b>	<b>5,786,066</b>	<b>(1,601,881)</b>	<b>-28%</b>	<b>5,786,066</b>	
<b>Other Income</b>						
Net Gain (Loss) on Disposal of Assets	165,955	201,200	(35,245)	-18%	201,200	7
Contributions	519,977	330,000	189,977	58%	330,000	8
<b>Total Other Income</b>	<b>685,931</b>	<b>531,200</b>	<b>154,731</b>	<b>29%</b>	<b>531,200</b>	
<b>Operating Expenses</b>						
Employee Costs	5,363,471	5,496,864	(133,393)	-2%	5,496,864	
Materials & Services	8,902,998	8,263,316	639,682	8%	8,263,316	
Depreciation	3,854,729	3,712,957	141,772	4%	3,712,957	
Interest	180,908	170,757	10,151	6%	170,757	
Other Expenses	231,201	237,860	(6,659)	-3%	237,860	
<b>Total Operating Expenses</b>	<b>18,533,307</b>	<b>17,881,754</b>	<b>651,553</b>	<b>4%</b>	<b>17,881,754</b>	
<b>Net Profit</b>	<b>339,058</b>	<b>454,733</b>	<b>(115,675)</b>	<b>-26%</b>	<b>454,733</b>	
<b>Total Comprehensive Result (incl Capital Income)</b>	<b>5,209,175</b>	<b>6,771,999</b>	<b>(1,562,824)</b>	<b>-23%</b>	<b>6,771,999</b>	

**NOTES OF BUDGET VARIANCES > \$50k and >10%**

- 1. TIMING:** User Charges: Marina quarterly invoicing timing.
- 2. TIMING:** Grant Revenue: Black summer bushfire grant funds for telstra works rolled over from prior year (Spent March 2025).
- 3. PERMANENT:** Higher than expected interest on investments.
- 4. PERMANENT:** Insurance reimbursement in Sept 2024 and Sand River Road contribution from the Department of defence received Nov 2024.
- 5. TIMING:** Revenue Commonwealth Capital: Black summer bushfire grant funds for helpaid received and rolled over from prior year works not yet started \$101k. Community Development Grant Bicheno Triangle \$300k budgeted for Sept expected to claim Dec 2024. LCRI4 Rehab Dolphin Sands Rd - Rheban Rd budgeted Sept, expected to claim Dec 2024. \$300k budgeted in Jan -CDG 1131 Triangle claim not yet received. LRCI 3 Saltworks toilet/carpark \$100k not yet received and 200k budgeted in March for CDG 1129 Coles Bay Foreshore claim 2 is not yet received.
- 6. TIMING:** Revenue State Capital. Saltworks jetty \$49k received and rolled over from prior year. Triabunna Tomorrow Streetscape \$211k received and rolled over from prior year. Emergency Management Fund for 2022 Storm Damage \$187k budgeted for Aug, expected in December 2024. Received \$150k in Oct 2024 of \$250k from Tasmanian Community Fund for Coles Bay Hall Annex expected in Dec. Received \$20k out of \$40k for State vulnerable road users grant, expected Apr 25. Yet to claim 125k outsourced from Dolphin Sands community.
- 7. TIMING:** Sale of Land in Bicheno & Triabunna budgeted in May not yet sold.
- 8. PERMANENT:** Contribution for public open space up \$150k, stormwater down \$27k and subdivisions up \$95k.

**Statement of Financial Position**

Glamorgan Spring Bay Council

As at 30 June 2025

<b>Account</b>	<b>30 June 2025</b>	<b>30 June 2024</b>
<b>Assets</b>		
<b>Current Assets</b>		
Cash & Cash Equivalents	12,781,873	8,036,922
Trade & Other Receivables	812,385	2,515,898
Other Assets	26	0
<b>Total Current Assets</b>	<b>13,594,284</b>	<b>10,552,821</b>
<b>Non-current Assets</b>		
Investment in Water Corporation	33,872,244	33,872,244
Property, Infrastructure, Plant & Equipment	209,271,030	213,133,910
<b>Total Non-current Assets</b>	<b>243,143,274</b>	<b>247,006,154</b>
<b>Total Assets</b>	<b>256,737,558</b>	<b>257,558,975</b>
<b>Liabilities</b>		
<b>Current Liabilities</b>		
Trade & Other Payables	1,069,713	908,886
Trust Funds & Deposits	442,225	394,402
Provisions	666,372	721,295
Contract Liabilities	0	928,735
Interest bearing Loans & Borrowings	1,147,209	384,912
Trust Funds & Deposits - Retention Monied Held	19,074	30,517
<b>Total Current Liabilities</b>	<b>3,344,592</b>	<b>3,368,747</b>
<b>Non-current Liabilities</b>		
Provisions	69,930	51,738
Interest Bearing Loans & Borrowings	4,287,484	5,434,693
<b>Total Non-current Liabilities</b>	<b>4,357,414</b>	<b>5,486,431</b>
<b>Total Liabilities</b>	<b>7,702,006</b>	<b>8,855,178</b>
<b>Net Assets</b>	<b>249,035,552</b>	<b>248,703,797</b>
<b>Equity</b>		
Current Year Earnings	333,993	4,941,600
Retained Earnings	99,834,505	94,892,905
Equity - Asset Revaluation Reserve	147,401,327	147,403,564
Equity - Restricted Reserves	1,465,727	1,465,727
<b>Total Equity</b>	<b>249,035,552</b>	<b>248,703,797</b>

**Statement of Cash Flows**  
Glamorgan Spring Bay Council  
For the year ended 30 June 2025

<b>Account</b>	<b>YTD Actual</b>	<b>2024</b>
<b>Operating Activities</b>		
Receipts from Customers	18,138,190	17,574,209
Operating Grants	1,677,967	1,437,377
Payment to employees and Suppliers	(13,918,731)	(12,068,529)
Other Payments	(233,677)	(204,060)
Finance Costs Paid	(182,876)	(207,722)
Rates Charged - Sewerage	(45,599)	0
Rates Charged - Sewerage	45,599	0
<b>Net Cash Flows from Operating Activities</b>	<b>5,480,874</b>	<b>6,531,275</b>
<b>Investing Activities</b>		
Proceeds from sale of property, plant and equipment	189,055	140,351
Payment for property, plant and equipment	(5,096,896)	(5,607,733)
Receipts from capital grants	4,520,451	1,343,076
<b>Net Cash Flows from Investing Activities</b>	<b>(387,390)</b>	<b>(4,124,306)</b>
<b>Financing Activities</b>		
Trust funds & deposits	36,380	18,852
Proceeds from/ repayment of long term loans	(384,912)	(1,767,274)
<b>Net Cash Flows from Financing Activities</b>	<b>(348,533)</b>	<b>(1,748,421)</b>
<b>Net Cash Flows</b>	<b>4,744,951</b>	<b>658,548</b>
<b>Cash and Cash Equivalents</b>		
Cash and cash equivalents at beginning of period	7,944,014	7,285,466
Cash and cash equivalents at end of period	12,688,965	7,944,014
<b>Net change in cash for period</b>	<b>4,744,951</b>	<b>658,548</b>

Capital Works Detail

Glamorgan Spring Bay Council  
Budget 2024-25

Dept	Capital Item	Cost YTD	% Cost Spent	Status	Carry Fwd Funds @ 30.6.24	Updated Carry Fwd Funds @ 30.6.24	Renewal Works	New Works	Budget 2024/25	Revised Budget 2024/25	Council Funded	External Funded	External Funding Source
<b>Roads, Footpaths, Kerbs</b>													
	Road accessibility (Black Summer)	4,067	14%	complete									
	Storm Damage Projects 2022	-	0%	complete	30,000	30,000			30,000	30,000		30,000	Black summer bushfire recovery
					160,051				160,051				Emergency management fund
	Footpath and disability compliance renewal 2024-25	-							-	-			
	Kerb & Channel Renewal 2024-25	90,567	96%	in progress		20,559	74000			94,559	70,559	24,000	
	Resheet Program	104,844	105%	complete			100,000		100,000	100,000	100,000	-	
	Pavement Renewal Program	463,697	116%	complete			400,000		400,000	400,000	400,000		
	Reseal Program	569,738	99%	complete			576,000		600,000	576,000	79,000	497,000	Roads to recovery
	Triabunna Tomorrow Streetscapes	90,580	11%	in progress			350,000	455,500	575,000	805,500	-	805,500	State Government MOU
	Bicheno Urban Design Streetscape	-	0%					100,000	100,000	100,000	-	100,000	State Government MOU
	Swanwick Footpath 130m kerb and road repair stage 2	64,090	107%	complete				60,000	60,000	60,000	20,000	40,000	State Vulnerable road user
	Kerb & Channel Bluff Crt	50,550	101%	complete				50,000	50,000	50,000	50,000		
	Design allocation	54,760	68%	in progress				80,000	75,000	80,000	80,000		
	Contingency	24,338	61%	designated					40,000				
		-											
<b>Total Roads, Footpaths, Kerbs</b>		<b>1,517,230</b>	<b>69%</b>		<b>190,051</b>	<b>50,559</b>	<b>1,500,000</b>	<b>745,500</b>	<b>2,190,051</b>	<b>2,296,059</b>	<b>799,559</b>	<b>1,496,500</b>	
<b>Bridges, Culverts</b>													
	Bridge - 17 Acre Creek Bridge Wielangta Rd	-	0%				465,440		400,000	465,440	80,000	385,440	Subject to Federal grant
	Bridge - 24 Ferndale Rd	278,226	101%	complete			275,000		150,000	275,000	275,000		
	Unemployed Gully / Brockley Rd Bridge	99,391	142%	complete			70,000		70,000	70,000	70,000		
<b>Total Bridges, Culverts</b>		<b>377,617</b>	<b>61%</b>		<b>-</b>		<b>810,440</b>	<b>-</b>	<b>620,000</b>	<b>810,440</b>	<b>425,000</b>	<b>385,440</b>	
<b>Parks, Reserves, Walking Tracks, Cemeteries</b>													
	Bicheno Triangle	317,126	64%	In progress	492,300	492,300		181,000	492,300	673,300	181,000	492,300	Community Development
	Bicheno Gulch	369,135	53%	complete	698,390	698,390			698,390	698,390	-	698,390	Community Development
	Coles Bay Foreshore	312,302		complete	49,008	49,008		147,000	49,008	196,008	147,000	49,008	Community Development
	Walking/Cycling strategy	30,754	154%	in progress	20,000	20,000			20,000	20,000		20,000	Department of Health State
	Playground Renewals	91,453	91%	in progress			20,000	80,000	100,000	100,000	100,000		
	Playground Bicheno Lions Park	-	0%	seeking			100,000		100,000	100,000	100,000		
	Orford Foreshore Masterplan	-	0%				100,000	118,400	218,400	218,400	218,400		Contribution POS
	Orford Transfer Station Fencing	6,699	67%	complete			10,000		10,000	10,000	10,000		
	Our Park Precinct Plan	-	0%					10,000	10,000	10,000	10,000		
	Bicheno Skate Park Carpark	76,363	85%	in progress				90,000	90,000	90,000	90,000		
<b>Total Parks, Reserves, Walking Tracks, Cemeteries</b>		<b>1,203,832</b>	<b>67%</b>		<b>1,259,698</b>	<b>1,259,698</b>	<b>230,000</b>	<b>626,400</b>	<b>1,788,098</b>	<b>2,116,098</b>	<b>856,400</b>	<b>1,259,698</b>	
<b>Stormwater &amp; Drainage</b>													
	49 Rheban Rd design to West Shelley Bch Nautilus	-	0%	In progress	35,000	35,000		165,000	200,000	200,000	200,000		
	Holkham Court	5,799	12%	In progress	11,558	11,558		35,000	46,558	46,558	46,558		Contribution Stormwater
	Pit and Pipe Renewal Program	56,035	46%	In progress	20,559	-	100,000		120,559	100,000	100,000		
	System Upgrade	-	0%	in progress			20,000	20,237	40,237	40,237	40,237		
	Taswater infiltration Program	18,567	37%	complete				50,000	50,000	50,000	50,000		
	SQID program	-	0%	design				30,000	30,000	30,000	30,000		Contribution Stormwater
		-											
<b>Total Stormwater &amp; Drainage</b>		<b>80,400</b>	<b>16%</b>		<b>67,117</b>	<b>46,558</b>	<b>120,000</b>	<b>300,237</b>	<b>487,354</b>	<b>466,795</b>	<b>466,795</b>	<b>-</b>	

Capital Works Detail

Glamorgan Spring Bay Council  
Budget 2024-25

Dept	Capital Item	Cost YTD	% Cost Spent	Status	Carry Fwd Funds @ 30.6.24	Updated Carry Fwd Funds @ 30.6.24	Renewal Works	New Works	Budget 2024/25	Revised Budget 2024/25	Council Funded	External Funded	External Funding Source
<b>Building</b>													
	Heli-pad Swansea Emergency Services	-		withdrawn	103,245				103,245			-	Black summer bushfire
	Coles Bay Hall Annexe	593,074	100%	complete	593,132	593,132			593,132	593,132	163,132	430,000	Community Infrastructure
	Public Amenities	-			100,000				450,000	-			State Government MOU
	Public Amenities - Harold Street Waste Water Facilities	43,674		complete		40,000	3,674			43,674	43,674		State Government MOU
	Public Amenities - Loo with a View	16,707		in progress		60,000			-	60,000	60,000	-	
	Bicheno Skate Park Toilet	23,491	22%	in progress				106,000	106,000	106,000	26,000	80,000	State Government MOU
	Toilet Raspins Beach OFMP	1,675	0%						415,000	-	-		Contribution POS
	Bicheno Surf Club and Toilet upgrade	-	0%				150,000	100,000	250,000	250,000	100,000	150,000	State community Grant
	Triabunna Rec Ground	30,169		in progress				100,000	100,000	100,000	100,000	-	
	Black water Bicheno relocation	-	0%				10,000		10,000	10,000	10,000		
	Triabunna Tomorrow New Amenities	-						50,000	50,000			50,000	State Government Grant
	<b>Total Building</b>	<b>708,790</b>	<b>35%</b>		<b>796,377</b>	<b>693,132</b>	<b>163,674</b>	<b>356,000</b>	<b>2,027,377</b>	<b>1,212,806</b>	<b>502,806</b>	<b>710,000</b>	
<b>Marine Infrastructure</b>													
	Saltworks Toilet	-	0	design	100,000	100,000			100,000	100,000	-	100,000	Community Infrastructure
	Saltworks Boat Ramp Upgrade	-	0	design	99,123	99,123			99,123	99,123	-	99,123	State Grant MAST
		-											
	<b>Total Marine Infrastructure</b>	<b>-</b>	<b>0</b>		<b>199,123</b>	<b>199,123</b>	<b>-</b>	<b>-</b>	<b>199,123</b>	<b>199,123</b>	<b>-</b>	<b>199,123</b>	
<b>Sewerage</b>													
	Swanwick Waste System Pump Upgrade	-	0	Not started			15,000	-	15,000	15,000	15,000		
	<b>Total Sewerage</b>	<b>-</b>	<b>0%</b>		<b>-</b>	<b>-</b>	<b>15,000</b>	<b>-</b>	<b>15,000</b>	<b>15,000</b>	<b>15,000</b>	<b>-</b>	
<b>Plant Equipment &amp; Other</b>													
	IT Computer equipment	17,920	60%	In progress			30,000		30,000	30,000	30,000		
	CRM Software implementation costs	121	1%	complete			-	13,000	13,000	13,000	13,000		
	Office Equipment	-	0%				10,000		10,000	10,000	10,000		
	Waste Chipper	66,429	27%	quotes				250,000	250,000	250,000	125,000	125,000	Emergency Management
	Waste Bulk Skip Bins	96,309	96%	complete				100,000	100,000	100,000	100,000		
	Emulsion Trailer	-	0%					43,000	43,000	43,000	43,000		
	Grader (low hrs)	427,630	102%	complete			420,000		420,000	420,000	420,000	-	
	Mower replace 2017 Mower JDeere Coles Bay	27,727	92%	complete			30,000		30,000	30000	30000		
	Small plant & Equipment	19,718	131%	complete			15,000		15,000	15,000	15,000		
	Truck 16t tipper replace 2008 Hino16t A85NU Swansea	-	0%	In progress			190,000		190,000	190,000	190,000		
	Truck 7.5t tipper w crane replace 2010 Hino 7t B79TI	118,553	113%	complete			105,000		105,000	105,000	105,000		
	Ute Dual Cab 4wd replace Ute BT50 H92ME	90,174	180%	complete			50,000		50,000	50,000	50,000		
	Ute extra Cab 2wd replace Ute Dmax H40SF	-	0%				45,000		45,000	45,000	45,000		
	Wagon replace MUX I42CX Works	42,083	94%	complete			45,000		45,000	45,000	45,000		
	Wagon replace MUX I62BW Plumbing	39,796	88%	complete			45,000		45,000	45,000	45,000		
	Wagon replace Ute Dmax J30LP P&D	41,198	92%	complete			45,000		45,000	45,000	45,000		
		-											
	<b>Total Plant Equipment &amp; Other</b>	<b>987,659</b>	<b>69%</b>		<b>-</b>	<b>-</b>	<b>1,030,000</b>	<b>406,000</b>	<b>1,436,000</b>	<b>1,436,000</b>	<b>1,311,000</b>	<b>125,000</b>	
	<b>Total Capital Works</b>	<b>4,875,530</b>	<b>56%</b>		<b>2,512,366</b>	<b>2,249,070</b>	<b>3,869,114</b>	<b>2,434,137</b>	<b>8,763,003</b>	<b>8,552,321</b>	<b>4,376,560</b>	<b>4,175,761</b>	

*Local Government Act 1993*

## **INVESTIGATING PANEL DETERMINATION REPORT GLAMORGAN SPRING BAY CODE OF CONDUCT**

### **Complaint brought by Councillor Rob Churchill against Councillor Cheryl Arnol**

#### **Investigating Panel**

- Jill Taylor (Chairperson),
- Philip Cocker (Local Government Member)
- Frank Neasey (Legal Member)

Date of Determination: 9 June 2025

Content Manager Reference: C36123

#### **Summary of the complaint**

A code of conduct complaint was submitted by Councillor (Cr) Rob Churchill to the A/g General Manager – Glamorgan Spring Bay Council on 5 November 2024. Cr Churchill submitted an amendment dated 2 December 2024 under cover of a statutory declaration dated 3 December 2024. The amended complaint was sent to the Initial Assessor on 20 December 2024. At that time, the initial assessor had not completed the initial assessment and accepted the amended complaint.

The complaint alleges that Cr Arnol breached the following parts of the Code of Conduct for councillors made by the Minister for Local Government under section 28R of the *Local Government Act 1993* (the Act). The alleged breaches occurred on several occasions since 9 September 2024 until the complaint was lodged.

#### **PART 1 - Decision making**

1. A councillor must bring an open and unprejudiced mind to all matters being decided in the course of the councillor's duties, including when making planning decisions as part of the council's role as a planning authority.
2. A councillor must make decisions free from personal bias or prejudgement in the course of the councillor's duties.
3. A councillor, in making decisions, must give genuine and impartial consideration to all relevant information known to the councillor, or of which the councillor should be reasonably aware.
4. A councillor must –
  - (a) make decisions solely on merit; and
  - (b) not take irrelevant matters or circumstances into account when making decisions.

## PART 2 - Conflicts of interests that are not pecuniary

1. A councillor, in carrying out the councillor's public duty, must not be unduly influenced, nor be seen to be unduly influenced, by personal or private interests that the councillor may have.
2. A councillor must act openly and honestly in the public interest.
3. A councillor must uphold the principles of transparency and honesty and declare actual, potential or perceived conflicts of interest at any meeting of the council and at any workshop or any meeting of a body to which the councillor is appointed or nominated by the council.
4. A councillor must act in good faith and exercise reasonable judgement to determine whether the councillor has an actual, potential or perceived conflict of interest.
5. A councillor must avoid, and withdraw from, positions of conflict of interest as far as reasonably possible.
6. A councillor who has an actual, potential or perceived conflict of interest in a matter before the council must –
  - (a) declare the conflict of interest and the nature of the interest before discussion of the matter begins; and
  - (b) act in good faith and exercise reasonable judgement to determine whether a reasonable person would consider that the conflict of interest requires the councillor to leave the room during any council discussion and remain out of the room until the matter is decided by the council.
7. This Part does not apply in relation to a pecuniary interest.

## PART 3 - Use of office

1. The actions of a councillor must not bring the council or the office of councillor into disrepute.
2. A councillor must not take advantage, nor seek to take advantage, of the councillor's office or status to influence others improperly to gain an undue, improper, unauthorised or unfair benefit, or detriment, for the councillor, another person or a body.
3. A councillor, in the councillor's personal dealings with the council (for example as a ratepayer, recipient of a council service or planning applicant), must not expect or request, expressly or implicitly, preferential treatment for the councillor, another person or a body.

## PART 5 - Use of information

1. A councillor –
  - (a) must only access or use council information as needed to perform the councillor's duties and functions; and
  - (b) must not access or use council information for personal reasons or nonofficial purposes.
2. A councillor must only release council information –
  - (a) in accordance with established council policies and procedures; and
  - (b) in compliance with relevant legislation.



#### PART 7 - Relationships with community, councillors and council employees

1. A councillor must –
  - (a) treat all persons fairly; and
  - (b) not cause a reasonable person offence or embarrassment; and
  - (c) not bully or harass a person.
2. A councillor must –
  - (a) listen to, and respect, the views of other councillors in council and committee meetings and all other proceedings of the council; and
  - (b) endeavour to ensure that issues, not personalities, are the focus of debate.
3. A councillor must not contact or issue instructions to a council contractor or tenderer without appropriate authorisation.
4. A councillor must not contact an employee of the council in relation to council matters unless authorised by the general manager of the council.
5. A councillor must not, in the councillor's relationships with persons, other councillors, the council, employees of the council or other bodies, engage in conduct that is prohibited conduct.

#### PART 8 - Representation

1. A councillor must accurately represent the policies and decisions of the council when giving information to the community.
2. A councillor must not knowingly misrepresent information that the councillor has obtained in the course of the councillor's duties.
3. A councillor must not speak on behalf of the council unless specifically authorised or delegated by the mayor.
4. A councillor must clearly indicate if a view put forward by the councillor is a personal view.
5. A councillor's personal views must not be expressed publicly in such a way as to –
  - (a) undermine the decisions of the council; or
  - (b) bring the council into disrepute.
6. A councillor must show respect when expressing personal views publicly.
7. A councillor's personal conduct must not reflect, or have the potential to reflect, adversely on the reputation of the council.
8. A councillor appointed to represent the council on external bodies must strive to –
  - (a) understand the basis of the appointment; and
  - (b) be aware of the ethical and legal responsibilities attached to such an appointment.

#### Initial assessment

Following receipt of the complaint, an Initial Assessor was appointed to conduct an initial assessment of the complaint in accordance with the requirements of section 28ZA of the Act. Having assessed the complaint, including the amendment to the

complaint against the provisions of sections 28ZB and 28ZC of the Act, the Initial Assessor determined that the whole of the complaint should be investigated.

The complainant, respondent councillor and the A/g General Manager were notified of the outcome of the initial assessment by letter dated 17 January 2025

### **Investigation**

In accordance with section 28ZE of the Act, the Investigating Panel investigated the complaint.

The Panel determined that further information was required to investigate the complaint. The Panel wrote to the Deputy Mayor, Cr Michael Symons on 6 February 2025 and to A/g General Manager, Mr Peter Porch on the same date requiring further information relating to the circumstances that occurred within Council from the date of receipt of Mr Greg Ingham's workers compensation claim until the date of the amended complaint filed under a statutory declaration dated 3 December 2024. These documents are contained in the Addendum.

The following documents have been presented to the Panel to consider as evidence in this matter:

- *Local Government (Code of Conduct) Order 2024* with attached Code of Conduct (Schedule 1)
- 30 October 2024 - Cr Churchill's 32-page complaint under cover of a statutory declaration dated 30 October 2024 with an undated 11-page statement from Mr Greg Ingham and minutes of the closed Council meeting of 22 October 2024
- An amendment to Cr Churchill's complaint which was dated 2 December 2024 and submitted under cover of a statutory declaration dated 3 December 2024
- 24 January 2024 - response to complaint from Cr Arnol under cover of a statutory declaration dated 24 January 2025
- 7 February 2025 - response from Mr Peter Porch, A/g General Manager to Panel request for information dated 6 February 2025 – contained in the addendum to the determination report
- 12 February 2025 - response from Cr Symons to Panel request for information dated 6 February 2025 – contained in the addendum to the determination report
- 3 March 2025 - response by Cr Arnol under cover of a statutory declaration to Cr Churchill's amended complaint
- 20 March 2025 - submission by Cr Churchill under cover of statutory declaration with attachments of minutes of closed council meetings of 26 November 2024 and 10 December 2024.

In his complaint, Cr Churchill alleged that a Workers Compensation Certificate of Capacity (WCCC) was provided to Council on or about 9 September 2024 in respect of the General Manager, Mr Greg Ingham. In that document the stated cause of Mr Ingham's incapacity for work was listed as "*workplace harassment/unsustainable relationship with Mayor*". Cr Arnol was the Mayor at that time. Cr Churchill alleged that Cr Arnol had known that she was the subject of Mr Ingham's workers

compensation claim and as such she should have removed herself from any part in the management of it. Cr Churchill further alleges that Cr Arnol continued to be engaged in the process especially in relation to a meeting with the Council's legal representative, Mr Roger Curtis on 20 September 2024 and on 10 October 2024 by sending an email to all councillors regarding the WCCC. Furthermore, in his amended complaint, Cr Churchill states that Cr Arnol chaired the meeting of 26 November 2024 and voted on a motion relating to Mr Ingham's compensation claim. Cr Churchill alleges that owing to her involvement in the process, Cr Arnol has breached various parts of the Code as listed above.

### Hearing

As per section 28ZH of the Act the Investigating Panel held a hearing on 28 April 2025 at the Glamorgan Spring Bay Council Chambers at Triabunna.

In addition to Crs Churchill and Arnold, the following witnesses appeared at the hearing:

- Cr Michael Symons, Deputy Mayor
- Mr Peter Porch, Acting General Manager

At the commencement of the hearing, the Chairperson read a preamble outlining how the hearing would be conducted and the process following the hearing.

Both Cr Churchill and Cr Arnol as well as Cr Symons made an affirmation and Mr Porch took an oath, all attesting to the truth of their evidence.

Cr Churchill spoke to his complaint first. He said he became a councillor in 2018 and in 2020, the Director of Local Government identified some compliance issues within Council and appointed an independent person to review the situation. This review resulted in a statement of expectations being developed for all councillors to sign. Cr Arnol was the only councillor who did not do so.

In 2020 when Greg Ingham was General Manager and Robert Young was Mayor the Council was working well. However, following the October 2020 Council elections, Cr Arnol became Mayor and according to Cr Churchill, "it was not the same". Cr Churchill claimed that "*governance was disappointing*". Cr Churchill said that requests by some councillors for training to improve governance and risk management were ignored until recently (2025). Cr Churchill alleged that Cr Arnol has a poor understanding of conflict of interest, pointing to a previous Code of Conduct Panel finding against her in that respect.

Cr Churchill said that he understood that a meeting had taken place in early September 2024 between Cr Arnol, Cr Symons, Mr Porch and another senior Council manager at which he alleges that Mr Porch approved Cr Arnol making an appointment to meet with Council's legal representative, Mr Roger Curtis in relation to Mr Ingham's compensation claim.

In his complaint Cr Churchill stated that the secrecy and lack of transparency surrounding the contacting of the Council's legal firm has been deeply concerning to him and other councillors.

Cr Churchill said that in his opinion, by meeting with the Council's legal representative, Mr Roger Curtis, just 11 days following the lodgement of Mr Ingham's WCCC, Cr Arnol was trying to bring about a rapid termination of Greg Ingham's employment. Cr Churchill added that this action was not only ill-conceived and potentially damaging to Mr Ingham but an attempt by Cr Arnol at self-preservation. In his statement Cr Churchill stated that there was little evidence that Cr Arnol's primary concern was for Mr Ingham's health.

When asked by the Panel at what point were he and other councillors provided with any documentation relating to Mr Ingham's worker's compensation claim, Cr Churchill said it was a couple of days prior to the Council meeting held on 22 October 2024. When asked if he was the only councillor who did not have access to any information, Cr Churchill said he knew of at least four others. Cr Churchill pointed out that the timing of this was halfway between lodgement of Mr Ingham's claim and the end of an 84-day workers compensation claims statutory period, where it needed to be referred to the Tribunal.<sup>1</sup>

Cr Arnol was then invited to respond to Cr Churchill's complaint. She started by saying that Mr Ingham's claim did not detail everything, supplying only a narrative that suited him. Cr Arnol said that she attended an office meeting on 12 September 2024 with the A/g General Manager, Peter Porch, the Deputy Mayor, Cr Michael Symons, the Director Planning and Development and an HR consultant. She said it was at that meeting it was agreed that she should stand aside from the process and allow Cr Symons to be the liaison between councillors and Council administration. However, Cr Arnol said that Mr Porch had approved her meeting with Mr Curtis on 20 September 2024.

When she met with Mr Curtis, Cr Arnol said he asked her what her relationship with Mr Ingham was like. She told Mr Curtis that Mr Ingham had raised the issue of early termination of his contract with a 4–5-month severance payment on three occasions. Cr Arnol said that initially when she became Mayor they had a good working relationship, but she felt that because she did not agree to his request regarding severance payment this caused some friction between them. On each occasion Cr Arnol had advised Mr Ingham to put a proposal through her to Council which he failed to do.

The Panel asked Cr Arnol why she had sent an email to her fellow councillors on 10 October 2024 at the request of Cr Symons when she had told the hearing, apart from meeting with Mr Curtis, she had no involvement in the workers compensation claim process. Cr Arnol said at the time Cr Symons said he thought an email to share relevant information should come from her. She admitted at the hearing that it would have been preferable for Cr Symons to send it.

The Panel asked Cr Arnol whether she considered she had a conflict of interest when she noted she was named in the WCCC on 10 September 2024, when the A/g

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<sup>1</sup> The Panel took this to be a reference to the Tasmanian Civil and Administrative Tribunal-see s81A(1)(c) of the *Workers Rehabilitation and Compensation Act 1988*.

General Manager emailed it to her, and why she didn't step aside immediately. Cr Arnol's response was that she was only one person named and thought there were others who Mr Ingham had claimed harassed him. The Panel put it to Cr Arnol that it was irrelevant whether others were eventually named in Mr Ingham's workers compensation claim, the fact was she was named.

Cr Arnol did not agree with this contention. When asked by the Panel whether she was aware that Part 2 of the Code of Conduct states that a conflict can be real or perceived, Cr Arnol agreed she was familiar with that. Cr Arnol went on to say that some people may perceive that she had a conflict of interest, but it was up to her to determine, and she did not accept she had a conflict of interest. The Panel made several attempts to clarify Cr Arnol's understanding of conflict of interest, causing her to allege that this was adversarial questioning. In the end, Cr Arnol said that she "struggles" to determine a conflict of interest, especially when it is perceived

Cr Arnol told the hearing that her meeting with Mr Curtis was purely about process. She said that the General Manager was usually the person who dealt with workers compensation claims and as he was the subject of the claim there was no one in Council with that expertise. The Panel asked why she did not take Cr Symons or Mr Porch with her to see Mr Curtis and she said she didn't think about it, but said on reflection, perhaps she should have. The Panel asked Cr Arnol whether she agreed to Mr Curtis putting an offer to Mr Ingham with a timeframe of 24 hours to accept the offer. Cr Arnol denied this adding that as she left the meeting with Mr Curtis, he indicated he would review his notes and speak with his associate to determine whether to make an offer to Mr Ingham to "*bring the matter to a close*". During the hearing, Cr Arnol kept making the point that as nominal head of Council, she needed to be engaged at the outset and claimed she had no conflict of interest. This was at odds with her evidence that she had agreed to stand aside at the internal meeting on 12 September 2024.

At this point Cr Arnol challenged the "body language" of the legal member, saying it was adversarial for which he apologised. The Chairperson advised Cr Arnol that it was important for the Panel to question further when her answers were not clear.

Cr Arnol was asked whether she had stood aside from the process from the in-house meeting on 12 September 2024, except for her meeting with Mr Curtis on 20 September 2025. Cr Arnol confirmed this was the case but added she had been interviewed by Mr Joe Brown from Mr Curtis's office to provide her statement in response to Mr Ingham's claim.

However, in his amended complaint Cr Churchill alleged that Cr Arnol had chaired a meeting of closed Council on 26 November 2024 and not only remained present during discussion relating to Mr Ingham's situation but voted on the motion. When questioned by the Panel regarding her conflict of interest in this matter, Cr Arnol said that on reflection she probably should not have remained in the meeting.

Cr Symons attended the hearing electronically, giving evidence from a motor vehicle. In his witness statement Cr Symons said that at a meeting held on 12 September 2024 attended by "*the Mayor, Acting GM, Council's HR consultant and Director Planning and Development and himself*", he agreed to act as a liaison person in

relation to the workers compensation matter. He added that he would not describe it as *"taking control of the claim"*. Cr Symons said it was agreed at the meeting of 12 September 2024 that the Mayor would meet with Mr Curtis. Cr Symons said that at a Council meeting on 22 October 2024, Mr Curtis attended and told the meeting, several times, that he made an offer to Mr Ingham *"based on information available to him"*. When questioned further about this at the hearing, Cr Symons said that Mr Curtis said he had made the offer to Mr Ingham *"in order to bring the matter to a conclusion"*.

Cr Symons also stated that he and Mayor Arnol had a conversation with Mr Ingham during June/July 2024 where Mr Ingham advised that he wished to retire early and was seeking a 4-to-5-month payout. Mr Ingham was advised that the Mayor and Cr Symons did not have authority to agree to this, but he could put a proposal for the whole Council to consider. Cr Symons confirmed that Mr Ingham did not put forward a proposal.

The Panel asked Cr Symons why he requested Cr Arnol to send out the email of 10 October 2024, updating councillors on the status of Mr Ingham's workers compensation claim rather than doing it himself. He replied saying that some councillors thought Cr Arnol had information regarding the workers compensation claim she needed to share with them. The Panel found this to be questionable given the agreement between them on 12 September 2024.

Cr Symons told the hearing that he agreed to take on the role as the liaison person once Cr Arnol agreed to stand aside. The Panel asked Cr Symons whether Mr Porch gave Cr Arnol permission to seek legal advice. Cr Symons said it was only in relation to the process as there was no one in Council who has the relevant experience. The Panel asked Cr Symons whether it should have been him who met with Mr Curtis, given that a decision had been made for Cr Arnol to stand aside. Cr Symons said that on reflection it should have been him.

Mr Porch, A/g General Manager then attended the meeting to give evidence. Mr Porch said that he had provided Cr Arnol with a copy of Mr Ingham's WCCC by email at 9.19 a.m. on 10 September 2024. The Panel asked Mr Porch whether he thought Cr Arnol may have a conflict of interest given that she was named in the claim. He replied by saying that it was a difficult decision but felt he needed to share the information with her.

In his written statement Mr Porch said that Cr Arnol had asked him if she could meet with Mr Curtis to *"seek advice on her own situation with respect of her own psychosocial safety and wellbeing."* When questioned about this at the hearing Mr Porch said it was to seek *"personal advice"*, which Cr Arnol refuted several times during the hearing.

In response to further questioning, Mr Porch said that his recollection is that at the meeting of 22 October 2024 Mr Curtis said he made an offer to Mr Ingham *"of his own volition"*. Mr Porch said that his notes reflected differently but as he did not have his notes with him, he could not accurately reflect what he had written. However, in his witness statement, Mr Porch noted *"Mayor instructed Roger to contact Greg 8<sup>th</sup> October to make the offer based on 24-hour response."*

When asked by the Panel whether he was concerned about giving approval to Cr Arnol to meet with Mr Curtis, given it was agreed that she would step aside, Mr Porch didn't directly answer the question but said he *"had a range of concerns at that time."*

In response to some questions from the Panel, Mr Porch was unable to provide clear answers and said that these events happened some time ago and he had difficulty remembering exactly what occurred. He seemed to have some difficulty understanding that as A/g General Manager he would have been expected to perform the role and exercise delegations in the same way as the substantive occupant.

Mr Porch said that he was aware that Mr Ingham was considering an early release from his contract and had worked with Mr Ingham and the Director Planning and Development in developing new performance indicators and a new contract. Mr Porch added that he and the Director were likely to be applicants for the job should Mr Ingham leave.

In summing up Cr Churchill told the hearing that Cr Arnol *"has no idea what conflict of interest is"* and this in an ongoing issue in Council. Cr Churchill intimated that Cr Arnol's responses to his complaint are further indication of this. Furthermore, Cr Churchill totally rejected Cr Arnol's counter claim that he had used bullying and intimidating tactics because he wanted her to resign.

In her summation, Cr Arnol admitted that she should not have sought advice from Mr Curtis on her own. However, she said that there was no evidence that she had a conflict of interest, saying there was not much put forward that needed challenging. Cr Arnol again alleged that Mr Neasey's *"attitude was adversarial and that he had already found her guilty"*.

### **Determination**

In making this determination, the Panel was faced with considering each sub-part of Parts 1, 2, 3, 5, 7 and 8 without the complainant specifying which sub-clauses he was alleging had been breached by Cr Arnol. Therefore, in respect of many sub-clauses, the Panel has dismissed allegations that Cr Arnol has breached them on the basis of insufficient evidence being provided by the complainant and witnesses. The Panel's findings are described against each sub-clause below.

As per section 28ZI(1) of the Act the Investigating Panel determines the complaint by upholding part of the complaint and dismissing the remainder of the complaint. That is, the Panel finds that Cr Cheryl Arnol has breached Parts 1.1, 1.2, 1.3, 2.1, 2.2, 2.3, 2.4, 2.5 and 2.6 (a) & (b) of the Code of Conduct and dismisses any allegation in respect of Parts 1.4, 3.1, 3.2, 3.3, 5.1 (a) & (b), 5.2 (a) & (b), 7.1 (a), (b) & (c), 7.2, 7.3, 7.4, 7.5, 8.1, 8.2, 8.3, 8.4, 8.5 (a) & (b), 8.6, 8.7 and 8.8 (a) & (b).

### **Reasons for determination**

The Investigating Panel considered the information provided by Cr Rob Churchill and the responses by Cr Cheryl Arnol (both oral and written) along with supporting evidence presented by witnesses Cr Michael Symons and Mr Peter Porch. During its investigation, the Panel noted that some of what Cr Arnol said was either disputed

by Cr Churchill or indeed contradicted by other undisputed facts, making it at times difficult to accept her evidence before it. For example, despite Cr Arnol indicating that she had stepped aside from involvement in the management of Mr Ingham's workers compensation claim from 12 September 2024, with the exception of a meeting with Council's legal representative, Mr Roger Curtis on 20 September 2024, she did send an email to fellow councillors on 10 October 2024 bringing them up to date on the progress of the claim and chaired a closed Council meeting where the matter was tabled on 26 November 2024 and voted on a motion in respect of it. Although they provided written responses to the Panel's questions, the Panel found that both Mr Porch and Cr Symons were vague when further questioned at the hearing.

The Panel found it difficult to draw any conclusions about what transpired in the meeting Cr Arnol had with Mr Curtis. Cr Arnol told the Panel that she was meeting with him to discuss "*process*" in the absence of expertise within Council. Mr Porch, who authorized the meeting said in his written statement that Cr Arnol "*requested she be permitted to meet with Mr Curtis to seek advice on her own situation with respect to psychosocial safety and wellbeing....*". At the hearing, Mr Porch said he couldn't recall the exact reasons for the meeting.

The Investigating Panel found the following in respect of each Part of the Code of Conduct and sub-clause alleged to have been breached by Cr Arnol.

## **PART 1**

Part 1.1, 1.2 and 1.3

Evidence was presented that Cr Arnol, chaired a closed Council meeting held on 26 November 2024 where a status report relating to Mr Ingham's workers compensation was discussed and voted upon, including by Cr Arnol. Technically this matter was for Council to simply accept a report. However, given that Cr Arnol was named in Mr Ingham's workers compensation claim and had periodically been involved in the administration of the claim, the Panel concluded that in her discussion of and voting upon the matter she would not bring an open and unprejudiced mind, free from personal bias or prejudice and give genuine and impartial consideration to all relevant information known to her. Therefore, Cr Arnol should not have been present for that part of the meeting.

Accordingly, the Panel upholds Parts 1.1, 1.2 and 1.3 of the complaint.

Part 1.4 – Based on the evidence before it, the Panel determined that there were no formal Council business decisions involving Cr Arnol that demonstrated she had breached this part of the complaint. The Panel dismisses this Part of the complaint.

## **PART 2**

Part 2.1 - In determining that Cr Arnol had breached this sub-clause the Panel based its decision on the fact that anyone elected to a position of councillor, and purportedly acting as a councillor, always must act in the public interest, that being to ensure transparency, honesty and integrity. In a practical sense this requires councillors to be well informed and open-minded on issues before them requiring decision making. Further, in the Panel's view, at all times while Cr Arnol was involved in the administration of Mr Ingham's claim, she was purportedly carrying out her public duty as a councillor. Being named in the workers compensation claim and



seeking legal advice relating to it, Cr Arnol had a personal interest in this matter and the Panel concluded that she would have been unduly influenced by that personal interest when intervening in the process of the administration of Mr Ingham's claim from time to time. The Panel upholds this Part of the complaint

Part 2.2 – Whilst the matter of Mr Ingham's workers compensation claim was an internal matter, the public interest must be served by proper and transparent administration of such matters. According to Cr Churchill, several councillors were "left in the dark" for some weeks as to why Cr Arnol met with Mr Curtis and as to the outcome of that meeting. The Panel upholds this Part of the complaint.

Part 2.3 – The complainant (as amended) alleged that Cr Arnol had not been transparent about her involvement in the administration of Mr Ingham's workers compensation claim. Evidence before the Panel supported this assertion and specifically in relation to the closed Council meeting of 26 November 2024 which Cr Arnol chaired, and where she failed to declare that she had an actual conflict of interest. The Panel upholds this Part of the complaint.

Part 2.4 – Considering all the evidence before it and particularly the evidence provided by Cr Arnol, the Panel concludes that Cr Arnol did not exercise good judgement in order to determine whether she had an actual, potential or perceived conflict of interest, immediately Mr Ingham's WCCC was received by Council and emailed to her on 10 September 2024, and on all subsequent occasions when she was involved directly or indirectly with the administration of Mr Ingham's claim, including by sending an email to her fellow councillors on 10 October 2024 providing commentary on Mr Ingham's WCCC. The Panel upholds this Part of the complaint.

Part 2.5 – Whilst Cr Arnol agreed to "stand aside" from the administration of Mr Ingham's WCCC on 12 September 2024, it was evident that she had periodic engagement in the process at least until the closed Council meeting on 26 November 2024 and on all such occasions the Panel is satisfied that she failed to avoid, and withdraw from, a position of conflict of interest as far as reasonably possible. The Panel upholds this Part of the complaint.

Part 2.6 (a) – Evidence before the Panel established that Cr Arnol did not declare a conflict of interest before the matter of Mr Ingham's WCCC was tabled and discussed at the closed Council meeting of 26 November 2024. The Panel upholds this Part of the complaint.

Part 2.6 (b) – At the same meeting the Panel is satisfied that Cr Arnol did not act in good faith nor exercise reasonable judgment to determine whether a reasonable person would consider that her conflict of interest required her to leave the room and remain out of it while the matter of Mr Ingham's claim was discussed. On the contrary, Cr Arnol remained in the chair and did not leave the room during the tabling of information relating to Mr Ingham's compensation claim. The Panel upholds this Part of the complaint.

### **Part 3**

Part 3.1 – By virtue of being found to have breached any part of the Code of Conduct, arguably a Councillor could be seen to have brought the office of councillor into disrepute. However, in this instance the Panel determined that whilst it found Cr Arnol had breached part of the Code those breaches essentially related to internal

matters of Council and as such there was no public awareness of her behaviour. The Panel dismisses this Part of the complaint

Part 3.2 – There was no evidence put before the Panel that demonstrated Cr Arnol had taken advantage of her office nor had attempted to influence others to gain any benefit. The Panel dismisses that Part of the complaint.

Part 3.3 – In relation to this complaint, Cr Arnol was not engaged with Council on any personal matter. The Panel dismisses this Part of the complaint.

## **Part 5**

Part 5.1 (a) and (b) - No evidence was produced that demonstrated Cr Arnol had inappropriately accessed or used information for personal reasons. The Panel dismisses this Part of the complaint.

Part 5.2 (a) and (b) – Similarly to Part 5.1 above, no evidence was produced that Cr Arnol had released any Council information. The Panel dismisses this Part of the complaint.

## **Part 7**

Part 7.1 (a), (b) and (c) – No evidence was produced that demonstrated Cr Arnol had treated any persons unfairly or had embarrassed or offended nor had bullied or harassed any person be they members of the community, councillors or Council staff. Whilst the substance of Mr Ingham's workers compensation claim alleged harassment by Cr Arnol the Panel's role was only to investigate Cr Arnol's involvement in the administrative processes relating to the WCCC. The Panel dismisses this Part of the complaint.

Part 7.2 – No evidence was produced that demonstrated Cr Arnol had not had appropriate regard to the views of others nor related issues. The Panel dismisses this Part of the complaint.

Part 7.3 – No evidence was produced that demonstrated Cr Arnol had made contact with contractors or tenderers without appropriate authorisation. Cr Arnol did make contact with Council's legal representative but with the authority of the A/g General Manager, Mr Porch. The Panel dismisses this Part of the complaint.

Part 7.4 – There was no evidence produced that Cr Arnol had made contact with any employee of Council. The Panel dismisses this Part of the complaint.

Part 7.5 – No evidence was produced that Cr Arnol had engaged in conduct that is prohibited conduct. The Panel dismisses this Part of the complaint.

## **Part 8**

Part 8 of the Code of Conduct relates to breaches by councillors where they are engaged in public representation of policies, information and decisions of Council. No evidence was produced that Cr Arnol had breached any of the sub-parts of Part 8. The Panel dismisses all allegations relating to all sub-parts of Part 8 of the complaint.

## Sanction

In his complaint, Cr Churchill called for the suspension of Cr Arnol for a period of three months.

On 1 May 2025, the Panel wrote to Cr Arnol inviting her to make a submission regarding what, if any, sanction should apply in the event that the Panel upheld the whole or part of the complaint.

Cr Arnol responded on 7 May 2025 stating that *“the evidence provided in the hearing should be sufficient for the panel to determine that I acted with integrity in this matter”*. She went on to re-assert some evidence that she gave at the hearing and alleging how she has been *“bullied by Cr Churchill and other councillors.”* Cr Arnol concluded by stating that the complaint should be dismissed.

Section 28ZI (2) states that –

*If the code of conduct complaint or part of it is upheld, the investigating Panel for the complaint may impose one or more of the following sanctions on the councillor against whom the complaint is made:*

- (a) a caution;*
- (b) a reprimand;*
- (c) a requirement to apologise to the complainant or other person affected by the contravention of the code of conduct;*
- (d) a requirement to attend counselling or a training course;*
- (e) a suspension from performing and exercising the functions and powers of his or her office as a councillor for a period not exceeding 3 months.*

Essentially, this complaint was about Cr Arnol ‘s involvement in Mr Ingham’s workers compensation claim in which she had been named as a person contributing to his workplace injury. Whilst Cr Arnol agreed early in the process to withdraw from it, evidence showed that she continued to participate periodically and failed to see that she had a conflict, either real or perceived. The Panel noted that in complaint C31347 determined on 13 March 2024, Cr Arnol received a reprimand on the basis that she had breached Part 2 of the Glamorgan Spring Bay Council Code of Conduct effective from 26 February 2019, that part also being concerned with conflict of interest.

Given this previous complaint and the fact that Cr Arnol continues to have difficulty in understanding what it means to have a conflict of interest the Panel determines that Cr Arnol be suspended from performing and exercising the functions and powers of her office as a councillor for a period of one month commencing after this determination is tabled at an open Council meeting. Further Cr Arnol is required to undergo training in understanding how to identify conflicts of interest and how she should apply it to her role as a councillor.

## Timing of the Determination

In accordance with section 28ZD(1) the Investigating Panel is to make every endeavour to investigate and determine a code of conduct complaint within 90 days

of the Initial Assessor's determination that the whole complaint is to be investigated and determined.

The Panel has been unable to investigate and determine the complaint within 90 days, owing to the following factors –

- Requests for extension to timeframes for submitting information
- The intervention of the Christmas/New Year and Easter holiday periods
- Time delays in finding a suitable date for Panel members, parties to the complaint and witnesses.

### **Right to review**

A person aggrieved by the determination of the complaint by the Investigating Panel, on the ground that the Panel failed to comply with the rules of natural justice, is entitled under section 28ZP of the Act to apply to the Magistrates Court (Administrative Appeals Division) for a review of that determination on that ground.



Jill Taylor

**Chairperson**

DATE: 9 June 2025



Frank Neasey

**Member**



Philip Cocker

**Member**



# GLAMORGAN SPRING BAY COUNCIL **ANNUAL PLAN** **2025/26**

The Glamorgan Spring Bay Council acknowledges the Traditional Owners of our region and recognises their continuing connection to land, waters and culture. We pay our respects to their Elders past and present.



## BUDGET SUMMARY

The Glamorgan Spring Bay Council 2025/26 budget consolidates the strong performance of council in recent years and responds to the reduced projections for inflationary pressures on costs.

Council has sought feedback from the community on areas of highest importance for physical asset need and performance and heard the aspirations of the community for the rural and coastal localities as being desirable places to live.

The budget provides a balance between needs and capabilities of the municipality with a nod to the desires of the community as the financial footing being established starts to pay dividends in improved assets.

This year, and future years of the long-term financial plan show the introduction of some funds for new infrastructure to address the needs of stormwater management, footpath and connectivity for pedestrian use. Some of this combines with funds for renewal of infrastructure to improve function and amenity, and addressing identified deficiencies.

Key expenditure includes \$3.0M for bridges and roadworks with pavement renewal and road seal the greatest portion; \$1.29M for buildings with the majority going towards public amenities; \$1.42M for parks infrastructure and \$0.6M for stormwater and wastewater systems. In total \$4.765M is dedicated to renewal of infrastructure and \$0.826M for new infrastructure.

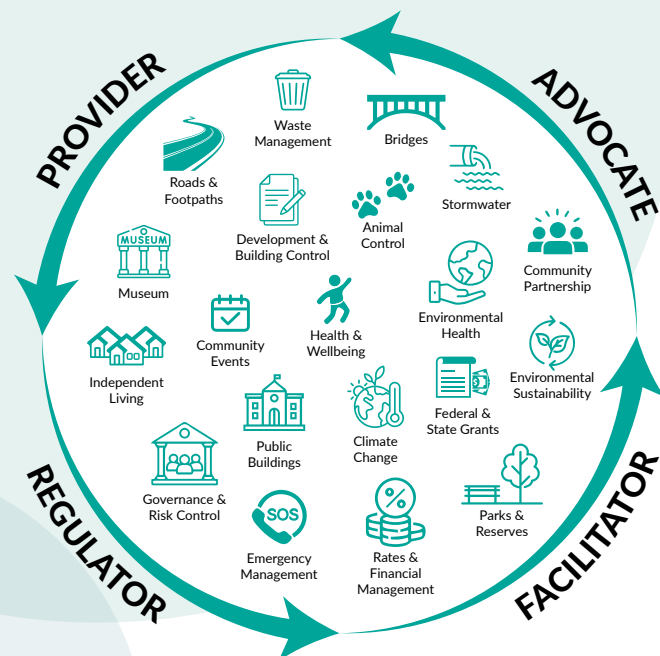
The proposed increase in general rate revenue to Council is 4.5% and it needs to be noted that it does not equate to the increase in each homes' rates demand.

The average increase for non-vacant residential, primary production and commercial properties will be 3.0% including waste charges. A higher increase has been applied to vacant residential land with an average increase of 7.5%. Fees and charges have been limited to 2.4% CPI and for those on the Swanwick wastewater system there is no increase to the annual fee.

The budget represents a steady-as-she-goes approach consolidating gains made in the last 5 years and providing gradual progress.

The overall increase is in line with the long-term financial management plan as are the future projections indicating Council is achieving its goals for the community.

## WHAT WE DO - OUR ROLE



## OUR COUNCILLORS



Mayor  
Cheryl Arnol



Deputy Mayor  
Michael Symons



Councillor  
Carole McQueeney



Councillor  
Jenny Walker



Councillor  
Robert Young



Councillor  
Rob Churchill



Councillor  
Neil Edwards



Councillor  
Kenneth Gregson

# ANNUAL PLAN ACTIONS

## AS ALIGNED WITH OUR HALF TERM PLAN 2025-2027

The Annual Plan outlines targeted actions, specifying the steps to be taken over the next 12 months to support the priorities of the Half Term Plan.

1. OUR GOVERNANCE AND FINANCE		2025/2026 ACTIONS
<b>Operational strength and resilience</b>		
Secure additional grants through building relationships with government and agency representatives and engaging skilled grant writers in our community.		– Identify and apply for relevant grants.
Build capability and understanding of financial planning within Council and community.		– Identify and promote learning opportunities with relevant parties.
<b>A skilled workforce to service and support the work of Council</b>		
Attract and retain skilled staff.		– Work with council to create a culture and environment that is attractive to staff. – Provide competitive conditions for staff positions.
Develop competencies within existing staff.		– Develop training plans and ensure they are completed.
Develop a Human Resource Strategy to help the organisation support and achieve the outcomes of the strategic priorities particularly around securing additional funds.		– Develop Human Resources Strategy to enable completion of Strategic Objectives. – Implement strategy.
<b>Informed participation and decision making around Local Government Reform and Act</b>		
Take a pro-active and responsive approach to Local Government Reform and engage with the sector, on associated recommendations, via LGAT.		– Grasp opportunities to progress individual reform initiatives as Office of Local Government invite participation.
Ensure information and data is available to inform decision making by Council and Community.		– Collect and analyse data. Interpret results to provide a clear picture of relevant situations. Articulate the meaning of the information to community, the Office of Local Government and other relevant parties.
Help shape the new Local Government Act to ensure it is 'fit and responsive' to contemporary times and community needs.		– Engage with the Office of Local Government and Local Government Association of Tasmania (LGAT) to provide input to consultation processes.
Respond to new Local Government Act governance provisions and training for councillors.		– Arrange training for councillors as modules or information becomes available.
2. OUR COMMUNITY		2025/2026 ACTIONS
<b>Community Development Co-ordinator for Glamorgan Spring Bay Communities</b>		
Appoint a community development co-ordinator to make progress on Foundation 2 outcomes.		– Develop plan for foundation 2 Initiatives.
Mobilise the community's strength and focus on active communities that are willing to help and would like to work on things in their area.		– Develop relationships with community groups and assess their capabilities. – Provide assistance to strengthen groups operating effectively.

## ANNUAL PLAN ACTIONS *continued*

2. OUR COMMUNITY	2025/2026 ACTIONS
<b>Community Development Co-ordinator for Glamorgan Spring Bay Communities</b>	
Explore making use of the knowledge and skills within the community as a resource to provide feedback and advice to Council on complex challenges.	<ul style="list-style-type: none"> <li>– Review Section 24 committee needs across council activities.</li> <li>– Recommend and facilitate engagement where beneficial.</li> </ul>
Implement relevant aspects of the Local Government Reform Agenda.	<ul style="list-style-type: none"> <li>– Provide reporting as required by the Local Government Act for community development.</li> </ul>
<b>Community building in all initiatives</b>	
Bring community development knowledge and skills to projects.	<ul style="list-style-type: none"> <li>– Community Development Plan integrates project development.</li> </ul>
Build understanding within the Community of Council's work and roles.	<ul style="list-style-type: none"> <li>– Maintain and continue to build councils media and communications initiatives.</li> </ul>
Continue to generate confidence and trust between Council and Communities.	<ul style="list-style-type: none"> <li>– Provide timely reporting on council activities and decisions.</li> <li>– Conduct community engagement where resources allow and consider community feedback.</li> </ul>
Spring Bay Health Hub advocacy for funding and facilitation of engagement between Government and Industry partners.	<ul style="list-style-type: none"> <li>– Engage with funding providers and industry participants to facilitate development of a health hub.</li> </ul>
<b>Young people are resilient, connected, and have educational opportunities</b>	
Give young people a 'voice' in articulating needs and co-designing responses.	<ul style="list-style-type: none"> <li>– Develop engagement opportunities with schools and clubs to hear from young people.</li> </ul>
Ensure barriers of distance to education and skills are mitigated via the establishment of a Study Hub in the area.	<ul style="list-style-type: none"> <li>– Promote existing facilities among stakeholders.</li> <li>– Advocate for and plan for delivery of training events in the municipality.</li> </ul>
3. INFRASTRUCTURE AND SERVICES	2025/2026 ACTIONS
<b>Road upgrades for safe and efficient volume management</b>	
Tasman Highway (State owned).	<ul style="list-style-type: none"> <li>– Engage with State Growth on road design and priorities for Tasman Highway upgrades.</li> </ul>
Wielangta Road seal and bridge replacement.	<ul style="list-style-type: none"> <li>– Lobby State and Federal Governments for funding for the upgrade of Wielangta road and associated bridges.</li> </ul>
<b>Footpath upgrades and development for safety and connection</b>	
Improved footpath safety for Triabunna and Swanwick communities.	<ul style="list-style-type: none"> <li>– Conduct footpath inspection.</li> <li>– Prioritise defects and program works.</li> <li>– Seek grant funds and developer contributions to renew or create new footpaths.</li> </ul>
Improved footpaths for vulnerable user groups.	<ul style="list-style-type: none"> <li>– Seek grant funds and developer contributions to renew or create new footpaths.</li> </ul>
Footpaths to and in all residential developments.	<ul style="list-style-type: none"> <li>– Consider requirements for footpaths in new subdivisions.</li> </ul>
<b>Work in partnership with the businesses and residents of Swansea to achieve the following:</b>	
Rezoning requirements to support the Swansea Township Structure Plan.	<ul style="list-style-type: none"> <li>– Investigate rezoning opportunities identified in Section 6 of the Swansea Structure Plan.</li> </ul>



3. INFRASTRUCTURE AND SERVICES		2025/2026 ACTIONS
Development of the Swansea Health Precinct.		<ul style="list-style-type: none"> <li>– Conduct a conversation with community on future use of land.</li> <li>– Engage with Government and Private entities as community sentiment is evaluated.</li> </ul>
Transfer of the Swansea Recreation Ground to Council's name.		<ul style="list-style-type: none"> <li>– Engage with Department of Natural Resources and Environment Tasmania (NRE) to progress land ownership restrictions.</li> </ul>
<b>Working in partnership with residents, businesses and funders to achieve the following Open Space Strategy initiatives:</b>		
Transfer the Triabunna Recreation Ground to Council's name.		<ul style="list-style-type: none"> <li>– Develop a project scope for all potential land transfers.</li> <li>– Engage with NRE on all potential land transfers including Triabunna Recreation Ground.</li> </ul>
Upgrade Orford foreshores facilities.		<ul style="list-style-type: none"> <li>– Seek appropriate grant funds and developer contributions.</li> <li>– Progress priority works identified in strategies for funding and addition to capital program.</li> </ul>
Develop the Marina Green Space.		<ul style="list-style-type: none"> <li>– Commence dialogue to identify opportunities and challenges for development of the green space.</li> </ul>
<b>Working in partnership with residents, businesses and funders to achieve the following Walking and Cycling Strategy initiatives:</b>		
Link the Gulch to the Blow Hole Bicheno.		<ul style="list-style-type: none"> <li>– Seek funding for design and construction of footpath.</li> </ul>
Develop the Orford to Triabunna shared pathway.		<ul style="list-style-type: none"> <li>– Negotiate with property owners and State Growth for access to secure a corridor.</li> </ul>
Develop the Swanwick to Coles Bay shared pathway		<ul style="list-style-type: none"> <li>– Seek funding for feasibility study to determine location and access limitations.</li> </ul>
Develop the Dolphin Sands to Swansea shared pathway.		<ul style="list-style-type: none"> <li>– Seek funding for feasibility study to determine location and access limitations.</li> </ul>
<b>Marine infrastructure development and leases</b>		
Secure funding through Marine and Safety Tasmania (MAST) for renewal of marine infrastructure.		<ul style="list-style-type: none"> <li>– Liaise with representatives of MAST on priorities for funding.</li> </ul>
Pro-actively resolve issues associated with foreshore leases.		<ul style="list-style-type: none"> <li>– Liaise with lease holders and State Government departments on resolving identified issues.</li> </ul>
<b>Asset Renewal</b>		
100% renewal based on condition assessment.		<ul style="list-style-type: none"> <li>– Develop 10 year renewal program for all asset classes.</li> <li>– Annual capital program includes renewal target values across asset groups.</li> </ul>
<b>Drainage and Stormwater Management</b>		
Continued delivery of the Catchment Plan actions, and additional catchment plans to develop.		<ul style="list-style-type: none"> <li>– Capital programs include works from catchment plans to mitigate flooding.</li> </ul>
4. OUR ENVIRONMENT		2025/2026 ACTIONS
<b>Climate Adaptation, Action and Resilience</b>		
Work with communities, to help deliver the actions of the Climate Change Adaptation Plan 2023.		<ul style="list-style-type: none"> <li>– Maintain MOU with Landscape Recovery Foundation (LRF).</li> </ul>
Work with communities to help deliver the key priorities of the NRM and Climate Resilience Strategy.		<ul style="list-style-type: none"> <li>– LRF action plans are monitored for fulfillment.</li> </ul>

## ANNUAL PLAN ACTIONS *continued*

4. OUR ENVIRONMENT	2025/2026 ACTIONS
<b>Climate Adaptation, Action and Resilience</b>	
Work with communities to secure funding grants to achieve progress on plan and strategy.	– Provide letters of support and consultation with community on strategic projects.
<b>Strengthen community resilience and preparedness for natural disasters</b>	
Work with the communities to ensure preparedness for natural disaster emergencies.	– Maintain currency of emergency management networks. – Update Community Recovery Plan.
Implement actions from adopted plans – Dolphin Sands Fire Mitigation Municipal Emergency Management Sub-plans.	– Develop Fire management and burn plans where required. – Provide access to beach on recommended easements at Dolphin Sands.
Participate in Fire Management Area Committee activities.	– Provide leadership to Eastern Fire Management Area Committee and work with stakeholders on strategic initiatives.
<b>Ensure NRM services and environmental awareness</b>	
Build on the relationship with Landscape Recovery Foundation to deliver NRM Services including the Weed Action Plan.	– Identify grants to deliver strategic objectives. – Provide support to facilitate LRF activities.
Raise community awareness and understanding of the impact of environmental interference e.g. chopping down trees, clearing habitat, noise etc.	– Liaise with LRF and East Coast Community Catchment Committee on improving community awareness.
<b>Future proof the water supply</b>	
Work with TasWater to ensure future water supply.	– Advocate with TasWater and Ministers for infrastructure upgrades and future proofing water supply.
5. OUR ECONOMY	2025/2026 ACTIONS
<b>Investment and partnership development</b>	
Work with investors on the Triabunna Marina expansion.	– Commence dialogue with landowners and departments to identify opportunities and challenges. – Review draft feasibility study and present to council once complete.
Work with government agencies to ensure they understand the resources needed to respond to increasing visitor numbers particularly on the areas' infrastructure.	– Advocate for improved facilities and adequate funding. – Facilitate East Coast Tourism Tasmania (ECTT) research into the "right" tourism to promote.
Improved tourism data collection to support grant applications and advocacy for region.	– Facilitate ECTT operations. – Collaborate with ECTT around the collection of useful data and information development.
Work towards every development incorporating urban design, universal access and climate mitigation.	– Advocate for reforms which support improvements to urban design, universal access and climate mitigation.

5. OUR ECONOMY	2025/2026 ACTIONS
<b>Sustainable visitor economy</b>	
Highlight businesses engaged in responding to climate change, making it a feature of the area's identity and experiences.	<ul style="list-style-type: none"> <li>- Feature articles in council media.</li> <li>- Develop a narrative that generates pride and support for positive climate change response.</li> </ul>
Continue to fund and support Tourism industry support structures for the region.	<ul style="list-style-type: none"> <li>- Engage with ECTT and South East Region Development Association (SERDA), TAFE and Regional Development Australia (RDA) to promote tourism initiatives.</li> </ul>
Encourage the improved competency of tourism operators in maximising technology for customer benefit, promotion and efficiencies.	<ul style="list-style-type: none"> <li>- Facilitate ECTT initiatives for IT solutions.</li> <li>- Advocate for improved communications infrastructure.</li> </ul>
Engage with initiatives to regulate visitor accommodation options.	<ul style="list-style-type: none"> <li>- Advocate for workable initiatives aimed at regulating Air BnB proliferation.</li> </ul>
Engage with the sector to advocate that the planning scheme dictates restrictions on developments that are detrimental to the character of our area.	<ul style="list-style-type: none"> <li>- Advocate for planning reforms which support location character.</li> </ul>
<b>Leveraging the opportunities of the Silver Economy</b>	
Explore the potential of the Silver Economy and what role Council could and should play	<ul style="list-style-type: none"> <li>- Collect data relevant to the silver economy.</li> <li>- Interrogate and interpret the data to produce information to inform actions to leverage off silver economy activity.</li> </ul>
<b>Skilled Workforce</b>	
Work with industry, training providers and business sectors to educate and qualify, promote, attract and retain a skilled workforce to meet needs.	<ul style="list-style-type: none"> <li>- Develop a workforce development toolkit.</li> <li>- Engage with SERDA and Business and Employment Southeast Tasmania (BEST) on integrated plans to address workforce challenges.</li> </ul>

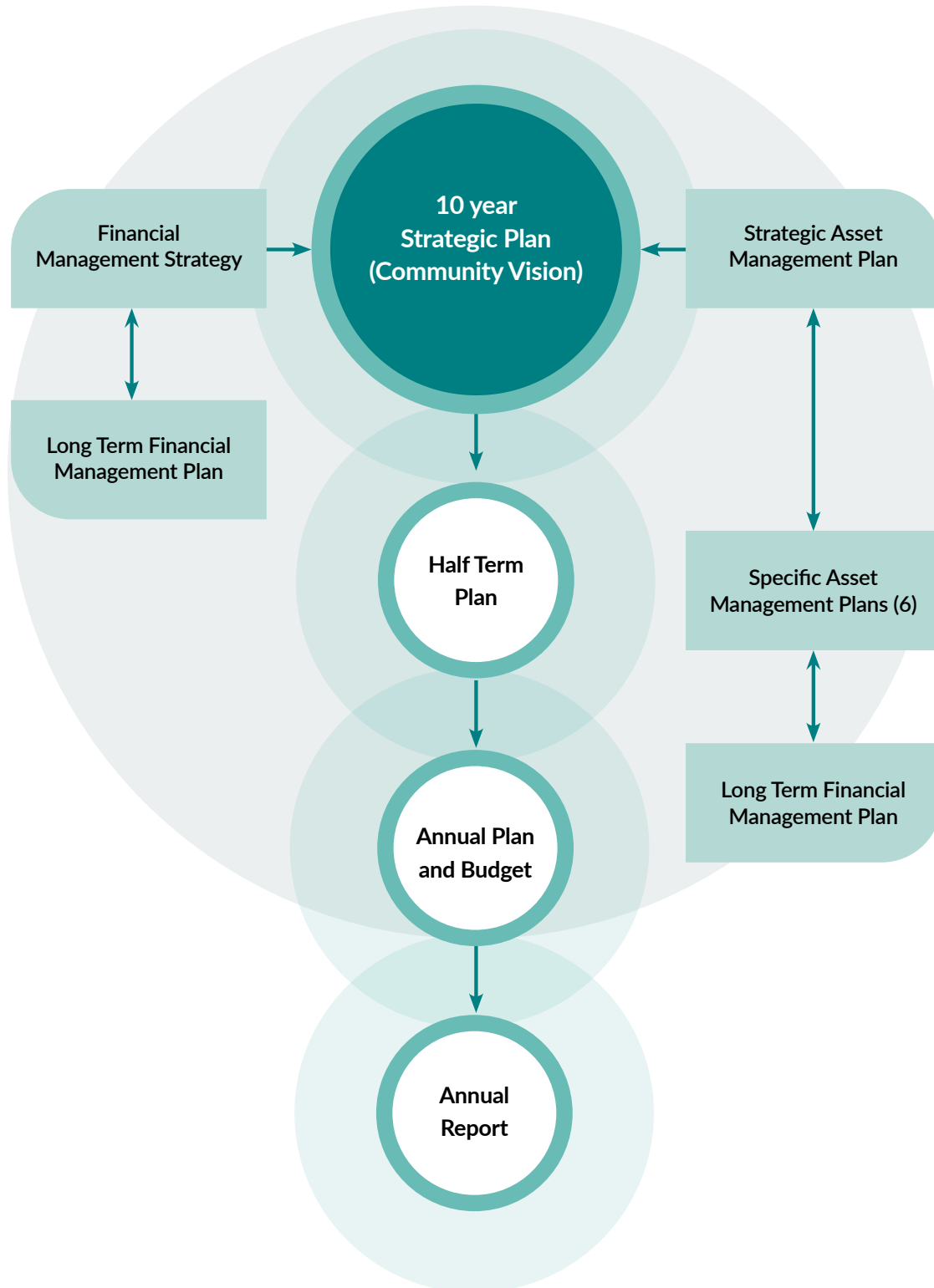


The Gulch, Bicheno (Credit Tourism Tasmania)



## STRATEGIC PLANNING FRAMEWORK

Council decision making is supported by a suite of strategic documents that help us decide what to prioritise within our available resources. This framework helps us effectively address the needs of the community in the short, medium, and long term.





## FINANCIAL SUMMARY FINANCIAL BUDGET AT A GLANCE

BUDGET SUMMARY	
Operational Budget	
Revenue	\$19,642,040
Expenditure	(\$19,003,520)
<b>Operating surplus</b>	<b>\$638,520</b>

<b>Underlying result</b>	<b>\$4,590,436</b>
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Capital Budget	
Asset renewal	\$4,765,000
New/ Asset upgrade projects	\$826,585
Carry forward activities from 2024/25	\$1,747,713
<b>Total Capital Budget</b>	<b>\$7,339,298</b>

External Funding	
Capital Grants	\$3,786,741
Sale of assets	\$50,000
PPRWS Reimbursement of Principal Loan	\$115,175
	<b>\$3,951,916</b>

### KEY CAPITAL AND RENEWAL PROJECTS FOR 2025/26 INCLUDE:

- \$2.475m for road works
- \$0.4m for bridge works
- \$0.926m for building works
- \$0.482m for parks and recreation
- \$0.36m for stormwater and sewerage

### ESTIMATED BORROWINGS

The following figures show projected loan repayments and balances:

2025/26 Budget	
Opening balance	\$5,434,692
Principal repayments	\$277,209
Closing balance	\$5,157,483

The comprehensive budget report can be found on the Council's website.

## STATEMENT OF FINANCIAL POSITION BUDGET 2025-2026

Account	30 June 2024	Forecast 2025	Budget 2026
<b>ASSETS</b>			
<b>Current Assets</b>			
Cash & Cash Equivalents	8,036,845	8,506,158	8,263,005
Trade & Other Receivables	2,871,261	2,871,261	2,871,261
<b>Total Current Assets</b>	<b>10,908,106</b>	<b>11,377,418</b>	<b>11,134,266</b>
<b>Non-current Assets</b>			
Investment in Water Corporation	33,872,244	33,872,244	33,872,244
Property, Infrastructure, Plant & Equipment	213,133,910	216,087,398	219,358,405
<b>Total Non-current Assets</b>	<b>247,006,154</b>	<b>249,959,642</b>	<b>253,230,649</b>
<b>Total Assets</b>	<b>257,914,261</b>	<b>261,337,061</b>	<b>264,364,915</b>

<b>LIABILITIES</b>			
<b>Current Liabilities</b>			
Trade & Other Payables	1,264,242	800,000	800,000
Trust Funds & Deposits	424,919	424,919	424,919
Provisions	721,295	750,868	781,654
Contract Liabilities	928,735	1,368,366	0
Interest bearing Loans & Borrowings	384,912	277,209	281,798
<b>Total Current Liabilities</b>	<b>3,724,103</b>	<b>3,621,362</b>	<b>2,288,371</b>
<b>Non-current Liabilities</b>			
Provisions	51,738	53,859	56,067
Interest Bearing Loans & Borrowings	5,434,693	5,157,483	4,875,685
<b>Total Non-current Liabilities</b>	<b>5,486,431</b>	<b>5,211,342</b>	<b>4,931,752</b>
<b>Total Liabilities</b>	<b>9,210,534</b>	<b>8,832,704</b>	<b>7,220,123</b>

<b>Net Assets</b>	<b>248,703,727</b>	<b>252,504,356</b>	<b>257,144,792</b>
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<b>Equity</b>			
Current Year Earnings	4,941,530	3,879,204	4,590,436
Retained Earnings	94,892,905	95,493,182	95,100,638
Equity - Asset Revaluation Reserve	147,403,564	151,666,243	155,987,990
Equity - Restricted Reserves	1,465,727	1,465,727	1,465,727
<b>Total Equity</b>	<b>248,703,727</b>	<b>252,504,356</b>	<b>257,144,792</b>

## PUBLIC HEALTH STATEMENT

Section 72(1)(ab) of the *Local Government Act 1993* requires Council to prepare a statement that describes the extent to which Council has carried out its functions under the *Public Health Act 1997* and the *Food Act 2003*. This statement is also to outline the resources allocated to public health and the extent to which its goals, objectives, policies and programs in relation to public health met the needs of persons within its municipal area.

Council's Public and Environmental Health program is administered by the Environmental Health section as part of the Planning and Development Directorate. The Environmental Health section is resourced with a part time Environmental Health Officer and administration/compliance support.

The Environmental Health section administers the following key pieces of legislation – *Local Government Act 1993*, *Public Health Act 1997*, *Food Act 2003*, *Litter Act 2007*, *Environmental Management and Pollution Control Act 1994* and the associated regulations. The key functions of these Acts include:

- Notifiable diseases (food borne illness)
- Public health education and promotion
- Immunisation
- Water quality monitoring
- Places of assembly
- Food safety
- Public health risk activities
- On site wastewater management
- Unhealthy premises
- Private burials/exhumations
- Public health and environmental nuisances
- Cooling towers and warm water systems
- Disease prevention and control
- Pollution (air, liquid and solid)

As part of the Glamorgan Spring Bay Council's public health goals and objectives, in 2025/26 the Planning and Development Directorate will seek to:

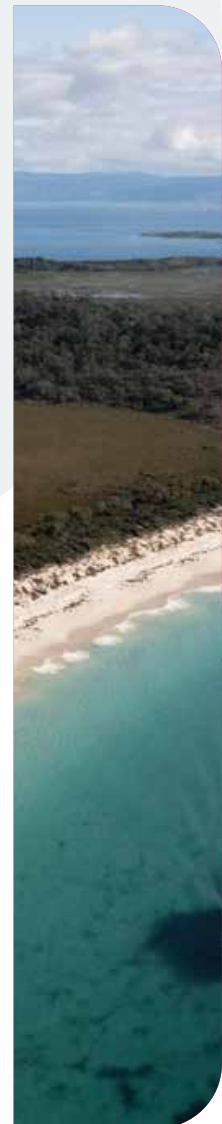
- Conduct annual school immunisations clinics and promote the importance of immunisation to the community.
- Ensure onsite wastewater disposal complies with the provisions of relevant legislation.
- Undertake routine inspections of food premises, public health risk activities, water carters, primary recreational waters, and private water supplies to ensure compliance with relevant legislation.
- Promptly investigate public and environmental health complaints.
- Maintain an effective analysis program for food, recreational waters and general complaints.



Swansea (Credit Tourism Tasmania)

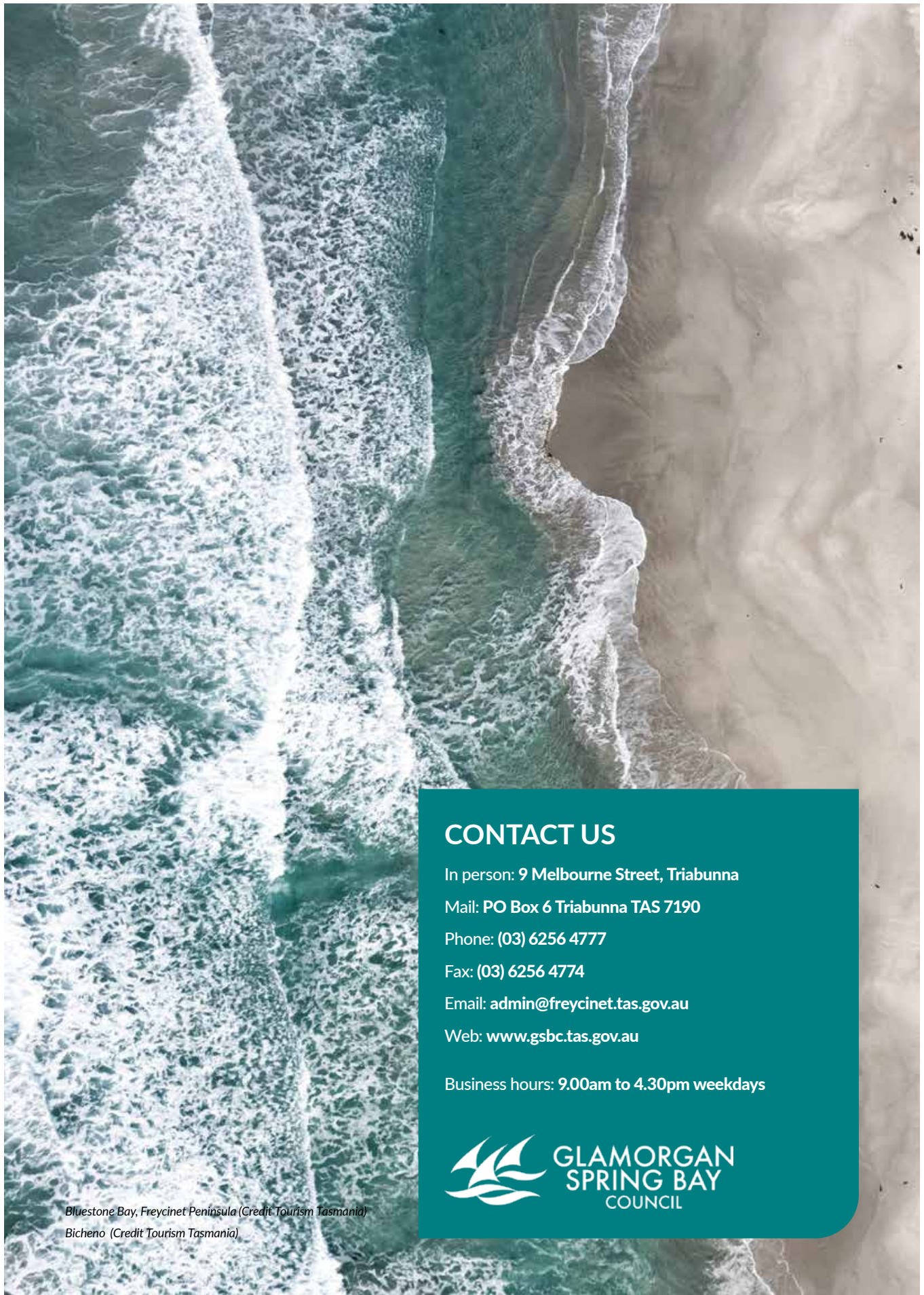


Wineglass Bay (Credit Tourism Tasmania)



Freycinet National Park  
(Credit Tourism Tasmania)





Bluestone Bay, Freycinet Peninsula (Credit Tourism Tasmania)  
Bicheno (Credit Tourism Tasmania)

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GLAMORGAN  
SPRING BAY  
COUNCIL





Glamorgan Spring Bay Council

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## Model Dispute Resolution Policy

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Version [1.0]

Adopted:  
**Minute No.:**

## Document Control

<b>Model Dispute Resolution Policy</b>	
First issued/approved	January 2025
Source of approval/authority	Council
Last reviewed	-
Next review date	
Version number	01
Responsible Officer	General Manager
Department responsible for policy development	Governance
Related policies	<ul style="list-style-type: none"> <li>• <i>The Local Government (Code of Conduct) Order 2024</i></li> <li>• <i>Local Government Act 1993</i></li> <li>• <i>Local Government (General) Regulations 2025</i></li> </ul>
Publication of policy	Website

*Template prepared by the Local Government Association of Tasmania, December 2024.*

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# 1 Introduction

## 1.1 Purpose

To establish the principles and procedures for dispute resolution with, and between, councillors related to matters outlined under the Code of Conduct in accordance with *Local Government Act 1993* Section 28JA, the Local Government (General) Regulations 2025.

## 1.2 Scope

This policy applies to disputes with, and between, councillors. Matters of dispute include those under the Code of Conduct and behaviour of councillors towards each other, council employees and community members more broadly.

### 1.2.1 Relationship to the Code of Conduct

This policy is to support the resolution of disputes with, and between, councillors before a Code of Conduct complaint is lodged.

Where a Code of Conduct complaint is lodged, the *Local Government Act 1993* requires that a complainant details why the outcome from the dispute resolution process was not satisfactory<sup>1</sup>, or if the process was not used, why the dispute resolution process was not appropriate for the circumstances<sup>2</sup>. An exception is where the dispute resolution process is not appropriate to resolve the dispute.

### 1.2.2 When this policy may not be appropriate

A Code of Conduct complaint may be required where either party is unable, or unwilling to participate in some, or all, of the dispute resolution process, such as mediated discussions. These reasons will be documented by the Dispute Resolution Officer.

Other matters such as, but not limited to, health and safety risks, criminal misconduct, discrimination, breaches of the *Local Government Act 1993* are to be addressed outside this policy.

## 1.3 Related Policies and Legislation

This policy relates to and depends on other Council policies, as well as legislation, including:

- *The Local Government (Code of Conduct) Order 2024*
- *Local Government Act 1993*
- *Local Government (General) Regulations 2025*

## 1.4 Policy Review and Update Cycle

This policy is to be reviewed every four years following the council election.

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<sup>1</sup> *Local Government Act 1993*, Section 28V (fc).

<sup>2</sup> *Local Government Act 1993*, Section 28V (fd).

## 2 Principles

### 2.1 Procedural fairness

The principles of procedural fairness, or natural justice, will apply when dealing with a dispute under this Policy.

In particular:

- (i) the parties in the dispute will be afforded equitable opportunities to be heard
- (ii) any recommendations, or dispute resolution plans will be based on genuine consideration of the circumstances and evidence
- (iii) the roles in the process will support procedural fairness.

### 2.2 Roles

#### **Complainant**

The person raising the dispute about a relevant matter.

#### **Respondent**

The councillor(s) that are subject to a dispute.

#### **Mayor**

The mayor as Chairperson of the council may ask for parties to engage in the dispute resolution process.

#### **General Manager**

The General Manager is responsible for identifying a council officer to act as the Dispute Resolution Officer. Where the Dispute Resolution Officer has an actual or perceived conflict of interest with the parties in dispute, the General Manager may appoint an alternative officer. The General Manager may appoint themselves where no other person is able to perform this role, and they can meet the requirements of this policy.

The General Manager is to identify a panel of Dispute Resolution Advisors for use under this Policy. Alternatively, councils may access the provider panel developed by the Local Government Association of Tasmania (LGAT).

#### **Dispute Resolution Officer**

The Dispute Resolution Officer manages the process, is responsible for maintaining the records of the process and appoints the Dispute Resolution Advisor. The Dispute Resolution Officer does not have a role in assessing the dispute.

#### **Dispute Resolution Advisor (the Advisor)**

The Advisor is a person external to the council who undertakes the dispute resolution process with the parties in dispute. Refer to section 3.4 for more detail on the Advisor.

#### **Support person**

The support person is a person who may support the complainant or respondent as part of the dispute resolution process. Refer to Section 3.7 for more detail.

### 2.3 Personal and shared responsibility

Councillors represent the views of the community, so at times they may hold and express views that are different, and opposing, to their fellow councillors. The democratic process means that there may be active debate that should be considered and respectful.

However, this debate may become a conflict or dispute. Where this happens, the parties should use their best endeavour to resolve the issue or dispute in an informal and courteous manner.

Where the parties have been unable to resolve the issue or dispute themselves, or it is not appropriate, then the dispute resolution process can then be applied. The process is to be approached by the parties in good faith to find a resolution.

### 2.4 Confidentiality

All parties will take all reasonable steps to maintain confidentiality when dealing with the dispute, to protect both the complainant and respondent.

With the mutual agreement of the complainant and respondent a closed meeting of Council may be advised that the parties are participating in dispute resolution process.

### 2.5 Accessibility

The Council will ensure that information on how to lodge a dispute, including this Policy, is available via its customer service centre and on the Council's website. The Council will make information available in accessible formats if requested. Any person wishing to lodge a dispute may contact the Dispute Resolution Officer if they require assistance in completing the dispute resolution form or otherwise navigating the dispute resolution process.

### 2.6 Equitable access

This Policy and process is designed to address the different needs and priorities of all persons, including of different genders. It provides measures that address different levels and types of experiences, power, information and influence. These measures include:

- Addressing power imbalances with an external neutral Dispute Resolution Advisor to support dispute resolution and providing for support person(s), detailing access to information, and maintaining accurate, clear records.
- Providing a safe environment through confidentiality and neutral party lodgement.
- Requiring Dispute Resolution Advisors with appropriate training for inclusiveness, gender responsiveness and trauma.

## 3 Procedures

### 3.1 Lodging and withdrawing disputes

Any person may lodge a dispute regarding a councillor's behaviour.

The Dispute Resolution Form must be completed in full to lodge a dispute. Completed forms must include the name and contact details of the complainant. A dispute must specify the part(s) of the Code of Conduct that the behaviour relates to.

Anonymous disputes cannot be accepted. Where an individual wishes to remain anonymous or does not want to put their complaint in writing the Dispute Resolution Officer may direct them to alternative avenues outside this Policy.

Where a Dispute Resolution Form omits required details, the Dispute Resolution Officer will invite the complainant to provide this information for the dispute to be progressed.

The dispute lodgement fee is 25 fee units (as published on [Department of Treasury and Finance](#)). Separate costs and processes apply to Code of Conduct complaints.

Disputes may be withdrawn by the complainant by writing to the Dispute Resolution Officer. The Dispute Resolution Officer will provide written notice of the withdrawal to the respondent. Notice will not be provided if the withdrawal is prior to the respondent being notified of a dispute being lodged (Refer Section 3.3).

### 3.2 Notice to complainant

Within 10 business days after receiving a dispute, the Dispute Resolution Officer will provide written notice to the complainant that:

- (i) confirms receipt of the dispute
- (ii) outlines the process that will be followed
- (iii) notes the confidentiality requirements of section 3.4 of this Policy
- (iv) includes a copy of this Policy.

### 3.3 Notice to respondent

Within 15 business days after receiving a dispute, the Dispute Resolution Officer will provide written notice to the respondent that:

- (i) advises that a dispute has been made in accordance with this Policy
- (ii) includes a completed Dispute Resolution Form
- (iii) outlines the process that will be followed
- (iv) notes the confidentiality requirements of section 3.4 of this Policy
- (v) includes a copy of this Policy.

### 3.4 Appointment of Dispute Resolution Advisor

The Dispute Resolution Officer is to engage a Dispute Resolution Advisor (Advisor) to conduct dispute resolution. The Advisor must:

- not be an employee of Council
- not have any direct relationship to the parties
- must be objective and impartial, with no real or perceived bias
- must be able to demonstrate that their practice is gender and trauma aware
- be accredited under the National Mediator Accreditation System (NMAS), or its successor, the Australian Mediator and Dispute Resolution Accreditation Standards (AMDRAS); or have a minimum of a Diploma in Mediation or Dispute Resolution.

In selecting a person to act in the capacity of the Advisor, the Dispute Resolution Officer will consider the nature of the issue under discussion, , knowledge/experience of local government and interpersonal skills that can most likely assist in resolving matters of conflict.

The Dispute Resolution Officer will provide written notice of the appointment of the Advisor to the complainant and the respondent.

The parties may object to the Dispute Resolution Officer if they believe that the Advisor does not meet the requirements detailed in this section and will provide evidence to substantiate their view. The Officer will consider an objection and determine whether an alternate Advisor is to be appointed.

It is expected that there be no conflicts of interest between the Advisor and the complainant or respondent. If during the review process a conflict of interest arises between any party, the party must notify the Dispute Resolution Officer promptly. Where the Dispute Resolution Officer determines there is an actual conflict of interest, an alternative Advisor is to be appointed.

### 3.5 Dispute resolution process

#### 3.5.1 Commencement

In commencing the dispute resolution process, the Advisor will bring together the parties to conduct an initial facilitated discussion or mediation. Where needed they may also undertake initial individual interviews with the parties and others.

The initial discussion is to provide a general picture of the dispute and to allow the Advisor to provide an estimate of the timeframe for the process based on the parties' willingness and availability. This discussion will support the Advisor's consideration of the appropriateness of undertaking the process including:

- the parties' willingness to participate in the process
- health and safety risks to the parties, or others.

The Advisor may determine that the process cannot continue due to:

- the risk that the process may cause harm to the health and safety of either of the parties; or
- one of the parties is unwilling or unable to participate; or
- initial engagement reveals circumstances that must be addressed through a different process, such as those outlined in Section 1.2.2



Where the Advisor has determined the process cannot continue, they will provide a report to the Dispute Resolution Officer. The report will provide their reasons and state their determination that the dispute will need to be resolved through alternative avenues. The Advisor may make recommendations regarding these avenues.

#### 3.5.2 Process

The Advisor will determine the appropriate resolution processes based on their expertise and experience. This may include, but not be limited to, approaches such as mediation and facilitated restorative processes.

Resolutions may include, but not be limited to:

- a commitment to changing behaviours
- a commitment to cease the behaviour
- a commitment to apologise
- counselling
- undertaking professional development.

The Advisor may also make a recommendation to the Council that it review a policy, procedure, or other document related to the dispute.

The parties must represent themselves.

The maximum timeframe for a dispute resolution process is three months. At this time the Advisor is to provide a report to the Dispute Resolution Officer and close the dispute. This timeframe may be extended on the Advisor's recommendation and with the mutual agreement of the parties.

#### 3.5.3 Information requests

Councillors and council staff are to respond to the Advisor's reasonable requests for information about the dispute. Information pertaining to a third party will require their consent for the information to be released.

The Advisor may request the Dispute Resolution Officer to search for any relevant records or information in the Council's Record Management System. The Advisor must provide the complainant and respondent with a copy of any records that are identified.

In addition, where a clarification or additional information has been sought from the complainant by either the Dispute Resolution Officer or the Advisor, copies must also be provided to the complainant and respondent.

### 3.6 Order of disputes

Disputes will normally be dealt with in the order in which they are received. If more than one dispute is received that relates to the same alleged breach, the Dispute Resolution Officer may progress those disputes concurrently, provided confidentiality can be maintained.

### 3.7 Support person

Complainants and respondents may include a support person as part of the dispute resolution process.

The role of the support person is to observe and provide emotional support. They are not to provide views on the process or on legal context. The support person must not be an Australian lawyer. The parties are to provide written notice to the Dispute Resolution Officer of their intention to include a support person in the dispute resolution process. This notice is to include the person's name, occupation and relationship to the party.

The Advisor is to consider, before and during the process, the impact of the support person's participation on the principles in this Policy. The Advisor has absolute discretion to remove, or not to allow the person to participate in some, or all, of the process. The Advisor's determination will be provided in writing to the parties and to the Dispute Resolution Officer.

## 4 Reporting obligations

### 4.1 Report from Dispute Resolution Advisor

The Advisor must include in the confidential report to the Dispute Resolution Officer and to the parties:

- (i) the process and methods that were used
- (ii) outcomes of the process including commitments made by one or more of the parties
- (iii) the views of the parties regarding the outcomes of the process.

### 4.2 Council

In accordance with *Local Government (General) Regulations 1993*, Regulation 30B, Council is required to maintain a record of the number of disputes, including whether they were determined, withdrawn or underway, and their total costs. This information is to be reported in its Annual Report.

## 5 Implementation

The General Manager is responsible for the implementation of this Policy in accordance with responsibilities outlined.

## 6 Attachments

- Dispute Resolution Form



9 Melbourne Street (PO Box 6)  
Triabunna TAS 7190

☎ 03 6256 4777

☎ 03 6256 4774

✉ [admin@freycinet.tas.gov.au](mailto:admin@freycinet.tas.gov.au)

🌐 [www.gsbc.tas.gov.au](http://www.gsbc.tas.gov.au)

## Dispute Resolution Form

### Instructions for Use

This form is for lodging a dispute under Glamorgan Spring Bay Council's Dispute Resolution Policy.

This form has been provided to ensure that you include all the information required under the *Dispute Resolution Policy* in your dispute. You will need to complete all the sections in this form.

To make a valid dispute, you will need to:

- ☐ Complete this form.
- ☐ Lodge the dispute with the General Manager of Council within two months of the alleged behaviour by the councillor or councillors.
- ☐ Pay the fee for lodging a complaint to the relevant council. 25 fee units (\$47.75 in 2025-2026). The Complainant is to pay via the following:

#### **PAYMENT BY PHONE**

Credit card payment can be made via phone by calling (03) 6256 4777.

#### **PAYMENT IN PERSON**

Payments can be made in person at the Glamorgan Spring Bay Council Office during business hours: 9:00am to 4:30pm, Monday to Friday. EFTPOS and credit card facilities are available.

The fee may be waived if the applicant can demonstrate to the satisfaction of the General Manager that they would find it difficult to pay the fee, for example they are receiving income support or are in financial hardship.

Contact Details (of person lodging the dispute – the complainant)	
Name:	Telephone (mobile):
Address (Residential):	Telephone (work):
Address (Postal):	Telephone (home):
Email address:	Preferred mode of contact:
Summary of dispute	
Name of councillor who you are in dispute with (the respondent):	
Part(s) of the Code of Conduct that you believe have been infringed:	
Date(s) of incident(s):	
Location(s) of incident(s):	

<b>Details of the dispute (FURTHER INFORMATION MAY BE ATTACHED)</b>	
<b>Witnesses (INCLUDE ANYONE WITH KNOWLEDGE OF WHAT HAPPENED)</b>	
<b>Have you previously made a dispute about this matter?</b>	
<input type="checkbox"/> Yes <input type="checkbox"/> No	
If yes, when and to whom did you make the dispute?	

Have you made any efforts to resolve the dispute directly with the respondent? (Note: this section is compulsory. Incomplete forms will be returned)	
<input type="checkbox"/> Yes  Briefly describe the efforts that you have made <b>(Note: You must complete this section)</b>	<input type="checkbox"/> No  Include a brief statement explaining why you have not made any efforts to resolve the issue with the respondent.
Desired outcome of dispute	
Please explain what you would like to happen because of lodging this dispute.	
Please sign and date	
Signature:	
Date:	



Glamorgan Spring Bay Council

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## **Council Meetings – Audio/Visual Recording and Live Streaming**

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Version [1.0]

Adopted: 23 August 2022  
Minute No.: 176/22



## Document Control

Council Meetings – Audio/Visual Recording and Live Streaming	
First issued/approved	April 2020
Source of approval/authority	Council
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Next review date	As required
Version number	1
Responsible Officer	General Manager
Department responsible for policy development	Governance
Publication of policy	Website

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## 1 Introduction

### 1.1 Purpose

This policy provides direction as to the management of the audio and visual recording of all Ordinary and Special Meetings of Council including the Annual General Meeting.

### 1.2 Scope

This policy applies to the audio and visual recording of all Ordinary and Special Meetings of Council including the Annual General Meeting.

### 1.3 Statutory Requirements

*Local Government (Meeting Procedures) Regulations 2025*

**R43. Audio recording of meetings**

### 1.4 Reporting

Data related to the number of people clicking through to watch live and view Council meetings will be reported to Council on a quarterly basis as part of the quarterly Information Briefing Document.

### 1.5 Policy Review and Update Cycle

This policy is to be reviewed every four years or as required.

## 2 Policy

In accordance with Regulation 43 of the Local Government (Meeting Procedures) Regulations 2025, audio recordings will be made of Council meetings.

### 2.1 Recordings of Open Council Meetings

- 2.1.1 All Open session Council meetings shall be recorded in accordance with regulation 43 of the *Local Government (Meeting Procedures) Regulations 2025*.
- 2.1.2 A Council Officer will be responsible for the operation of the digital recording equipment including the commencement and termination of the recording in accordance with meeting procedures or as directed by the Mayor or Chairperson.

### 2.2 Recordings of Closed Council Meetings

- 2.2.1 All Closed session Council meetings will be recorded in audio-visual format in accordance with regulation 43 of the *Local Government (Meeting Procedures) Regulations 2025*.
- 2.2.2 To facilitate effective security and management of the digital recordings, the Open and Closed Sessions of meetings will be recorded separately.
- 2.2.3 In accordance with the *Local Government (Meeting Procedures) Regulations 2025*, regulation 17, the recordings of Closed Session Council meetings are to remain confidential and not be released to the public unless Council resolves to do so. The recordings will be kept in a secure location on Council's record management system where access is strictly limited to the General Manager and the minute taker.

## 2.3 Retention and Use of Digital Recording of Open Session

- 2.3.1 Council is required to keep accurate minutes of Council meetings. The Regulations expressly provide that the minutes of a Council meeting, once confirmed, prevail over the recording of the meeting unless Council has reviewed and amended its confirmed minutes at a subsequent meeting.
- 2.3.2 The digital recording of all open session meetings will be made available on Council's YouTube channel and Council's website for a minimum period of two years.
- 2.3.3 The recording may be used by staff to assist with the preparation of the minutes, particularly in relation to Public Question Time.
- 2.3.4 Unlike Parliament, Council meetings are not subject to parliamentary privilege and both Council and the individual may be liable for comments that may be regarded as offensive, derogatory and/or defamatory.

## 2.4 Retention and Use of Digital Recording of Closed Session

- 2.4.1 Recordings of Closed Session Meetings will be kept in a secure location on Council's record management system where access is strictly limited to the General Manager and the minute taker.
- 2.4.2 During the retention period, access to the audio-visual recording will be restricted to the General Manager and the minute taker.
- 2.4.3 The General Manager may access the recordings of Closed Council meetings for any purpose deemed necessary in the performance of their duties, except where the General Manager was excluded from the Closed meeting under r17, 5(b) of the *Local Government (Meeting Procedures) Regulations 2025* or was absent due to a declared interest. This exception also applies to Council Officers.

## 3 Implementation

Implementation of this Policy rests with the General Manager.



Glamorgan Spring Bay Council

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## Chief Executive Officer Title Policy

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Version [1.0]

Adopted:  
**Minute No.:**

## Document Control

Chief Executive Officer Title Policy	
First issued/approved	July 2025
Source of approval/authority	Council
Last reviewed	-
Next review date	July 2029
Version number	1
Responsible Officer	General Manager
Department responsible for policy development	Governance
Related policies	•
Publication of policy	Website

## Contents

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## 1 Introduction

### 1.1 Purpose

The purpose of this Policy is to clarify that the position titled Chief Executive Officer (CEO) is the General Manager appointed by Council pursuant to section 61 of the *Local Government Act 1993* ("the Act"). It provides legal and policy advice as to the measures required to ensure that the CEO lawfully carries out the powers and functions of that of the General Manager, as defined under the Act.

### 1.2 Scope

This Policy applies to the position of Chief Executive Officer and those powers and functions of the General Manager, as defined and pursuant to section 61 of the *Local Government Act 1993*.

### 1.3 Definitions

For the purposes of this Policy, the following definitions apply:

**Council** – means the body of elected councillors for Glamorgan Spring Bay Council and as established under section 18 of the Local Government Act 1993

**General Manager** – means the person appointed as such under section 61 and, in Part 15, includes a person nominated under section 253A

**Local Government Act 1993** - An Act to provide for local government and establish councils to plan for, develop and manage municipal areas in the interests of their communities.

**Section 61** – The section of the Local Government Act 1993 that details the appointment of the General Manager of a council.

### 1.4 Related Policies and Legislation

This policy relates to and depends on other Council policies, as well as legislation, including:

- *Local Government Act 1993*

### 1.5 Policy Review and Update Cycle

This policy is to be reviewed initially before commencement of a Chief Executive Officer and thereafter, every 4 years.

## 2 Policy

Glamorgan Spring Bay Council has appointed the position of Chief Executive Officer. The CEO of Glamorgan Spring Bay Council will occupy the statutory position of General Manager as defined and appointed under section 61 of the *Local Government Act 1993*. This Policy provides directive and guidance as to the required administrative and legal steps that Council is to take to ensure the CEO's proper and legal exercise of power as the CEO, where such power and authority is vested in a "General Manager" appointed under section 61 of the Local Government Act 1993, and not that of a CEO.

### 2.1 Council Meeting Agendas and Minutes

All Council agendas and minutes should contain the opening pages that: "The title Chief Executive Officer is a term of reference for the General Manager as appointed by the Council pursuant to section 61 of the Local Government Act 1993. For the avoidance of doubt, "Chief Executive Officer" means "General Manager" for the purposes of the Local Government Act 1993, and all other legislation administered by or concerning Glamorgan Spring Bay Council".

### 2.2 Notices, infringements, permits

All notices, infringements, permits etc issued under legislation will have an entry as part of the signature panel as follows, being either:

- "CEO NAME" Chief Executive Officer being the General Manager as appointed by the Council pursuant to section 61 of the Local Government Act 1993;
- OR
- "CEO NAME" Chief Executive Officer "Chief Executive Officer" means "General Manager" for the purposes of the Local Government Act 1993 for whichever Act the notice/infringement/permit etc is signed under.

### 2.3 Contracts, Deeds, Leases, Agreements etc

In the definition section, contracts, deeds, leases, agreements etc, should have either of the following:

- In their definition section, a definition that the Chief Executive Officer means the General Manager, as appointed by the Council pursuant to section 61 of the Local Government Act 1993;

AND/OR

- A signature panel as per clause 2.2 above.

### 2.4 Delegation recommendations/resolutions as recorded in agenda and minutes items

For recommendations or resolutions where there is a delegate power to the Chief Executive Officer, should have as part of the recommendation/resolution:

- "...Chief Executive Officer, being the General Manager as appointed by the Council pursuant to s61 of the Local Government Act 1993...";

OR

- "...Chief Executive Officer means the General Manager...";

OR

- "...for the avoidance of doubt, Chief Executive Officer means the General Manager...".

## 2.5 Instruments of Delegation signed by Mayor

Instruments of Delegation signed by the Mayor, evidencing a Council decision to delegate power to the CEO should replicate one of the entries in clause 2.4 above.

## 2.6 Instruments of Delegation from the CEO to Council Officers

Instruments of Delegation from the CEO to Council Officers should be signed in accordance with the signature panel in clause 2 above. They should also include one of the following in the text of the delegation:

- “I, CEO NAME, General Manager as appointed by the Council pursuant to section 61 of the Local Government Act 1993 (hereinafter referred to as “Chief Executive Officer”)...”
- OR
- “I, CEO NAME, Chief Executive Officer, being the General Manager as appointed by the Council pursuant to section 61 of the Local Government Act 1993...”.

## 2.7 Council Policies

Any Council policies that set out that the Chief Executive Officer is the General Manager should include a reference in the document that the Chief Executive Officer means the General Manager for the purpose of section 61 of the Local Government Act 1993 and all other legislation administered by or concerning the Council.

## 2.8 Instruments of Appointment made under section 61

Any instrument of appointment made under section 61 of Act should include definitions that cover the abovementioned matters. Further it is imperative that the instrument of any appointment of a CEO clearly defines that the Council is appointing a person to the role of General Manager and any policy or inclusions of definitions in the instrument of appointment must clearly identify any use of titles or roles as a flow on from the appointment to the role of General Manager under section 61 of the Act.

# 3 Implementation

Implementation of this Policy rests with the General Manager.



## DELEGATIONS REGISTER

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**Adopted:** 24 June 2025  
**Minute No.** 137/25

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## LEGISLATIVE TERMINOLOGY – GENERAL MANAGER

At Glamorgan Spring Bay Council, the title Chief Executive Officer is a term of reference for the General Manager as appointed by Council pursuant to section 61 of the Local Government Act 1993 (Tas). For the avoidance of doubt, Chief Executive Officer means the General Manager for the purposes of the Local Government Act 1993 (Tas) and all other legislation administered by or concerning Council.

### DELEGATION

A Council, in writing, may delegate with or without conditions to the Chief Executive Officer, any of its functions or powers under any Act.

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#### **S.22 Local Government Act 1993 (subject to restrictions).**

*The General Manager, in writing, may delegate to an employee of the Council*

- (a) any functions or powers under any Act, other than this power of delegation; and*
- (b) any functions or powers delegated by the Council which the Council authorised the General Manager to delegate.*

---

#### **S.64 Local Government Act 1993.**

*If an Act confers a power on a person to delegate a function or power, the person may, in accordance with the Act, delegate the function or power to*

- (a) a person by name; or*
- (b) the holder of a particular office or position by reference to the title of the office or position concerned, whether or not the office or position is vacant at the time of the delegation.*

---

#### **S.23AA(1) of the Acts Interpretation Act 1931.**

*If a function or power is delegated to a particular officer or the holder of a particular office or position*

- (a) the delegation does not cease to have effect merely because the person who was the particular officer or the holder of the particular office or position when the function or power was delegated ceases to be that officer or the holder of that office or position; and*
- (b) the function or power may be performed or exercised by the person for the time being occupying or acting in the office or position concerned.*

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#### **S.23AA(5) of the Acts Interpretation Act 1931.**

*A function or power that has been delegated may, notwithstanding the delegation, be exercised by the delegator.*

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#### **S.23AA(6) of the Acts Interpretation Act 1931.**

Pursuant to the powers of the *Local Government Act 1993* the Council hereby delegates the exercise and performance of the following functions and powers to the General Manager and/or an Officer/employee of Council on the following conditions:

- I Each delegation is subject to the conditions or restrictions (if any) referred to in the table to this delegation.
- II Each delegation is subject to such policies, policy guidelines and directions as the Council may from time to time approve.
- III Each delegation is subject to Council's By-laws or the provision of any Act.
- IV Each delegation includes any person acting in the delegated positions.

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For and on behalf of the Glamorgan Spring Bay Council

The Glamorgan Spring Bay Council pursuant to a resolution of Council Number 137/25 dated 24 June 2025 hereby approved these delegations.

Signed on the 25 June 2025

Clr Cheryl Arnol  
**MAYOR**

Peter Porch  
**ACTING GENERAL MANAGER**

## 1. ARCHIVES ACT 1983

No	Statutory Ref	Function or Power	Conditions or Restrictions	Delegation	Original Source of Power
1	S.10(1)	<b>Preservation of State Records</b> Council is to keep proper records of the business of the local authority for which that relevant authority is responsible.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Corporate &amp; Communication</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
2	S.11	<b>Transfer of State records to Archives Office</b> Council is to transfer state records to archives office.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Corporate &amp; Communication</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
3	S.15(3)	Conditions may be imposed on the making of State archives available for public inspection.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Corporate &amp; Communication</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>

## 2. BIOSECURITY ACT 2019

No	Statutory Ref	Function or Power	Conditions or Restrictions	Delegation	Original Source of Power
1	S.31(1)(b)	<b>Appointment of authorised officer</b>	The Secretary of the Department may appoint an employee of a council to be an authorised officer for the purpose of the Biosecurity Act.	<ul style="list-style-type: none"> <li>To authorised Officer</li> </ul>	The Secretary of the Department



### 3. BIOSECURITY REGULATIONS 2022

No	Statutory Ref	Function or Power	Conditions or Restrictions	Delegation	Original Source of Power
1	R.25	<b>Payments to Council of Public Account</b> (1) Any payments made in respect of an infringement notice – (a) are payable to a council, if the notice was served by an authorised officer who is an employee of the council; ...  (2) A council may charge a person a fee for – (a) the provision by the council to the person of any information requested by the person from the council under the Act; or (b) the carrying out of any inspection, analysis or other function under the Act in respect of the person by an authorised officer who is an employee of the council.	Reg. 25(3) A fee charged under subregulation (2) is – (a) to be no more than is necessary to cover the reasonable costs and expenses incurred in connection with the provision of information, or the inspection, analysis or other function that was carried out by the authorised officer under the Act in respect of the person; and (b) recoverable in a court of competent jurisdiction as a debt due and owing to the council.	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Authorised Officer</li> </ul>	<ul style="list-style-type: none"> <li>• Council</li> </ul>

### 4. BUILDING ACT 2016

No	Statutory Ref	Functions or Power	Conditions or Restrictions	Delegation	Original Source of Power
1	S.27(3) & (4)	<b>Records of Permit Authority</b> Make information retained pursuant to S.27(2) available to the persons specified in S.27(3), and to provide a copy of that information upon payment of a fee	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Senior Environmental Health Officer</li> <li>• Compliance Coordinator</li> <li>• Compliance Officer</li> <li>• Plumbing Surveyor</li> </ul>	<ul style="list-style-type: none"> <li>• Council</li> </ul>
2	Part 6	<b>Protection Work</b> Take all steps required to be taken in relation to protection work and insurance cover in circumstances where the Council is either the owner of the premises where building work, plumbing work or demolition work will be carried out, or the responsible person for that work.	Excludes the ability to pay or agree to pay compensation pursuant to s.89	<ul style="list-style-type: none"> <li>• Director of Planning &amp; Development</li> <li>• Compliance Coordinator</li> <li>• Compliance Officer</li> <li>• Senior Environmental Health Officer</li> <li>• Plumbing Surveyor</li> </ul>	<ul style="list-style-type: none"> <li>• General Manager</li> </ul>

No	Statutory Ref	Functions or Power	Conditions or Restrictions	Delegation	Original Source of Power
3	Part 6	<b>Notice of proposed Protection Work</b> Take all steps required to be taken in relation to protection work and insurance cover in circumstances where the Council is the owner of an adjoining premises to a premises where building work, plumbing work or demolition work will be carried out.	Excludes the ability to pay or agree to pay compensation pursuant to S.89.	<ul style="list-style-type: none"> <li>• Director of Planning &amp; Development</li> <li>• Compliance Coordinator</li> <li>• Compliance Officer</li> <li>• Senior Environmental Health Officer</li> <li>• Plumbing Surveyor</li> </ul>	<ul style="list-style-type: none"> <li>• General Manager</li> </ul>
4	S.244	<b>Revocation of notices</b> A person who issued a notice under this Division may revoke the notice if satisfied that it is appropriate to do so after.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Director of Planning &amp; Development</li> <li>• Compliance Coordinator</li> <li>• Compliance Officer</li> </ul>	<ul style="list-style-type: none"> <li>• General Manager</li> </ul>
5	S.265(3) & (4)	<b>Failure to comply with emergency, building or plumbing order</b> Perform works where there has been failure to comply with an emergency, building or plumbing order, including the power to: a) Enter on the land where the work is to be done with the appropriate equipment; and b) Exclude other persons from the place where the work is being done; and c) If anything is to be altered, determine the form of the alteration so far as it was not previously specified; and d) If anything is to be taken down, demolished or removed, determine in what condition the remainder is to be left; and e) Carry away to some convenient place any materials removed; and f) Sell any materials so carried away and deduct the proceeds from the cost of the work.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Compliance Coordinator</li> <li>• Compliance Officer</li> <li>• Senior Environmental Health Officer</li> <li>• Plumbing Surveyor</li> </ul>	<ul style="list-style-type: none"> <li>• Council</li> </ul>
6	S.266	<b>Possession of building</b> Take proceedings to obtain possession of a building or temporary structure if any occupier fails to allow any person to do work pursuant to S.265.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Compliance Coordinator</li> <li>• Compliance Officer</li> <li>• Senior Environmental Health Officer</li> </ul>	<ul style="list-style-type: none"> <li>• Council</li> </ul>
7	S.269	<b>Recovery of performance costs</b> If a person fails to perform the work required by any order under this Part within a specified time, the council may enter land or a building and perform the required work and may recover its expenses as a charge on the land and recoverable as if it were rates or charges under the <u>Local Government Act 1993</u>	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Director of Corporate &amp; Communication</li> <li>• Compliance Coordinator</li> <li>• Compliance Officer</li> </ul>	<ul style="list-style-type: none"> <li>• Council</li> </ul>

No	Statutory Ref	Functions or Power	Conditions or Restrictions	Delegation	Original Source of Power
8	S.271(1)	<b>Purchasing buildings and materials</b> Councils may sell a building for removal or after demolishing a building, sell the materials on the premises for removal.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Director of Corporate &amp; Communication</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
9	S.271(2)	<b>Purchasing buildings and materials</b> Grant the purchaser of a building sold pursuant to S271(1) all of the powers Council has under S.265.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
10	S.271(6)	<b>Purchasing buildings and materials</b> Authority to pay, on behalf of the Council, the owner of the building or materials sold under subsection (1) the balance of any proceeds of the sale after deducting any reasonable expenses incurred by it.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Director of Corporate &amp; Communication</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
11	S.310	<b>Prosecution of offences</b> Proceedings for an offence against this Act or the regulations are to be commenced by an authorised person within the period of 2 years from the date on which evidence of the alleged offence first came to the attention of any authorised person.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Director of Planning &amp; Development</li> <li>Compliance Coordinator</li> <li>Compliance Officer</li> <li>Senior Environmental Health Officer</li> </ul>	<ul style="list-style-type: none"> <li>General Manager</li> </ul>

## 5. BUILDING REGULATIONS 2016

No	Statutory Ref	Functions or Power	Conditions or Restrictions	Delegation	Original Source of Power
1	R.43(1)	<b>Plumbing work involving network utility operator's stormwater drainage systems</b> A person must not perform plumbing work unless written consent to do so has been obtained from the relevant network utility operator.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Director of Planning &amp; Development</li> <li>Director of Works &amp; Infrastructure</li> <li>Development Engineer</li> <li>Works Manager</li> <li>Plumbing Surveyor</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
2	R.43(3)	<b>Plumbing work involving network utility operator's stormwater drainage systems</b> If not satisfied that a stormwater drainage system is sealed in accordance with the Act, enter the premises and perform any work necessary.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Director of Planning &amp; Development</li> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> <li>Senior Environmental Health Officer</li> <li>Plumbing Surveyor</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>

No	Statutory Ref	Functions or Power	Conditions or Restrictions	Delegation	Original Source of Power
3	R.43(5)(a)	<b>Plumbing work involving network utility operator's stormwater drainage systems</b> Recover costs as a charge under the <i>Local Government Act 1993</i> .	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Director of Planning &amp; Development</li> <li>Works Manager</li> <li>Senior Environmental Health Officer</li> <li>Plumbing Surveyor</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
4	R.53	<b>Riverine inundation</b> Assessment of land as having a reasonable probability of flooding.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Director of Planning &amp; Development</li> <li>Development Engineer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
5	R.78(3)	<b>Permit authorities may perform maintenance work</b> Recover costs as a charge under the <i>Local Government Act 1993</i> .	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Director of Planning &amp; Development</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>

## 6. BURIAL AND CREMATION ACT 2019

No	Statutory Ref	Function or Power	Conditions or Restrictions	Delegation	Original Source of Power
<b>CEMETERIES</b>					
1		<b>COUNCIL AS CEMETERY MANAGER</b> The Council delegates the following functions and powers of the Council in its capacity as cemetery manager pursuant to the <i>Burial and Cremation Act 2019</i> (except the setting of fees), to the General Manager and authorises the General Manager to delegate those functions and powers.	The ultimate responsibility for the cemetery will remain with the Council, as cemetery manager.	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
2	S.29(1)(c)	<b>Interment otherwise than in cemetery</b> The General Manager's written permission (and the landholder's and Director of Public Health) is required to inter human remains otherwise than in a cemetery.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> <li>Senior Environmental Health Officer</li> </ul>	<ul style="list-style-type: none"> <li>General Manager</li> </ul>
3	S.29(4)	<b>Interment otherwise than in cemetery</b> The General Manager must ensure Council keep a record of the proposed interment and ensure it is included on any S.337 LGA certificate issued by Council.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> <li>Senior Environmental Health Officer</li> </ul>	<ul style="list-style-type: none"> <li>General Manager</li> </ul>
4	S.29(5)	<b>Interment otherwise than in cemetery</b> Permission given by the General Manager under S.29(1)(c) may be subject to any conditions necessary to ensure that the proposed interment will not be prejudicial to public health or public safety.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> <li>Senior Environmental Health Officer</li> </ul>	<ul style="list-style-type: none"> <li>General Manager</li> </ul>
5	S.32 (1)	<b>Approval of persons as cemetery manager</b> A person must not manage a cemetery unless – (a) the person has been approved under this section to be the cemetery	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> <li>Senior Environmental Health Officer</li> </ul>	<ul style="list-style-type: none"> <li>General Manager</li> </ul>

No	Statutory Ref	Function or Power	Conditions or Restrictions	Delegation	Original Source of Power
		manager for the cemetery; or (b) the person is deemed under this Act to be the cemetery manager for the cemetery.			
6	S.34(1)	<b>Duties and powers of cemetery managers</b> Keep a cemetery in accordance with the Act so as not to be prejudicial to public health or public safety.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> <li>Senior Environmental Health Officer</li> </ul>	<ul style="list-style-type: none"> <li>General Manager</li> </ul>
7	S.34(2)	<b>Duties and powers of cemetery managers</b> Ensure that as far as reasonably practicable the cemetery is maintained to prevent it from falling into disrepair, or from being defaced or damaged. Rectify and disrepair or defacement as soon as possible.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>General Manager</li> </ul>
8	S.34(4)	<b>Duties and powers of cemetery managers</b> Keep all prescribed records (as per 2002 Act – see Schedule 1 Part 2).	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> <li>Records Officer</li> </ul>	<ul style="list-style-type: none"> <li>General Manager</li> </ul>
9	S.34(5)	<b>Duties and powers of cemetery managers</b> Permit any person access free of charge at any reasonable time.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>General Manager</li> </ul>
10	S.34(7)	<b>Duties and powers of cemetery managers</b> A cemetery manager may a) Improve, embellish and enlarge a cemetery under the management of that manager; and b) Restrict interments in any portion of the cemetery, except as may be required by an exclusive right of burial; and c) Take any other action as may be required for the reasonable management and maintenance of the cemetery.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>General Manager</li> </ul>
11	S.36 (1)	<b>Cemetery managers to ensure application of revenue of cemeteries</b> A cemetery manager must make adequate provision, out of any revenue received in respect of each cemetery for which he or she is the cemetery manager, for the purposes of – (a) defraying the cost of its establishment or acquisition, including interest and such amount as the manager thinks proper for administrative expenses; and (b) the maintenance, management and improvement of the cemetery.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Director of Works &amp; Infrastructure</li> <li>Director of Corporate &amp; Communication</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>General Manager</li> </ul>
12	S.39(1)	<b>Monuments, &amp;c.</b> The cemetery manager may permit any vault or grave to be made or dug, and any monument to be erected or placed, in any portion of the cemetery on payment of the fee which has been fixed for doing so.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Director of Works &amp; Infrastructure</li> <li>Director of Corporate &amp; Communication</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>General Manager</li> </ul>

No	Statutory Ref	Function or Power	Conditions or Restrictions	Delegation	Original Source of Power
13	S.39(2)	<b>Monuments, &amp;c.</b> The cemetery manager may determine the position of any monument to be erected or placed according to its description, size and character and having regard to the general plan for ornamenting the cemetery in an appropriate manner.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Director of Works &amp; Infrastructure</li> <li>• Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>• General Manager</li> </ul>
14	S.39(3)	<b>Monuments, &amp;c.</b> The cemetery manager may enter into an agreement for the maintenance of a vault, grave or monument.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Director of Works &amp; Infrastructure</li> <li>• Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>• General Manager</li> </ul>
15	S.40(1)	<b>Requirement to remove monuments</b> The cemetery manager may provide notice to require a person to take down or remove a monument or to render it safe, if a monument has been erected or placed contrary to the terms and conditions on which the permission to erect or place it was granted or, in the opinion of the cemetery manager, it is unsafe.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Director of Works &amp; Infrastructure</li> <li>• Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>• General Manager</li> </ul>
16	S.40(3)(c)	<b>Removal of certain monuments in cemeteries</b> To make enquiries to find a person who erected or placed a monument.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Director of Works &amp; Infrastructure</li> <li>• Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>• General Manager</li> </ul>
17	S.40(3)(d)	<b>Removal of certain monuments in cemeteries</b> Render the monument safe or take the monument down and remove.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Director of Works &amp; Infrastructure</li> <li>• Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>• General Manager</li> </ul>
18	S.40(3)(e)	<b>Removal of certain monuments in cemeteries</b> Recover in a court the reasonable cost of rendering the monument safe or taking a monument down and removing it.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Director of Works &amp; Infrastructure</li> <li>• Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>• General Manager</li> </ul>
19	S.40(6)	<b>Removal of certain monuments in cemeteries</b> Provide notice of the removal of a monument and arrange for it to be re-erected if there is an agreement pursuant to S.40(4) which meets the requirements of the Act.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Director of Works &amp; Infrastructure</li> <li>• Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>• General Manager</li> </ul>
20	S.41(2)	<b>Exclusive right of burial</b> Grant an exclusive right of burial. Note: The cemetery manager must issue a certificate of exclusive right under the <i>Burial and Cremation Regulations 2015</i> R.37.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Director of Works &amp; Infrastructure</li> <li>• Works Manager</li> <li>• Records Officer</li> </ul>	<ul style="list-style-type: none"> <li>• General Manager</li> </ul>
21	S.42(2)	<b>Notification of possible cemeteries</b> The General Manager of a Council is to notify the regulator as soon as practicable after becoming aware land within municipal area is a cemetery or contains more than one monument and is not covered by an entry in the register (S.14).	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Director of Works &amp; Infrastructure</li> <li>• Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>• General Manager</li> </ul>
22	S.52(1)(a)	<b>Sale of Cemetery – Notice</b> Cemetery manager must publish notice of intention (in prescribed form see S.52(2)) to sell cemetery.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Director of Works &amp; Infrastructure</li> <li>• Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>• General Manager</li> </ul>

No	Statutory Ref	Function or Power	Conditions or Restrictions	Delegation	Original Source of Power
22	S.52(1)(b)	<b>Sale of Cemetery – Notice to Exclusive right holders</b> Cemetery manager must notify in writing each person who holds exclusive right of burial or other exclusive write of intention to sell cemetery.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Director of Works &amp; Infrastructure</li> <li>• Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>• General Manager</li> </ul>
24	S.52(1)(c)	<b>Sale of Cemetery – Certificate of Compliance</b> Cemetery manager must apply for certificate of compliance in respect of proposed sale.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Director of Works &amp; Infrastructure</li> <li>• Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>• General Manager</li> </ul>
25	S.53	<b>Sale of Cemetery – Audit</b> Cemetery manager must ensure audit undertaken within 6 months of issue of notice of intention to sell.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Director of Works &amp; Infrastructure</li> <li>• Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>• General Manager</li> </ul>
26	S.57	<b>Notification of decision to not sell cemetery</b> If cemetery manager, having given notice, decides not to sell cemetery they must notify regulator.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Director of Works &amp; Infrastructure</li> <li>• Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>• General Manager</li> </ul>
27	S.58(1)	<b>Cemetery disclosure document</b> Cemetery manager must provide disclosure document to proposed purchaser.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Director of Works &amp; Infrastructure</li> <li>• Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>• General Manager</li> </ul>
28	S.61	<b>Notification to purchase cemetery</b> If Council purchases a cemetery it must give notice to the regulator of the transfer within 30 days of it occurring.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Director of Works &amp; Infrastructure</li> <li>• Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>• General Manager</li> </ul>
29	S.63	<b>Closure of cemeteries for reasons of public health or public safety</b> The general manager may give notice to cemetery manager that the whole or portion of cemetery is to be closed.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Director of Works &amp; Infrastructure</li> <li>• Works Manager</li> <li>• Senior Environmental Health Officer</li> </ul>	<ul style="list-style-type: none"> <li>• General Manager</li> </ul>
30	S.64	<b>Intention to close (no interments for 50 years +) – notice/apply</b> The cemetery manager must give notice of intention to close and apply to regulator for approval.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Director of Works &amp; Infrastructure</li> <li>• Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>• General Manager</li> </ul>
31	S.65(1)(a)	<b>Intention to close cemetery (no interments for 50 years +)</b> If the regulator approves the closure the cemetery manager must notify the holder of exclusive rights.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Director of Works &amp; Infrastructure</li> <li>• Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>• General Manager</li> </ul>
32	S.65(1)(b)	<b>Close cemetery (no interments for 50 years+)</b> On receipt of notification from the regulator of approval to close the cemetery, the cemetery manager may close the cemetery.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Director of Works &amp; Infrastructure</li> <li>• Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>• General Manager</li> </ul>



No	Statutory Ref	Function or Power	Conditions or Restrictions	Delegation	Original Source of Power
33	S.66	<b>Effect of closure of cemetery</b> Cemetery manager must forward all records to the State archivist and may take steps in relation to altering or moving tombstones in accordance with this section.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Director of Works &amp; Infrastructure</li> <li>• Works Manager</li> <li>• Records Officer</li> </ul>	• General Manager
34	S.67	<b>Exclusive rights of burial in closed cemetery</b> Cemetery manager must enter into an agreement with a person who holds an exclusive right of burial in a closed cemetery, and take action as agreed and prescribed in this section.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Director of Works &amp; Infrastructure</li> <li>• Works Manager</li> </ul>	• General Manager
35	S.68	<b>Actions by cemetery manager in closed cemeteries</b> The cemetery manager may apply to the regulator for approval to lay out a closed cemetery as a park or garden, and take related steps.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Director of Works &amp; Infrastructure</li> <li>• Works Manager</li> </ul>	• General Manager
36	S.70	<b>Removal of grave etc or human remains in closed cemeteries</b> A cemetery manager must not remove a grave etc or human remains from a closed cemetery without giving public notice and preparing a statement prescribed in this section.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Director of Works &amp; Infrastructure</li> <li>• Works Manager</li> </ul>	• General Manager
37	S.71	<b>Application to reduce time to take action in closed cemetery</b> A cemetery manager may apply to take action under S.66 or S.68 even though 100 years has not passed.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Director of Works &amp; Infrastructure</li> <li>• Works Manager</li> </ul>	• General Manager
38	S.72	<b>When land ceases to be cemetery</b> Council can sell land that has ceased to be a cemetery but must comply with this section in relation to persons who hold an exclusive right of burial	No authority for the General Manager to sub-delegate	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Works &amp; Infrastructure</li> <li>• Works Manager</li> </ul>	• Council
39	S.72(6)	<b>When land ceases to be cemetery</b> A cemetery manager must notify regulator after dealing with land under this section.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Director of Works &amp; Infrastructure</li> <li>• Works Manager</li> </ul>	• General Manager
40	S.73	<b>Declaration land is not a cemetery</b> If Council intends to sell land subject to a declaration under this section it must notify the prospective purchaser of matters specified in this section.	No authority for the General Manager to sub-delegate	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Works &amp; Infrastructure</li> <li>• Works Manager</li> </ul>	• Council
<b>CREMATORIA</b>					
41	S.82	<b>Closure of crematorium – public health or public safety</b> The general manager may give notice that a crematorium is to be closed on a particular date if prejudicial to public health or safety.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Director of Works &amp; Infrastructure</li> <li>• Works Manager</li> <li>• Senior Environmental Health Officer</li> </ul>	• General Manager
42	S.84	<b>Monuments containing cremated remains</b> The person in charge of the monument must give notice of intention to remove and comply with other obligations under this section.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Director of Works &amp; Infrastructure</li> <li>• Works Manager</li> </ul>	• General Manager

No	Statutory Ref	Function or Power	Conditions or Restrictions	Delegation	Original Source of Power
43	S.85	<b>Granting of exclusive rights in relation to monuments</b> The person in charge of a monument may grant exclusive rights to place cremated remains in that monument in accordance with this section.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>General Manager</li> </ul>
44	S.86	<b>Closure of monument</b> The person in charge of a monument to be closed must grant a holder of exclusive rights in the monument exclusive rights in another monument.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>General Manager</li> </ul>

## 7. BURIAL AND CREMATION REGULATIONS 2015

No	Statutory Ref	Function or Power	Conditions or Restrictions	Delegation	Original Source of Power
<b>CEMETERIES</b>					
1		<b>COUNCIL AS CEMETERY MANAGER</b> The Council delegates the following functions and powers of the Council in its capacity as cemetery manager pursuant to the <i>Burial and Cremation Act 2019</i> (except the setting of fees), to the General Manager and authorises the General Manager to delegate those functions and powers.	The ultimate responsibility for the cemetery will remain with the Council, as cemetery manager.	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
2	R.27	<b>Issue of certificate of exclusive right of burial</b> The cemetery manager must issue a certificate of exclusive right of burial.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> <li>Records Officer</li> </ul>	<ul style="list-style-type: none"> <li>General Manager</li> </ul>
3	R.28	<b>Amendment of certificate of exclusive right of burial</b> The cemetery manager may amend a certificate of exclusive right of burial.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> <li>Records Officer</li> </ul>	<ul style="list-style-type: none"> <li>General Manager</li> </ul>
4	R.29	<b>Cancellation or transfer of certificate of exclusive right of burial</b> The cemetery manager may cancel or transfer a certificate of exclusive right of burial.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> <li>Records Officer</li> </ul>	<ul style="list-style-type: none"> <li>General Manager</li> </ul>
5	R.30(3)	<b>Permission to inter human remains</b> A cemetery manager may grant or refuse permission to inter human remains in a cemetery. The permission may be subject to conditions. Notice of the grant or refusal of permission is to be given.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> <li>Records Officer</li> </ul>	<ul style="list-style-type: none"> <li>General Manager</li> </ul>
6	R.39	<b>Plan of cemetery</b> A cemetery manager must keep a plan of the cemetery showing the graves and plots set aside in respect of an exclusive right of burial.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Director of Works &amp; Infrastructure</li> </ul>	<ul style="list-style-type: none"> <li>General Manager</li> </ul>

No	Statutory Ref	Function or Power	Conditions or Restrictions	Delegation	Original Source of Power
7	R.40	<b>Register of instruments</b> A cemetery manager must keep a register of instruments as set out in this section.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> <li>Records Officer</li> </ul>	<ul style="list-style-type: none"> <li>General Manager</li> </ul>
8	R.42	<b>Driving in cemeteries</b> A cemetery manager can give reasonable directions to a driver which it is an offence not to obey.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>General Manager</li> </ul>
9	R.44	<b>Power of cemetery manager in relation to graves and plots</b> A cemetery manager may take certain action in cemeteries in relation to the appearance of the cemetery and public health and safety.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>General Manager</li> </ul>
10	R.45	<b>Power of cemetery manager to approve permanent items</b> A cemetery manager may approve certain items or classes of items that may be permanently affixed to or next to a grave or plot.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>General Manager</li> </ul>
11	R.46(1)	<b>Power of cemetery manager to remove persons</b> A cemetery manager may require a person to leave and not re-enter a cemetery as set out in this section.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>General Manager</li> </ul>
12	R.46(3)	<b>Power of cemetery manager to remove persons</b> A cemetery manager may use reasonable force to remove from a cemetery or prevent the entry of a person into a cemetery in contravention of a requirement under S.46(1).	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>General Manager</li> </ul>
13	R.47	<b>Duty of cemetery manager on removal of monument</b> A cemetery manager must take photos as prescribed if removing a monument and provide the photos to the Heritage Council.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>General Manager</li> </ul>

## 8. CAT MANAGEMENT ACT 2009

No	Statutory Ref	Function or Power	Conditions or Restrictions	Delegation	Original Source of Power
1	8A	Collection and analysis of sample from a cat (2) The general manager may approve a person to collect a non-intimate sample from a cat, and a person to conduct the analysis of the sample collected. (4) If the general manager receives a request under sub-section (3), they may authorise an approved person to collect a non-intimate sample from the cat, or a veterinary surgeon to collect an intimate or non-intimate sample from the cat. (7) The general manager may authorise a qualified person to conduct analysis of a sample collected in accordance with section 8A(5)(b).		<ul style="list-style-type: none"> <li>Director Planning &amp; Development</li> <li>Compliance Coordinator</li> </ul>	General Manager

No	Statutory Ref	Function or Power	Conditions or Restrictions	Delegation	Original Source of Power
2	16B	Application to keep more than 4 cats (3) (b) If a general manager, to whom an application is made under subsection (1) so requires, an applicant must publish a notice, in a prescribed manner, (4) (b) In considering an application that is made under subsection (1) to a general manager, the general manager must consult with the Secretary.		<ul style="list-style-type: none"> <li>Director Planning &amp; Development</li> <li>Compliance Coordinator</li> </ul>	General Manager
3	16C	Determination of application to keep more than 4 cats (1) A general manager may grant or refuse an application made under s.16B(1), subject to conditions. (2) If an application is approved, the general manager is to issue a permit in writing. (5) A general manager may vary permit conditions by notice to the permit holder. (6) Where an application is refused, the general manager must provide notice of the refusal with written reasons.	Permits may not be issued in contravention of a council by-law: s.16C(3)	<ul style="list-style-type: none"> <li>Director Planning &amp; Development</li> <li>Compliance Coordinator</li> </ul>	General Manager
4	16D	Cancellation of multiple cat permits (1) A general manager may cancel a multiple cat permit by notice in writing served on the permit holder if satisfied of the matters in subsection (2). (3) Before cancelling a multiple cat permit, the general manager must give the permit holder one month's notice to make written submissions and must consider those submissions (if any).		<ul style="list-style-type: none"> <li>Director Planning &amp; Development</li> <li>Compliance Coordinator</li> </ul>	General Manager
5	19	Declaration of prohibited area  A council may declare an area of land within the authority of the council to be an area where cats are prohibited.		<ul style="list-style-type: none"> <li>Director Planning &amp; Development</li> <li>Compliance Coordinator</li> </ul>	Council
6	20	Declaration of cat management area  (1) A council may declare an area of land within the municipal area of the council to be an area within which measures may be taken in respect of cats. (2) Without limiting the generality of subsection (1) , a measure in respect of a cat may include a cat management action as defined in section 18(1) .		<ul style="list-style-type: none"> <li>Director Planning &amp; Development</li> <li>Compliance Coordinator</li> </ul>	Council
7	21	Proposal for council declaration (1) A council that proposes to make a declaration under section 19 or 20 in relation to an area of land is to publish a notice specifying – (a) the area of land; and (b) the proposed restrictions or activities relating to the use of the area of land; and (c) the reasons for the proposed declaration; and (d) that submissions as to the proposed declaration may be made to the council within 15 working days after the notice is published. (2) A notice under subsection (1) may be published in one or more of the following ways: (a) in a newspaper circulating generally in the municipal area of the council;		<ul style="list-style-type: none"> <li>Director Planning &amp; Development</li> <li>Compliance Coordinator</li> </ul>	Council

No	Statutory Ref	Function or Power	Conditions or Restrictions	Delegation	Original Source of Power
		(b) in a document delivered to persons whom the council considers likely to be affected by the declaration if made; (c) on a website maintained by or on behalf of the council; (d) in a prescribed manner. (3) A person may, within 15 working days after a notice is published under subsection (1) , make a submission in writing to the council. (4) The council is to consider submissions made under subsection (3) , if any, before making a declaration under section 19 or 20 .			
8	21A	Council declaration (3) A council may propose to amend or revoke a declaration made under section 19 or 20 by notice published in accordance with subsection (1)(a) and (b) . (5) The council is to consider submissions made under subsection (3) , if any, before amending or revoking a declaration.		<ul style="list-style-type: none"> <li>Director Planning &amp; Development</li> <li>Compliance Coordinator</li> </ul>	Council
9	31	Permit to breed cats (3) A general manager may grant an application for a cat breeding permit, subject to conditions, or may refuse a permit. (5) If a general manager grants an application for a cat breeding permit, they are to issue a permit in writing to the applicant. (7) A general manager may vary a cat breeding permit, including the conditions of the permit, if satisfied there are reasonable grounds to do so. (8) If a general manager refuses an applicaiton, they are to provide the applicant with written notice of the refusal, with reasons.		<ul style="list-style-type: none"> <li>Director Planning &amp; Development</li> <li>Compliance Coordinator</li> </ul>	General Manager

## 9. CHILD AND YOUTH SAFE ORGANISATIONS ACT 2023

No	Statutory Ref	Function or Power	Conditions or Restrictions	Delegation	Original Source of Power
1	S.10(3)	<b>Delegations</b> A General Manager may delegate, to a worker of the entity, any of the functions or powers of the General Manager under this Act other than this power of delegation.	"Worker" is defined in section 8.		General Manager
2	Section 34	Head of relevant entity to notify Regulator of reportable allegation or reportable conviction (1) If a General Manager becomes aware of a reportable allegation or a reportable conviction against a worker of the relevant entity, the head must notify the Regulator, in writing, within 3 business days after becoming aware of the reportable allegation or reportable conviction in accordance with this section. – (2) The General Manager must not fail, without reasonable excuse, to comply with subsection (1) . Penalty: Fine not exceeding 120 penalty units.	"Reportable allegation" is defined in section 3. "Reportable conviction" is defined in section 7.		General Manager

No	Statutory Ref	Function or Power	Conditions or Restrictions	Delegation	Original Source of Power
3	Section 35	<p>Investigation by head of relevant entity</p> <p>(1) As soon as practicable after the General Manager becomes aware of a reportable allegation or reportable conviction against a worker, the General Manager:</p> <p>(a) must –</p> <p>(i) investigate the reportable allegation or reportable conviction; or</p> <p>(ii) engage an independent investigator to investigate the reportable allegation or reportable conviction on behalf of the head; and</p> <p>(b) must inform the Regulator of the identity of the body or person who will conduct the investigation.</p> <p>(2) If the General Manager is unable, or does not intend, to comply with subsection (1), the General Manager is to –</p> <p>(a) notify the Regulator as soon as practicable; and</p> <p>(b) provide reasons for the non-compliance.</p> <p>(3) An investigation conducted under this section must be completed despite the person who is the subject of the investigation ceasing to be a worker of the relevant entity during the period in which the investigation is being conducted.</p> <p>(4) As soon as practicable after an investigation has been completed, the General Manager must give to the Regulator –</p> <p>(a) a copy of the findings of the investigation and the reasons for those findings; and</p> <p>(b) details of any disciplinary or other action that the relevant entity has taken, or proposes to take, in relation to the worker, and the reasons for that action; and</p> <p>(c) if the relevant entity does not propose to take any disciplinary or other action in relation to the worker, the reasons why no action is to be taken.</p>			General Manager

## 10. DOG CONTROL ACT 2000

No	Statutory Ref	Function or Power	Conditions or Restrictions	Delegation	Original Source of Power
1	S.9(1)	Application for registration	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Director of Planning &amp; Development</li> <li>Compliance Officer</li> <li>Compliance Coordinator</li> </ul>	<ul style="list-style-type: none"> <li>General Manager</li> </ul>

No	Statutory Ref	Function or Power	Conditions or Restrictions	Delegation	Original Source of Power
2	S.10(1)	<b>Registration disc</b> On the registration of a dog, the general manager is to – a) Allocate a registration number to the dog; and b) Issue to the owner a disc or tag clearly and durably marked with – i) The name of the Council; and ii) The registration number of the dog; and iii) The expiry date of registration.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Director of Planning &amp; Development</li> <li>• Compliance Officer</li> <li>• Compliance Coordinator</li> </ul>	• General Manager
3	S.12(2)	Cancellation of registration	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Director of Planning &amp; Development</li> <li>• Compliance Officer</li> <li>• Compliance Coordinator</li> </ul>	• General Manager
4	S.15(1)	<b>Register</b> A general manager is to keep a register in respect of registered dogs.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Director of Planning &amp; Development</li> <li>• Compliance Officer</li> <li>• Compliance Coordinator</li> </ul>	• General Manager
5	S.15(4)	<b>Register</b> A general manager may amend or cancel any item in the register in order to maintain the register.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Director of Planning &amp; Development</li> <li>• Compliance Officer</li> <li>• Compliance Coordinator</li> </ul>	• General Manager
6	S.15A(3)	Implanting of microchips	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Director of Planning &amp; Development</li> <li>• Compliance Officer</li> <li>• Compliance Coordinator</li> </ul>	• General Manager
7	S.19AA(2)	<b>Collection and analysis of a sample from a dog</b> A general manager who receives a request under subsection 19(1) in relation to a dog may authorize – a) An approved person to collect a non-intimate sample from the dog; or b) A veterinary surgeon to collect an intimate or non-intimate sample from the dog.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Director of Planning &amp; Development</li> <li>• Compliance Officer</li> <li>• Compliance Coordinator</li> </ul>	• General Manager
8	S.19AA(5)	<b>Collection and analysis of a sample from a dog</b> A general manager may authorize a qualified person to conduct analysis of a sample that has been collected in accordance with subsection (2).	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Director of Planning &amp; Development</li> <li>• Compliance Officer</li> <li>• Compliance Coordinator</li> </ul>	• General Manager
9	S.19A(2)	<b>Subsequent attack by dangerous dog</b> The general manager may destroy a dog seized and detained under subsection (1).	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Director of Planning &amp; Development</li> <li>• Compliance Officer</li> <li>• Compliance Coordinator</li> </ul>	• General Manager
10	S.19A(3)	<b>Subsequent attack by dangerous dog</b> The general manager, by notice in writing served on the owner of the dog, is to notify the owner of the general manager's decision to destroy the dog.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Director of Planning &amp; Development</li> <li>• Compliance Officer</li> <li>• Compliance Coordinator</li> </ul>	• General Manager

No	Statutory Ref	Function or Power	Conditions or Restrictions	Delegation	Original Source of Power
11	S.19AC(3)	<b>Collection and analysis of a sample from a dog</b> A general manager who receives a request under subsection 19AC(2) in relation to a dog may authorize a veterinary surgeon to collect an intimate or non-intimate sample from the dog.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Director of Planning &amp; Development</li> <li>• Compliance Officer</li> <li>• Compliance Coordinator</li> </ul>	• General Manager
12	S.20	<b>Exercise areas</b> A Council may declare an area to be an area where dogs may be exercised subject to any conditions specified in the declaration.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> </ul>	• Council
13	S.21	<b>Training areas</b> A Council may declare an area to be an area where dogs may be trained subject to any conditions specified in the declaration.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> </ul>	• Council
14	S.22	<b>Prohibited areas</b> A Council may declare an area containing sensitive habitat for native wildlife to be an area where dogs are prohibited from entering.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> </ul>	• Council
15	S.23	<b>Restricted areas</b> A Council may declare an area to be an area where dogs are restricted from entering a) During specified hours, days or seasons; or b) During specified hours, days or seasons unless they are on a lead; or c) At all times.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> </ul>	• Council
16	S.24	Public notice of intention to declare areas	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> </ul>	• Council
17	S.25	Date and period of declaration	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> </ul>	• Council
18	S.26	Review of declaration	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> </ul>	• Council
19	S.27	<b>Signs</b> A Council is to erect and maintain signs sufficient to identify any exercise area, training area, prohibited area or restricted area.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Works Manager</li> <li>• Compliance Officer</li> <li>• Compliance Coordinator</li> </ul>	• Council
20	S.29	Declaration of particular dangerous dog	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Director of Planning &amp; Development</li> <li>• Compliance Officer</li> <li>• Compliance Coordinator</li> </ul>	• General Manager



No	Statutory Ref	Function or Power	Conditions or Restrictions	Delegation	Original Source of Power
21	S.30	<b>Guard dogs</b> The owner of a dog used to guard premises that are not residential must notify the general manager, by notice in writing, that the dog is a guard dog.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Director of Planning &amp; Development</li> <li>Compliance Officer</li> <li>Compliance Coordinator</li> </ul>	<ul style="list-style-type: none"> <li>General Manager</li> </ul>
22	S.30	<b>Guard dogs</b> On receipt of notification under S.30(1) the general manager is to declare the dog to be a dangerous dog.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Director of Planning &amp; Development</li> <li>Compliance Officer</li> <li>Compliance Coordinator</li> </ul>	<ul style="list-style-type: none"> <li>General Manager</li> </ul>
23	S.30	<b>Guard dogs</b> The general manager may revoke a dangerous dog declaration if a dog is no longer a guard dog and is not a dangerous dog.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Director of Planning &amp; Development</li> <li>Compliance Officer</li> <li>Compliance Coordinator</li> </ul>	<ul style="list-style-type: none"> <li>General Manager</li> </ul>
24	S.32A(3)	Dangerous dogs and restricted breed dogs to be de-sexed and microchipped.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Director of Planning &amp; Development</li> <li>Compliance Officer</li> <li>Compliance Coordinator</li> </ul>	<ul style="list-style-type: none"> <li>General Manager</li> </ul>
25	S.34	<b>Dangerous dog or restricted breed dog missing, dying, &amp;c.</b> If a dangerous dog or a restricted breed dog goes missing, strays or dies, or is lost, sold or given away to another owner, the owner or a person on behalf of the owner of that dog must notify the general manager.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Director of Planning &amp; Development</li> <li>Compliance Officer</li> <li>Compliance Coordinator</li> </ul>	<ul style="list-style-type: none"> <li>General Manager</li> </ul>
26	S.34A	Application for approval to transfer ownership of dangerous dog or restricted breed dog.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Director of Planning &amp; Development</li> <li>Compliance Officer</li> <li>Compliance Coordinator</li> </ul>	<ul style="list-style-type: none"> <li>General Manager</li> </ul>
27	S.34B	Offence to transfer ownership of dangerous dog or restricted breed dog without approval.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Director of Planning &amp; Development</li> <li>Compliance Officer</li> <li>Compliance Coordinator</li> </ul>	<ul style="list-style-type: none"> <li>General Manager</li> </ul>
28	S.35(2)	<b>Seizure and detention of dogs at large</b> If a dog is seized and its owner is identifiable, the general manager is to notify in writing the owner of the dog that – a) The dog has been seized and detained; and b) The owner may reclaim the dog.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Director of Planning &amp; Development</li> <li>Compliance Officer</li> <li>Compliance Coordinator</li> </ul>	<ul style="list-style-type: none"> <li>General Manager</li> </ul>
29	S.35(3)	<b>Seizure and detention of dogs at large</b> If, after 5 working days after the notice has been given to the owner, the owner does not reclaim the dog, the general manager may sell, destroy or otherwise dispose of the dog.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Director of Planning &amp; Development</li> <li>Compliance Officer</li> <li>Compliance Coordinator</li> </ul>	<ul style="list-style-type: none"> <li>General Manager</li> </ul>

No	Statutory Ref	Function or Power	Conditions or Restrictions	Delegation	Original Source of Power
30	S.35(4)	<b>Seizure and detention of dogs at large</b> If a dog is seized and its owner is not identifiable, the general manager, not less than 3 working days after its seizure, may – a) Sell, destroy or otherwise dispose of the dog if it is not a dangerous dog or a restricted breed dog; or b) Destroy the dog if it is a dangerous dog or a restricted breed dog.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Director of Planning &amp; Development</li> <li>• Compliance Officer</li> <li>• Compliance Coordinator</li> </ul>	• General Manager
31	S.35(5)	<b>Seizure and detention of dogs at large</b> The general manager is to take reasonable steps and make reasonable inquiries to identify the owner of a dog.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Director of Planning &amp; Development</li> <li>• Compliance Officer</li> <li>• Compliance Coordinator</li> </ul>	• General Manager
32	S.35(6)	<b>Seizure and detention of dogs at large</b> The general manager may cause a dog that is seized under this section to be implanted in an approved manner with an approved microchip.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Director of Planning &amp; Development</li> <li>• Compliance Officer</li> <li>• Compliance Coordinator</li> </ul>	• General Manager
33	S.39A(1)	<b>Destruction of dangerous dog if enclosure not suitable</b> The general manager is not to release a dangerous dog to its owner unless the general manager is of the opinion that the owner has a suitable enclosure or satisfactory alternative arrangements have been made.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Director of Planning &amp; Development</li> <li>• Compliance Officer</li> <li>• Compliance Coordinator</li> </ul>	• General Manager
34	S.39A(2)	<b>Destruction of dangerous dog if enclosure not suitable</b> If the owner of a dangerous dog does not have an enclosure referred to in subsection (1), the general manager may, by notice in writing served on the owner, require the owner to build, or have built, such an enclosure within 28 days after service of the notice.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Director of Planning &amp; Development</li> <li>• Compliance Officer</li> <li>• Compliance Coordinator</li> </ul>	• General Manager
35	S.39A(3)	<b>Destruction of dangerous dog if enclosure not suitable</b> The general manager may extend the 28 day period to build the enclosure if of the opinion that sufficient progress towards the completion of the enclosure has been made.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Director of Planning &amp; Development</li> <li>• Compliance Officer</li> <li>• Compliance Coordinator</li> </ul>	• General Manager
36	S.39A(4)	<b>Destruction of dangerous dog if enclosure not suitable</b> If the owner does not build, or have built, a suitable enclosure within the period specified in the notice or such other period as the general manager allows or does not make satisfactory alternative arrangements for housing the dog, the general manager may destroy the dog.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Director of Planning &amp; Development</li> <li>• Compliance Officer</li> <li>• Compliance Coordinator</li> </ul>	• General Manager
37	S.39A(5)	<b>Destruction of dangerous dog if enclosure not suitable</b> Before destroying the dog under section 39A, the general manager must, by notice in writing served on the owner, notify the owner of the general manager's intention to destroy the dog.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Director of Planning &amp; Development</li> <li>• Compliance Officer</li> <li>• Compliance Coordinator</li> </ul>	• General Manager

No	Statutory Ref	Function or Power	Conditions or Restrictions	Delegation	Original Source of Power
38	S.41(2)	<b>Attacking dogs</b> A person who restrains a dog under subsection (1) is to notify the general manager as soon as possible.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Director of Planning &amp; Development</li> <li>• Compliance Officer</li> <li>• Compliance Coordinator</li> </ul>	• General Manager
39	S.42(3)	<b>Destruction of dog</b> If a dog destroyed under subsection 42(1) was wearing a registration disc or any other means of identification, the general manager is to notify the dog's owner in writing of – a) The destruction of the dog; and b) The reasons for the destruction.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Director of Planning &amp; Development</li> <li>• Compliance Officer</li> <li>• Compliance Coordinator</li> </ul>	• General Manager
40	S.47(1)	Complaints relating to nuisance	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Director of Planning &amp; Development</li> <li>• Compliance Officer</li> <li>• Compliance Coordinator</li> </ul>	• General Manager
41	S.48(1)	<b>Investigation of complaint</b> On receipt of a complaint, the general manager is to investigate the subject matter of the complaint.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Director of Planning &amp; Development</li> <li>• Compliance Officer</li> <li>• Compliance Coordinator</li> </ul>	• General Manager
42	S.48(2)(a)	<b>Investigation of complaint</b> If the general manager considers that the complaint has substance, the general manager may institute proceedings for an offence under section 46.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Director of Planning &amp; Development</li> <li>• Compliance Officer</li> <li>• Compliance Coordinator</li> </ul>	• General Manager
43	S.48(2)(b)	<b>Investigation of complaint</b> If the general manager considers that the complaint has substance, the general manager is to refund the fee that accompanied the complaint to the complainant.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Director of Planning &amp; Development</li> <li>• Compliance Officer</li> <li>• Compliance Coordinator</li> </ul>	• General Manager
44	S.49A	Abatement notices	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Director of Planning &amp; Development</li> <li>• Compliance Officer</li> <li>• Compliance Coordinator</li> </ul>	• General Manager
45	S.51(1)	<b>Application for licences</b> A person can apply to the general manager for a licence to keep more than 2 dogs or more than 4 working dogs.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Director of Planning &amp; Development</li> <li>• Compliance Officer</li> <li>• Compliance Coordinator</li> </ul>	• General Manager
46	S.51(3)	<b>Application for licences</b> The general manager can require a licence applicant to give public notice of application for licence to keep several dogs.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Director of Planning &amp; Development</li> <li>• Compliance Officer</li> <li>• Compliance Coordinator</li> </ul>	• General Manager

No	Statutory Ref	Function or Power	Conditions or Restrictions	Delegation	Original Source of Power
47	S.52	Objections to licence.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Director of Planning &amp; Development</li> <li>• Compliance Officer</li> <li>• Compliance Coordinator</li> </ul>	• General Manager
48	S.54	Refusing application.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Director of Planning &amp; Development</li> <li>• Compliance Officer</li> <li>• Compliance Coordinator</li> </ul>	• General Manager
49	S.55(1)	<b>Granting application</b> The general manager may grant an application for a licence to keep several dogs in certain circumstances.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Director of Planning &amp; Development</li> <li>• Compliance Officer</li> <li>• Compliance Coordinator</li> </ul>	• General Manager
50	S.55(2)	<b>Granting application</b> The general manager may issue a licence that has been granted specifying certain matters.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Director of Planning &amp; Development</li> <li>• Compliance Officer</li> <li>• Compliance Coordinator</li> </ul>	• General Manager
51	S.57(2)	Renewal of licence	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Director of Planning &amp; Development</li> <li>• Compliance Officer</li> <li>• Compliance Coordinator</li> </ul>	• General Manager
52	S.58(1)	<b>Cancellation of licence</b> The general manager may cancel a licence in certain circumstances.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Director of Planning &amp; Development</li> <li>• Compliance Officer</li> <li>• Compliance Coordinator</li> </ul>	• General Manager
53	S.58(2)	<b>Cancellation of licence</b> The general manager must give notice and consider representations prior to cancelling a licence.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Director of Planning &amp; Development</li> <li>• Compliance Officer</li> <li>• Compliance Coordinator</li> </ul>	• General Manager
54	S.73(6)	Entering land.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Director of Planning &amp; Development</li> <li>• Compliance Officer</li> <li>• Compliance Coordinator</li> </ul>	• General Manager
55	S.75	Use of tranquiliser devices.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Director of Planning &amp; Development</li> <li>• Compliance Officer</li> <li>• Compliance Coordinator</li> </ul>	• General Manager
56	S.80(2)(a)–(c)	<b>Fees</b> A general manager may a) Waive a fee; b) Refund part or all of a fee; or c) Discount a fee.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Director of Planning &amp; Development</li> <li>• Director of Corporate &amp; Communication</li> <li>• Compliance Officer</li> <li>• Compliance Coordinator</li> </ul>	• General Manager

No	Statutory Ref	Function or Power	Conditions or Restrictions	Delegation	Original Source of Power
57	S.81	Payment by instalments.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Director of Planning &amp; Development</li> <li>• Director of Corporate &amp; Communication</li> <li>• Compliance Officer</li> <li>• Compliance Coordinator</li> </ul>	<ul style="list-style-type: none"> <li>• General Manager</li> </ul>

## 11. ENVIRONMENTAL MANAGEMENT AND POLLUTION CONTROL ACT 1994

No	Statutory Ref	Functions or Power	Conditions or Restrictions	Delegation	Original Source of Power
1	S.17A(10)	Provide notice to the Director, EPA of an intention to prepare a draft emergency plan, and the approval of an emergency plan.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Senior Environmental Health Officer</li> </ul>	<ul style="list-style-type: none"> <li>• Council</li> <li>• General Manager</li> </ul>
2	S.20A	Duty of Council to prevent or control pollution.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Works Manager</li> <li>• Senior Environmental Health Officer</li> </ul>	<ul style="list-style-type: none"> <li>• Council</li> <li>• General Manager</li> </ul>
3	S.20B	Council may ask Board to exercise powers.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Senior Environmental Health Officer</li> </ul>	<ul style="list-style-type: none"> <li>• Council</li> <li>• General Manager</li> </ul>
4	S.21	<b>Council Officers</b> A Council may appoint an employee of the Council to be a Council Officer.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Senior Environmental Health Officer</li> </ul>	<ul style="list-style-type: none"> <li>• Council</li> <li>• General Manager</li> </ul>
5	S.22(1A)	Registers of environmental management and enforcement instruments.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Senior Environmental Health Officer</li> <li>• Records Officer</li> </ul>	<ul style="list-style-type: none"> <li>• Council</li> <li>• General Manager</li> </ul>
6	S.23(1)(2)	<b>Trade secrets</b> If it appears to the Board or a Council that – a) Any information that could be kept as a trade secret would be available to the public; and b) The release of that information would be likely to cause financial loss to any person – The Board or Council must consult with that person before including the information on any register kept under this Act.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Senior Environmental Health Officer</li> </ul>	<ul style="list-style-type: none"> <li>• Council</li> <li>• General Manager</li> </ul>

No	Statutory Ref	Functions or Power	Conditions or Restrictions	Delegation	Original Source of Power
7	S.24(1)	<b>Assessment of permissible level 1 activities</b> Council must refer application to the Board if directed to do so.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Senior Environmental Health Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
8	S.25(1)(b)	<b>Assessment of permissible level 2 activities</b> Planning Authority to refer the application to the Board as soon as practicable, but any case within 21 days, after the date of lodgement of the application.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Senior Environmental Health Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
9	S.25A(1D)(a)	Assessment of applications for permits that are combined with applications for planning scheme amendments.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Senior Environmental Health Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
10	S.27AC(5)	<b>Directions in relation to permits in respect of EL activities</b> Notify the Board of the grant of the permit and provide to the Board a copy of the permit.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Senior Environmental Health Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
11	S.27AD	<b>Minor variations of planning permit in relation to EL activities</b> Application to the Board for approval to amend a planning permit.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Senior Environmental Health Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
12	S.43	<b>Power to require information</b> Notify the Director, EPA of the issue of an emergency order and provide a copy of the order.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Senior Environmental Health Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
13	S.44(4)	<b>Environment protection notices</b> Where an environment protection notice is issued by a council officer, the council must, as soon as practicable and in any event within 7 days, advise the Director in writing of that fact and of any amendment or revocation of the notice.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Senior Environmental Health Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
14	S.46(4)	Registration of environment protection notices.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Senior Environmental Health Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
15	S.47(3)(4)	Action on non-compliance with environment protection notice.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Senior Environmental Health Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
16	S.48(1)	<b>Civil enforcement proceedings</b> Where – a) A person has engaged, is engaging or is proposing to engage in conduct in contravention of this Act; or	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>

No	Statutory Ref	Functions or Power	Conditions or Restrictions	Delegation	Original Source of Power
		b) A person has refused or failed, is refusing or failing or is proposing to refuse or fail to take any action required by this Act; or c) A person has caused environmental harm by contravention of this Act, any other Act or the repealed Act – The Director, a council or a person who has, in the opinion of the Tasmanian Civil and Administrative Tribunal, a proper interest in the subject matter may apply to the Tasmanian Civil and Administrative Tribunal for an order.			
17	S.74	<b>Environmental Impact Assessment Principles</b> An environmental impact assessment may be required when an environmentally relevant activity is proposed to be undertaken by the public or the private sector.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Senior Environmental Health Officer</li> </ul>	<ul style="list-style-type: none"> <li>• Council</li> <li>• General Manager</li> </ul>
18	S.94 (3)	<b>Provisions relating to seizure</b> Where a thing has been seized or made subject to a seizure order under this Division, the thing must, if it has been seized, be held pending proceedings for an offence against this Act related to the thing seized unless the Director, Commissioner or the council, as the case may require, on application, authorizes its release to the person from whom it was seized, or to any person who had legal title to it at the time of its seizure.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Senior Environmental Health Officer</li> </ul>	<ul style="list-style-type: none"> <li>• Council</li> <li>• General Manager</li> </ul>

## 12. FOOD ACT 2003

No	Statutory Ref	Function or Power	Conditions or Restrictions	Delegation	Original Source of Power
1	S.33	<b>Making an order</b> An order may be made by a relevant authority to prevent or reduce the possibility of a serious danger to public health or to mitigate the adverse consequences of a serious danger to public health.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Senior Environmental Health Officer</li> </ul>	<ul style="list-style-type: none"> <li>• Council</li> <li>• General Manager</li> </ul>
2	S.34(2)	<b>Nature of order</b> An order may be varied or revoked by the relevant authority who made the order.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Senior Environmental Health Officer</li> </ul>	<ul style="list-style-type: none"> <li>• Council</li> <li>• General Manager</li> </ul>
3	S.37	Power to make a determination in relation to an application for compensation where there were insufficient grounds for making an order	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Senior Environmental Health Officer</li> </ul>	<ul style="list-style-type: none"> <li>• Council</li> <li>• General Manager</li> </ul>

No	Statutory Ref	Function or Power	Conditions or Restrictions	Delegation	Original Source of Power
4	S.50(2)	<b>Forfeiture of item</b> Items forfeited under this section may be destroyed, sold or otherwise disposed of.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Senior Environmental Health Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
5	S.52(1)	<b>Return of forfeited item.</b>	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Senior Environmental Health Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
6	S.53(4)(2)(3)	<b>Compensation to be paid in certain circumstances</b> The enforcement agency is to pay such compensation as is just and reasonable in relation to any item seized under this Part by an authorized officer appointed by it.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Senior Environmental Health Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
7	S.55	<b>Enforcement agency entitled to answer application</b> The enforcement agency is entitled to appear as respondent at the hearing of an application made under Section 54.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Senior Environmental Health Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
8	S.65	<b>Power to make an order for an authorised office to inspect a vehicle or equipment.</b>	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Senior Environmental Health Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
9	S.68(2)(3)	<b>Compensation</b> If there were no grounds for the issuing of an order, the enforcement agency that issued the order is to pay such compensation as is just and reasonable.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
10	S.83H	<b>Priority classification system and frequency of auditing.</b>	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Senior Environmental Health Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
11	S.87(1)(5)(6) (7)	<b>Power to register food businesses.</b>	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Senior Environmental Health Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
12	S.89(3)(5)	<b>Power to grant or refuse applications for renewal of registration for food businesses.</b>	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Senior Environmental Health Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
13	S.91	<b>Power to vary the conditions of, or suspend or cancel the registration of a food business.</b>	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Senior Environmental Health Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
14	S.94	<b>Duty to prepare and maintain a register of food businesses.</b>	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Senior Environmental Health Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>



No	Statutory Ref	Function or Power	Conditions or Restrictions	Delegation	Original Source of Power
15	S.97	<b>Functions of council</b> A council is to – a) Take adequate measures to ensure that the provisions of this Act are complied with; and b) Carry out any other function the Minister or Director of Public Health determines.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Senior Environmental Health Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
16	S.98(4)	<b>Power of Director of Public Health to order council to perform functions</b> A council may request the Director of Public Health to exercise any of its powers or perform any of its functions at the council's expense.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Senior Environmental Health Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
17	S.100(1)(2)	<b>Reports by councils</b> The council is to report to the Director of Public Health on the performance of functions under this Act. In addition, the council is to forward to the Director of Public Health details of any proceedings for an offence under this Act taken by an officer, employee or agent of the council.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Senior Environmental Health Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
18	S.101	<b>Power to appoint Authorised Officers under the Food Act</b>	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
19	S.102	<b>Power to provide an Authorised Officer with a Certificate of Authority</b>	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
20	S.104(1)	<b>Institution of proceedings</b> Proceedings for an offence under this Act may only be instituted by the Minister, an authorized officer, council, or Director of Public Health. They may only be instituted within 3 years after the date on which the offence is alleged to have been committed or within 120 days after the date on which a sample is obtained.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
21	S.118(1)	<b>Infringement notices</b> An authorized officer or council may serve an infringement notice on a person, other than a person under the age of 16 years, if of the opinion that the person has committed a prescribed offence.	<p>An infringement notice is not to relate to 4 or more offences.</p> <p>An infringement notice is to be in accordance with Section 14 of the <i>Monetary Penalties Enforcement Act 2005</i></p>	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Senior Environmental Health Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>

### 13. HEAVY VEHICLE NATIONAL LAW (TASMANIA) ACT 2013

No	Statutory Ref	Function or Power	Conditions or Restrictions	Delegation	Original Source of Power
1	S.118(1)(b)	Granting consent for exemption on mass or dimension restriction.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
2	S.124(1)(b)	Granting consent for exemption (permit) on mass or dimension restriction.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
3	S.145(1)(b)	Granting consent for a class 2 heavy vehicle authorization.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
4	S.156(2)	Asking the Regulator for a longer period to decide whether to grant consent for a mass or dimension authority.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
6	S.156A	Decide whether to grant consent, after considering the specific matters in S.156A and provide written reasons to the Regulator for the decision in relation to consent.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
7	S.158	Deal with a request for consent and decide to give or not give consent for a mass or dimension authority.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
8	S.159(2)	Notifying the Regulator that route assessment is required by the road manager in deciding whether to give consent and the fee payable.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
9	S.160(1)	Specifying road condition(s) to which the granting of consent is subject.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
10	S.160(2)	Providing the Regulator with a written statement explaining the road manager's decision to grant consent subject to road conditions.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
11	S.161(1)	Specifying travel condition(s) to which the granting of consent is subject.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
12	S.161(2)	Providing the Regulator with a written statement explaining the road manager's decision to grant consent subject to road conditions.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
13	S.162(2)	Requesting specified vehicle condition(s) be imposed on the mass or dimension authority.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>

No	Statutory Ref	Function or Power	Conditions or Restrictions	Delegation	Original Source of Power
14	S.167(2)(b)	Giving notice to the Regulator of objection to the application of this section [which provides for expedited process for renewal of mass or dimension authority].	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
15	S.169	Giving consent to the grant of a mass or dimension authority for a trial period or no more than 3 months.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
16	S.170	Provide the Regulator with a written objection to a renewal of a mass or dimension authority.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
17	S.174(2)	Asking the Regulator to amend or cancel the mass or dimension authority granted by Commonwealth Gazette notice due to adverse effect of heavy vehicles.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
18	S.176(4)(c)	Provide consent to an amendment of a permit for a mass or dimension authority.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
19	S.178(2)	Asking the Regulator amend or cancel the mass or dimension authority granted by Commonwealth Gazette notice due to adverse effect of heavy vehicles.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
20	S.645	Decide a review of a reviewable decision under the Act.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>

## 14. HISTORIC CULTURAL HERITAGE ACT 1995

No	Statutory Ref	Function or Power	Conditions or Restrictions	Delegation	Original Source of Power
1	S.36(2)	<b>Permit application to be sent to and considered by Heritage Council</b> The relevant planning authority must give a copy of the permit application to the heritage council as soon as practicable after the application day.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Senior Planner</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
2	S.37	<b>Procedure if Heritage Council requires additional information to consider permit application</b> Planning authority must as soon as practicable require the applicant for a permit application to provide additional information required by the Heritage Council and provide it to the Heritage Council.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Senior Planner</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>

No	Statutory Ref	Function or Power	Conditions or Restrictions	Delegation	Original Source of Power
3	S.38	<b>Procedure if Heritage Council has no interest in permit application</b> Planning authority determination of permits applications. Notifying the Heritage Council and applicants of determinations and representations.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Senior Planner</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
4	S.39	<b>Procedure if the Heritage Council wishes to be involved in determining discretionary permit application</b> Determining discretionary permit applications. Notifying the Heritage Council and Applicants of determinations and representations.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Senior Planner</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
5	S.39A	<b>Procedure if Heritage Council wishes to be involved in determining combined permit application</b> Determining combined permit applications. Notifying the Heritage Council and Applicants of determinations and representations.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Senior Planner</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
6	S.39B	<b>Provision of further information to Heritage Council</b> Provide any further information received from permit applicant to Heritage Council.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Senior Planner</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
7	S.50	<b>Notification of Recorder of Titles</b> Planning authority must lodge for registration with the Recorder of Titles notice of heritage agreements that come into effect or the variation or termination of a heritage agreement.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Senior Planner</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
8	S.89	<b>Assistance to Heritage Council</b> A planning authority is to give all reasonable assistance to the Heritage Council to enable it to perform its functions and exercise its powers.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Senior Planner</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>

## 15. LAND USE PLANNING AND APPROVALS ACT 1993

No	Statutory Ref	Function or Power	Conditions or Restrictions	Delegation	Original Source of Power
	<b>PART 2A</b>	<b>TASMANIAN PLANNING POLICIES</b>			
1	S.12C	Consult with the Minister regarding a draft of the Tasmanian Planning Policies, on behalf of the Planning Authority.	No authority to sub-delegate in respect of the delegation	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> </ul>	<ul style="list-style-type: none"> <li>Planning Authority</li> </ul>
	<b>PART 3</b>	<b>PLANNING SCHEMES</b>			
2	Part 3 – Generally	<p>As a consequence of any decision by the Council to initiate preparation of a planning scheme or a planning scheme amendment or to provide its views and opinions on any representation received on a draft planning scheme or draft amendment:</p> <p>i) Authority to give such advice, consultation, referral or notification as required under this Part;</p> <p>ii) Authority to initiate public notification of a draft scheme or draft amendment;</p> <p>iii) Authority to submit a draft scheme or a draft amendment for approval if no representations are received during the exhibition period;</p> <p>iv) Authority to modify a draft planning scheme or draft amendment if only to correct any error, remove an anomaly, clarify or simplify a provision, remove any inconsistency with other regulation, make procedural changes or to bring the planning scheme into conformity with a mandatory planning instruction;</p> <p>v) Represent the Council and to give evidence and make submissions before any hearing conducted by the Tasmanian Planning Commission.</p>	Nil	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Senior Planner</li> </ul>	<ul style="list-style-type: none"> <li>Planning Authority</li> <li>General Manager</li> </ul>
	<b>PART 3A</b>	<b>LOCAL PROVISIONS SCHEDULE (LPS)</b>			
3	Part 3A – Generally	<p>In accordance with a decision of the Planning Authority (or a requirement of the Minister) to –</p> <p>a) Prepare a draft LPS under S.35;</p> <p>b) Indicate its views and opinions in relation to each representation received on a draft LPS;</p> <p>c) Indicate its satisfaction that a draft LPS meets the criteria in S.34;</p> <p>d) Make recommendations in relation to how a draft LPS should be determined in accordance with S.35F; and</p> <p>e) Conduct and respond on a review of the LPS</p> <p>The following functions and powers of the Planning Authority are</p>	Nil	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Senior Planner</li> </ul>	<ul style="list-style-type: none"> <li>Planning Authority</li> <li>General Manager</li> </ul>

		<p>delegated –</p> <p>a) Prepare the required documentation for a draft LPS;</p> <p>b) Submit the draft LPS to the Tasmanian Planning Commission (TPC) under S.35(1);</p> <p>c) Make any modifications to the draft LPS which may be instructed by the TPC under S.35(5)(b);</p> <p>d) Give notice under S.35C of the exhibition of a draft LPS, including for any instruction issued by the TPC under S.35B;</p> <p>e) Undertake exhibition of the draft LPS in accordance with S.35D;</p> <p>f) Provide a report to the TPC pursuant to S.35F;</p> <p>g) Prepare and submit any modifications required by the TPC to a draft LPS in accordance with S.35K;</p> <p>h) Give notice in accordance with S.35M(2) of the approval of the LPS;</p> <p>i) Provide a report to the TPC on the outcomes of a review of the LPS conducted by the Planning Authority in accordance with S.35O, including provide notice of the review and receive comments from the public pursuant to S.35P.</p>	Nil	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Senior Planner</li> </ul>	<ul style="list-style-type: none"> <li>• Planning Authority</li> <li>• General Manager</li> </ul>
	<b><u>DIVISION 7</u></b>	<b><u>SPECIAL LOCAL PROVISIONS SCHEDULES</u></b>			
	<b><u>PART 3B</u></b>	<b><u>AMENDMENT OF THE LPS</u></b>			
4	General	<p>In accordance with a decision of the Planning Authority in relation to –</p> <p>a) Preparation of a draft amendment to the LPS under S.38 or S.40D;</p> <p>b) Preparation of a draft amendment under S.38 and a draft permit under S.40Y; and</p> <p>c) Its views and opinions in relation to each representation received on a draft LPS and on any draft permit;</p> <p>d) Its satisfaction that the draft LPS meets the criteria in S.34; and</p> <p>e) Recommendations in relation to how the draft LPS should be determined in accordance with S.35F.</p>	Nil	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Senior Planner</li> </ul>	<ul style="list-style-type: none"> <li>• Planning Authority</li> <li>• General Manager</li> </ul>
		<p>The following functions and powers of the Planning Authority are delegated –</p> <p>a) Give notice in accordance with S.38(3) of a decision in relation to a request to initiate a draft amendment to the LPS;</p> <p>b) Give notice in accordance with S.40W of a decision under S.40Y in relation to a request to consider a permit in combination with</p>			

		<p>a request to initiate a draft amendment to the LPS;</p> <p>c) Request additional information under S.40 and S.40U;</p> <p>d) Provide any material requested by the TPC in accordance with S.40A, S.40B or S.40V;</p> <p>e) Prepare the draft LPS amendment documents;</p> <p>f) Certify a draft amendment to the LPS in accordance with S.40F;</p> <p>g) Give notice in accordance with S.40G of exhibition of a draft amendment to the LPS, and including any exhibition of a permit application under S.40Z;</p>			
	General <i>Continued</i>	<p>h) Undertake exhibition of the draft amendment to the LPS in accordance with S.40H, and including any permit application approved under S.40Y;</p> <p>i) Provide a report to the TPC in accordance with S.40K and S.42 if there are no representations making objection on the draft amendment to the LPS and to any permit application requested under S.40T;</p> <p>j) Provide a report to the TPC in accordance with S.40K and S.42 in relation to the Planning Authority's –</p> <ol style="list-style-type: none"> <li>Views and opinions on each representation received during the exhibition period;</li> <li>Compliance to S.34; and</li> <li>Its recommendations on how the draft LPS or the permit application under S.40T should be determined</li> </ol> <p>k) Make modifications to a draft LPS amendment if instructed by the TPC in accordance with S.40O or S.40P;</p> <p>l) Re-exhibit a modified draft amendment to the LPS under S.40G and S.40H if instructed by TPC in accordance with S.40P;</p> <p>m) Give notice of an approved amendment to the LPS in accordance with S.40S;</p> <p>n) Grant an extension of time under S.42C for a permit granted under S.42B;</p> <p>o) Correct a mistake under S.42D in a permit granted under S.42B; and</p> <p>p) Make minor amendments in accordance with S.43 to a permit granted under S.42B.</p>	Nil	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Senior Planner</li> </ul>	<ul style="list-style-type: none"> <li>Planning Authority</li> <li>General Manager</li> </ul>
	<b>PART 4</b>	<b>ENFORCEMENT OF PLANNING CONTROL</b>			
5	Part 4 - Generally	Authority to require the making of a permit application and to undertake actions and proceedings in pursuance of the Council's	No authority to sub-delegate in respect of the delegation	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> </ul>	<ul style="list-style-type: none"> <li>Planning Authority</li> </ul>

		obligations as a planning authority to observe and enforce compliance of a planning scheme; including – i) To give such advice, consultation, referral or notification as required under this Part; ii) To represent the Council and to give evidence before the Tasmanian Civil and Administrative Tribunal in respect of any appeal against a decision on a planning permit; iii) To initiate legal proceedings for any use of land, development or act if:- - Contrary to a State Policy, planning scheme or special planning scheme; - An obstruction of a planning scheme or special planning scheme; or - A breach of a condition or restriction of a planning permit.		<ul style="list-style-type: none"> <li>• Senior Planner</li> </ul>	
6	S.35C	Notice of exhibition of draft LPS.	No authority to sub-delegate in respect of the delegation	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Senior Planner</li> </ul>	• Planning Authority
7	S.35F	Report by Planning Authority to Commission about exhibition.	No authority to sub-delegate in respect of the delegation	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Senior Planner</li> </ul>	• Planning Authority
8	S.35G	Planning Authority may notify Minister as to whether amendment of SPPs is required.	No authority to sub-delegate in respect of the delegation	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Senior Planner</li> </ul>	• Planning Authority
9	S.35I	Withdrawal of draft LPS.	No authority to sub-delegate in respect of the delegation	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Senior Planner</li> </ul>	• Planning Authority
10	S.35M	Notice of approval of Local Provisions Schedules.	No authority to sub-delegate in respect of the delegation	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Senior Planner</li> </ul>	• Planning Authority
11	S.35P	Conduct of Review (of an LPS or a part of an LPS).	No authority to sub-delegate in respect of the delegation	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Senior Planner</li> </ul>	• Planning Authority
12	S. 40T	Permit application that requires amendment to the LPS (6) An application for a permit under subsection (1) by a person to a planning authority to amend the zoning or use or development of one or more parcels of land specified in an LPS must, if the person is not the owner, or the sole owner, of the land and the relevant planning scheme does not provide otherwise –	(7) Subsection (6) does not apply to an application for a permit to carry out mining operations, within the meaning of the Mineral Resources Development Act 1995 , if a mining	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Senior Planner</li> </ul>	Planning Authority



		(a) be signed by each owner of the land; or (b) be accompanied by the written permission of each owner of the land to the making of the request.	lease or a production licence which authorises those operations has been issued under that Act.		
13	S.40G	<b>Notice of exhibition</b> A planning authority, as soon as practicable after providing to the Commission under section 40F(4) a copy of a draft amendment of an LPS or receiving under section 35KB(4)(b)(i) a notice in relation to a draft amendment of an LPS, must ensure an exhibition notice in relation to the draft amendment of an LPS is published in accordance with this section, unless the planning authority receives a notice under section 40I(1) in relation to the draft amendment.	No authority to sub-delegate in respect of the delegation	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Senior Planner</li> </ul>	<ul style="list-style-type: none"> <li>• Planning Authority</li> </ul>
14	S.40U	<b>Additional Information</b> A Planning Authority, within 28 days from the day on which it receives from a person an application for a permit, may, by notice in writing, require the person to provide to the Planning Authority additional information before it considers the application.	No authority to sub-delegate in respect of the delegation	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Senior Planner</li> </ul>	<ul style="list-style-type: none"> <li>• Planning Authority</li> </ul>
15	S.40W	Determination of amendment where concurrent permit application sought.	No authority to sub-delegate in respect of the delegation	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Senior Planner</li> </ul>	<ul style="list-style-type: none"> <li>• Planning Authority</li> </ul>
16	S.43(2)	<b>Minor amendment of permit</b> The Planning Authority may amend or refuse to amend the permit.	No authority to sub-delegate in respect of the delegation	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Senior Planner</li> </ul>	<ul style="list-style-type: none"> <li>• Planning Authority</li> </ul>
17	S.43(6)	<b>Minor amendment of permit</b> If the Planning Authority amends a permit, it must, by notice in writing served on the following persons, notify them of the amendment: a) The applicant for the amendment; b) The owner of the land; c) Any person or body who or that made a representation; d) The owner or occupier of any property which adjoins the land to which the permit relates.	No authority to sub-delegate in respect of the delegation	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Senior Planner</li> </ul>	<ul style="list-style-type: none"> <li>• Planning Authority</li> </ul>
18	S.43(7)	<b>Minor amendment of permit</b> If the Planning Authority amends a permit that contains a condition or restriction that the Board of the Environment Protection Authority has required under Section 25(5) of the Environmental Management and Pollution Control Act 1994, the Planning Authority must, by notice in writing served on the Board, notify it of the	No authority to sub-delegate in respect of the delegation	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Senior Planner</li> </ul>	<ul style="list-style-type: none"> <li>• Planning Authority</li> </ul>

		amendment.			
19	S.43(9)	<b>Minor amendment of permit</b> If the Planning Authority amends a permit in respect of which the Commission has modified, deleted or added conditions or restrictions, the Planning Authority must, by notice in writing served on the Commission, notify it of the amendments made to the permit.	No authority to sub-delegate in respect of the delegation	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Senior Planner</li> </ul>	<ul style="list-style-type: none"> <li>• Planning Authority</li> </ul>
20	S.43(10)	<b>Minor amendment of permit</b> If the Planning Authority amends a permit containing a condition or restriction which the Heritage Council has specified, the Planning Authority must, by notice in writing served on the Heritage Council, notify the Council of the amendment.	No authority to sub-delegate in respect of the delegation	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Senior Planner</li> </ul>	<ul style="list-style-type: none"> <li>• Planning Authority</li> </ul>
21	S.48AA	<b>Enforcement of major project permits</b> A planning authority must, within the ambit of its power, enforce the observance of any condition or restriction to which a major project permit is subject.	No authority to sub-delegate in respect of the delegation	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Senior Planner</li> </ul>	<ul style="list-style-type: none"> <li>• Planning Authority</li> </ul>
22	S.48A	<b>Notice to remove signs.</b>	No authority to sub-delegate in respect of the delegation	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Senior Planner</li> <li>• Compliance Officer</li> <li>• Compliance Coordinator</li> <li>• Works Officer</li> </ul>	<ul style="list-style-type: none"> <li>• Planning Authority</li> </ul>
23	S.51	<b>Permits</b> A person must not commence any use or development which requires a permit unless the Planning Authority which administers the scheme, the Commission, or the Tribunal, has granted a permit in respect of that use or development and the permit is in effect or a major project permit has been granted in respect of that use or the development and the permit is in effect.	No authority to sub-delegate in respect of the delegation	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Senior Planner</li> </ul>	<ul style="list-style-type: none"> <li>• Planning Authority</li> </ul>
24	s 51A	<b>Fees payable for application</b> ... (2) Despite section 86 , a planning authority is not entitled – (a) to refuse to take an action in relation to determining whether or not an application for a permit is valid; or (b) to refuse to accept a valid application for a permit – on the ground that a fee, under a relevant legislative instrument, for an application for a permit has not been paid, unless – (c) the planning authority has, before, or within 4 business days after, the day on which a person lodges, or attempts to lodge, with the planning authority, the application for the permit, demanded		<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Senior Planner</li> </ul>	<ul style="list-style-type: none"> <li>• Planning Authority</li> </ul>

		the payment of the fee; and (d) the fee has not been paid within the 21-day period after the day on which the demand is made. (3) If – (a) the planning authority has demanded payment of a fee, under a relevant legislative instrument, for an application for a permit before, or within 4 business days after, the day on which a person lodges, or attempts to lodge, with the planning authority, the application for the permit; and (b) the fee has been paid within the 21-day period after the day on which the demand is made – the application, if it is a valid application, is taken for the purposes of this Act to have been received on the day on which the fee is paid.			
25	S.52(1B)	<b>What if applicant is not the owner?</b> If land in respect of which an application for a permit is required is Crown land, is owned by a Council or is administered or owned by the Crown or a Council and a planning scheme does not provide otherwise, the application must – a) Be signed by the Minister of the Crown responsible for the administration of the land or by the General Manager of the Council; and b) Be accompanied by the written permission of that Minister of General Manager to the making of the application.	No authority to sub-delegate in respect of the delegation	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Senior Planner</li> </ul>	<ul style="list-style-type: none"> <li>• Planning Authority</li> </ul>
26	S.53(5A), (5B), (5C) and (5D)	<b>When does a permit take effect?</b> The power to grant extensions of time where the permit has not been substantially commenced.	No authority to sub-delegate in respect of the delegation	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director Planning &amp; Development</li> <li>• Senior Planner</li> </ul>	<ul style="list-style-type: none"> <li>• Planning Authority</li> </ul>
27	S.54	<b>Additional Information</b> A Planning Authority that receives an application for a permit (other than a permit referred to in section 40T) may require the applicant to provide it with additional information before it considers the application.	No authority to sub-delegate in respect of the delegation	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Senior Planner</li> </ul>	<ul style="list-style-type: none"> <li>• Planning Authority</li> </ul>
28	S.55	<b>Correction of mistakes</b> A Planning Authority may correct a permit granted by it if the permit contains – a) A clerical mistake or an error arising from any accidental slip or omission; or b) An evident material miscalculation of figures or an evident material mistake in the description of any person, thing or property referred to in the approval.	No authority to sub-delegate in respect of the delegation	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Senior Planner</li> </ul>	<ul style="list-style-type: none"> <li>• Planning Authority</li> </ul>

29	S.56	<b>Minor amendments of permits issued by a Planning Authority –</b> S.56(1A): Planning Authority that receives a request under subsection (1) for amendment to permits – a) Within 28 days after the request was received, amend, or refuse to amend the permit and; b) must within 7 days i. after amending the permit or ii. after refusing to amend the permit, give notice of the refusal to the person who made the request.	No authority to sub-delegate in respect of the delegation	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Senior Planner</li> </ul>	<ul style="list-style-type: none"> <li>• Planning Authority</li> </ul>
30	S 56AA	<b>Fees for amendment of permits under section 56</b> ... (2) Despite section 86 , a planning authority is not entitled – (a) to refuse to take an action in relation to determining whether or not an application under section 56 for an amendment of a permit is valid; or (b) to refuse to accept a valid application under section 56 for an amendment of the permit – on the ground that a fee, under a relevant legislative instrument, for an application for an amendment of a permit under section 56 has not been paid, unless – (c) the planning authority has, before, or within 4 business days after, the day on which a person lodges, or attempts to lodge, with the planning authority, the application for an amendment of the permit, demanded the payment of the fee; and (d) the fee has not been paid within the 21-day period after the day on which the demand is made.		<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Senior Planner</li> </ul>	<ul style="list-style-type: none"> <li>• Planning Authority</li> </ul>
31	S.57(2)	<b>Applications for discretionary permits</b> The Planning Authority may, on receipt of an application for a permit to which this section applies, refuse to grant the permit.	<ol style="list-style-type: none"> <li>1. No authority to sub-delegate in respect of the delegation</li> <li>2. If the proposed use or development is prohibited by the scheme</li> </ol>	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Senior Planner</li> </ul>	<ul style="list-style-type: none"> <li>• Planning Authority</li> </ul>
32	S.57(3)	<b>Applications for discretionary permits</b> Unless the Planning Authority requires the applicant to give notice, the authority must give notice, as prescribed, of an application for a permit.	No authority to sub-delegate in respect of the delegation	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Senior Planner</li> </ul>	<ul style="list-style-type: none"> <li>• Planning Authority</li> </ul>
33	S.57(5)	<b>Applications for discretionary permits</b> Any person may make representations relating to the application during the period of 14 days commencing on the date on which notice of the application is given or such further period not	No authority to sub-delegate in respect of the delegation	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Senior Planner</li> </ul>	<ul style="list-style-type: none"> <li>• Planning Authority</li> </ul>

		exceeding 14 days as the Planning Authority may allow.			
34	S.57(6)	<b>Applications for discretionary permits</b> Grant a discretionary permit with or without conditions.	1. No authority to sub-delegate in respect of the delegation 2. Delegates are only to exercise this power where the decision is to: <ul style="list-style-type: none"> <li>Grant the permit and does not have the power to refuse a permit</li> </ul> 3. The power to grant the permit can only be exercised when either of the following applies: <ul style="list-style-type: none"> <li>No more than two representations objecting to the use or development have been received in respect of the application.</li> </ul> 4. The power to refuse the permit can only be exercised when the following applies: <ul style="list-style-type: none"> <li>Where Council is not able to determine the application within the time period specified in Section 57(6)(b) of the <i>Land Use Planning &amp; Approvals Act 1993</i>; and</li> <li>Where an applicant does not agree to an extension of time.</li> </ul>	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Senior Planner</li> </ul>	<ul style="list-style-type: none"> <li>Planning Authority</li> </ul>
35	S.57(6A)	<b>Applications for discretionary permits</b> A further period agreed to by a Planning Authority and an applicant may be extended or further extended by agreement, in writing, between the Planning Authority and applicant at any time before the expiration of the period to be extended and, when so extended, is taken to be the further period referred to in that subsection.	No authority to sub-delegate in respect of the delegation	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Senior Planner</li> </ul>	<ul style="list-style-type: none"> <li>Planning Authority</li> </ul>
36	S.57A	<b>Mediation</b> Power to enter into mediation on behalf of the Planning Authority	1. No authority to sub-delegate in respect of the delegation	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> </ul>	<ul style="list-style-type: none"> <li>Planning Authority</li> </ul>

		regarding an application for a permit	2. Authority to undertake mediation on any appeal arising out of a decision on a planning permit and to bind Council to agreements within the mediation on any matter that the Council has a proper power relevant to the permit application under LUPAA	<ul style="list-style-type: none"> <li>• Senior Planner</li> </ul>	
37	S.58	<b>Application for other permits</b> This section applies to an application for a permit in respect of a use or development for which, under the provisions of a planning scheme, a Planning Authority is bound to grant a permit either unconditionally or subject to conditions or restrictions.	1. No authority to sub-delegate in respect of the delegation 2. Grant of a permit if the use or development complies to all applicable regulatory requirements 3. The power to grant or refuse the permit can only be exercised when an applicant does not agree to an extension of time.	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Senior Planner</li> </ul>	<ul style="list-style-type: none"> <li>• Planning Authority</li> </ul>
38	S.59(7)	<b>Failure to determine an application for a permit</b> Notwithstanding the provisions of this Division, a Planning Authority may make a decision on an application for a permit to which section 57 or 58 applies at any time before the lodging of an application.	1. No authority to sub-delegate in respect of the delegation 2. Subject to the same qualifications as applied to a S.57 decision	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Senior Planner</li> </ul>	<ul style="list-style-type: none"> <li>• Planning Authority</li> </ul>
39	S.60	<b>Council responding and issuing notices relating to compliance with certain permit conditions.</b>	No authority to sub-delegate in respect of the delegation	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Senior Planner</li> </ul>	<ul style="list-style-type: none"> <li>• Planning Authority</li> </ul>
40	S.60H(3)	<b>Minister may request information from Council or relevant state entity.</b>	No authority to sub-delegate in respect of the delegation	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Senior Planner</li> </ul>	<ul style="list-style-type: none"> <li>• Planning Authority</li> </ul>
41	S.60I(3)	<b>Council to give notice in relation to eligibility of major project proposals.</b>	No authority to sub-delegate in respect of the delegation	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Senior Planner</li> </ul>	<ul style="list-style-type: none"> <li>• Planning Authority</li> </ul>
42	S.60S(4)(b)	<b>Refund of ordinary permit where declaration of major project is made.</b>	No authority to sub-delegate in respect of the delegation	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Senior Planner</li> </ul>	<ul style="list-style-type: none"> <li>• Planning Authority</li> </ul>
43	S. 60S(5)	<b>Refund of ordinary permit where declaration of major project is amended under s. 60TG(2) so that the declaration also relates to</b>	Nil	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> </ul>	<ul style="list-style-type: none"> <li>• Planning Authority</li> </ul>

		<b>an additional area of land</b> the planning authority to which the application was made must, as soon as practicable, refund the applicant half of any fees that the applicant has paid in respect of the application.		<ul style="list-style-type: none"> <li>Director of Planning &amp; Development</li> </ul>	
44	S. 60SA(6)	<b>Service of certificate of development completion</b> If the Commission issues a certificate of development completion under s.60SA, the Commission must give a copy of the certificate of development completion, issued in relation to all, or part, of the area to which a major project permit relates to the planning authority in relation to the area of land.	Nil	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> </ul>	<ul style="list-style-type: none"> <li>Planning Authority</li> </ul>
45	S.60TD(1)	<b>Notice of request under s.60TC(1)</b> On receiving a request in relation to an additional area of land in relation to a major project under s.60TC(1), a relevant advice body must, within 7 days, give a notice in relation to the request to: ... (c) the council that is the relevant planning authority in relation to the major project; (d) each council that is not a relevant planning authority in relation to the major project but that is the council for a municipal area that is in the regional area, or regional areas, in which the project is to be situated.	Nil	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> </ul>	<ul style="list-style-type: none"> <li>Planning Authority</li> </ul>
46	S.60TH	<b>Notice of amendment of declaration of a major project to be given</b> Within 7 days after amending a declaration of a major project under s.60TG, the Minister is to notify, in writing: ... (d) the council that is a relevant planning authority in relation to the project; and (e) each council that is not a relevant planning authority in relation to the project but that is the council for a municipal area that is in the regional area, or regional areas in which the major project is, or is to be, situated.	Nil	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> </ul>	<ul style="list-style-type: none"> <li>Planning Authority</li> </ul>
47	S.60ZX(1)	<b>Provision to Panel of further information</b> A person to whom a request is made under section 60ZW(1) is to take all reasonable steps to provide to the Panel, as soon as practicable the information specified in the request.	No authority to sub-delegate in respect of the delegation	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Senior Planner</li> </ul>	<ul style="list-style-type: none"> <li>Planning Authority</li> </ul>
48	S 60ZZP(10)	<b>Major project permit may be granted subject to conditions or restrictions</b> Without limiting the conditions or restrictions that may be imposed under subsection (1), such a condition or restriction may specify	Nil	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> </ul>	<ul style="list-style-type: none"> <li>Planning Authority</li> </ul>

		that: (a) plans, information, designs, or other documents, are required, under the condition or restriction, to be prepared and provided to the Panel or a planning authority ; and (b) particular actions or works are to be carried out to the satisfaction of the Panel or a planning authority.			
49	S.60ZZAA(5)	<b>Determination as to whether, and the manner in which, proposed significant amendment may be assessed</b> After making a determination under s.60ZZAA(2), the relevant decision-maker must, within 7 days after making that determination, give notice to the council that is a relevant planning authority in relation to the project to which the major project permit relates.	Nil	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> </ul>	<ul style="list-style-type: none"> <li>Planning Authority</li> </ul>
50	S.60ZZAB	<b>Enforcement certificates</b> (3) If the Commission issues an enforcement certificate in relation to all or part of the land to which a major project permit relates, the Commission must give a copy of the enforcement certificate to the planning authority in relation to the land to which the major project relates. (4) An enforcement certificate is to specify the planning authority's responsibility for the enforcement of the Act.	Nil	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> </ul>	<ul style="list-style-type: none"> <li>Planning Authority</li> </ul>
51	S.61	<b>Appeals against planning decisions.</b>	<ol style="list-style-type: none"> <li>No authority to sub-delegate in respect of the delegation</li> <li>Not if the decision of the Council is contrary to the written recommendation</li> </ol>	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Senior Planner</li> </ul>	<ul style="list-style-type: none"> <li>Planning Authority</li> </ul>
52	S.63	<b>Obstruction of sealed schemes</b> Initiate legal proceedings for obstruction of a planning scheme.	No authority to sub-delegate in respect of the delegation	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> </ul>	<ul style="list-style-type: none"> <li>Planning Authority</li> </ul>
53	S.63A	<b>Enforcing compliance with planning schemes.</b>	No authority to sub-delegate in respect of the delegation	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> </ul>	<ul style="list-style-type: none"> <li>Planning Authority</li> </ul>
54	S.63B(3)	<b>Notice of suspected contravention, &amp;c., may be given</b>	<ol style="list-style-type: none"> <li>No authority to sub-delegate in respect of the delegation</li> <li>Delegation/provision will commence when <i>Land Use Planning &amp; Approvals Act 2013</i> is enacted</li> </ol>	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> </ul>	<ul style="list-style-type: none"> <li>Planning Authority</li> </ul>
55	S.64	<b>Civil enforcement proceedings</b> Where a person contravenes or fails or is likely to contravene or fail to comply with a provision of this Part, a person, other than the Commission or a Planning Authority, who has, in the opinion of the	<ol style="list-style-type: none"> <li>No authority to sub-delegate in respect of the delegation</li> <li>The General Manager may only apply to the Tasmanian Civil and</li> </ol>	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> </ul>	<ul style="list-style-type: none"> <li>Planning Authority</li> </ul>



		Tasmanian Civil and Administrative Tribunal, a proper interest in the subject matter may apply to the Tasmanian Civil and Administrative Tribunal for an order.	Administrative Tribunal for an order upon the advice from the Manager Development Services that the application is in compliance with the relevant legislation		
56	S.65B(5)	<b>Notice of intention to issue enforcement notice</b> The planning authority must notify in writing an owner of land, in relation to which a notice of intention to issue an enforcement notice is served under subsection (1) , if the person on whom the notice is served is not the owner of the land.	1. No authority to sub-delegate in respect of the delegation 2. The General Manager may only apply to the Tasmanian Civil and Administrative Tribunal for an order upon the advice from the Manager Development Services that the application is in compliance with the relevant legislation	•	• Planning Authority
57	S.65G	<b>Cancellation of permits</b>	1. No authority to sub-delegate in respect of the delegation 2. Delegation/provision will commence when <i>Land Use Planning &amp; Approvals Act 2013</i> is enacted	• Chief Executive Officer	• Planning Authority
58	S.65I(2)	<b>Authorised officers</b> A general manager of a council may authorise a person to be, for the purposes of this Act, an authorised officer in respect of the municipal area of the council.	Nil	• Chief Executive Officer • Director of Planning & Development • Senior Planner •	• Planning Authority
59	Part 4 - Generally	<b>Enforcement of planning control</b> Authority to represent the planning authority or to appoint a person to represent the planning authority and to give evidence, on a planning appeal or other action, including any mediation, before the Resource Management and Planning Appeals Tribunal or any other body of competent jurisdiction.	1. No authority to sub-delegate in respect of the delegation. 2. Except where the Council makes such decision contrary to the written advice or recommendation of the Director Land and Environmental Services.	• Chief Executive Officer • Director of Planning & Development • Senior Planner	• Planning Authority
	<b>PART 5</b>	<b>AGREEMENTS</b>			
60	S.71	Planning Authority may enter into agreements.	1. No authority to sub-delegate in respect of the delegation 2. The General Manager may only enter into an agreement upon	• Chief Executive Officer	• Planning Authority

			the advice from the Director of Planning & Development or the Senior Planner that the application to which the agreement relates to is in compliance with the relevant legislation 3. Except where the Council makes such decision contrary to the written advice or recommendation of the Director Land and Environmental Services		
61	S.74(3)	<b>Duration of Agreement</b> An agreement may be ended by the Planning Authority with the approval of the Commission or by agreement between the authority and all persons who are bound by any covenant in the agreement.	1. No authority to sub-delegate in respect of the delegation 2. The General Manager may only end an agreement upon the advice from the Director of Planning & Development or the Senior Planner that the application to which the agreement relates to is in compliance with the relevant legislation	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> </ul>	<ul style="list-style-type: none"> <li>Planning Authority</li> </ul>
62	S.75	Amendment of agreements.	No authority to sub-delegate in respect of the delegation	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Senior Planner</li> </ul>	<ul style="list-style-type: none"> <li>Planning Authority</li> </ul>
63	S.76	Agreement to be lodged with Commission.	No authority to sub-delegate in respect of the delegation	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Senior Planner</li> </ul>	<ul style="list-style-type: none"> <li>Planning Authority</li> </ul>
64	S.78	Registration of agreements, &c.	No authority to sub-delegate in respect of the delegation	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Senior Planner</li> </ul>	<ul style="list-style-type: none"> <li>Planning Authority</li> </ul>
65	S.80	<b>Application to Tasmanian Civil and Administrative Tribunal</b> An owner of land may apply to the Tasmanian Civil and Administrative Tribunal for an amendment to a proposed agreement if – a) Under a planning scheme, use or development for specified purposes is conditional upon an agreement being entered into;	No authority to sub-delegate in respect of the delegation	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> </ul>	<ul style="list-style-type: none"> <li>Planning Authority</li> </ul>

		and b) The owner objects to any provision of the agreement.			
66	S.84	<b>Serve notices or other documents</b> A notice or other document is effectively served under this Act if it is – i. Given to the person; or ii. Left at, or sent by post to, the person’s postal or residential address or place or address of business or employment last known to the server of the notice or other document; or iii. Sent by way of facsimile to the person’s facsimile number.	No authority to sub-delegate in respect of the delegation	• Chief Executive Officer	• Planning Authority
	<b><u>SCHEDULE 6</u></b>	<b><u>Savings and Transitional Provisions – Land Use Planning and Approvals Amendment (Tasmanian Planning Scheme) Act 2015</u></b>	<b><u>NOTE 1:</u></b> The transitional provisions in Schedule 6 provide for the transition from the current process under LUPAA and the current schemes to the Tasmanian Planning Scheme and the processes in the <i>new</i> LUPAA. <b><u>NOTE 2:</u></b> Planning Schemes remain in operation until the Local Provision Schedules come into effect. <b><u>NOTE 3:</u></b> Where an application to amend a Scheme has been made prior the amended LUPAA coming into effect <b>17 December 2015</b> then the previous legislation continues to operate for the purposes of that legislation until the Local Provision Schedules come into effect. The provisions of the previous legislation are set after these notes and the Schedule 6 provisions and are shaded. <b><u>NOTE 4:</u></b> Where an application to amend a Scheme has been made prior the amended LUPAA coming into effect <b>17 December 2015</b> but has not been approved prior to the Local Provision Schedules come into effect the situation is different. In that case the provisions of the amended LUPAA apply. Council's have additional powers to alter a draft amendment in that situation as set out below under Sch 6(4) and (5).		
<b>AMENDMENT OF SCHEMES AND INTERIM SCHEMES</b>					
<b>Provisions of the LUPAA (pre-Tasmanian Planning Scheme amendments) which apply under Schedule 6 of the amended LUPAA (see Note 3 above)</b>					
67	34(1)	Initiate amendment of planning scheme.	No authority to sub-delegate in respect of the delegation	• Chief Executive Officer	• Planning Authority
68	34(3)	Withdrawal of amendment of planning scheme.	No authority to sub-delegate in respect of the delegation	• Chief Executive Officer	• Planning Authority
69	34(4)	Notice of Withdrawal of amendment of planning scheme.	No authority to sub-delegate in respect of the delegation	• Chief Executive Officer	• Planning Authority
70	38(1)	Public exhibition of draft amendment.	No authority to sub-delegate in respect of the delegation	• Chief Executive Officer	• Planning Authority
71	39(2)	Representations to be provided to Commission in respect of draft amendments.	No authority to sub-delegate in respect of the delegation	• Chief Executive Officer	• Planning Authority

72	43J	Correction or mistake in permits referred to in S.43H.	No authority to sub-delegate in respect of the delegation	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> </ul>	<ul style="list-style-type: none"> <li>Planning Authority</li> </ul>
73	43K	Minor amendment of permits referred to in S43.H.	No authority to sub-delegate in respect of the delegation	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> </ul>	<ul style="list-style-type: none"> <li>Planning Authority</li> </ul>

## 16. LAND USE PLANNING AND APPROVALS REGULATIONS 2024

No	Statutory Ref	Function or Power	Conditions or Restrictions	Delegation	Original Source of Power
1	R.4	Notification of approval of Local Provisions Schedule.	No authority to sub-delegate in respect of delegation	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> </ul>	<ul style="list-style-type: none"> <li>Planning Authority</li> </ul>
2	R.5	Advertisement of exhibition of draft amendment, &c (to a planning scheme).	No authority to sub-delegate in respect of delegation	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Senior Planner</li> </ul>	<ul style="list-style-type: none"> <li>Planning Authority</li> </ul>
3	R.6	Notification of approval of draft amendment.	No authority to sub-delegate in respect of delegation	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Senior Planner</li> </ul>	<ul style="list-style-type: none"> <li>Planning Authority</li> </ul>
4	R.7	Notice of approval of Local Provisions Schedule.	No authority to sub-delegate in respect of delegation	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> </ul>	<ul style="list-style-type: none"> <li>Planning Authority</li> </ul>
5	R.8	Notice of application for permit.	No authority to sub-delegate in respect of delegation	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Senior Planner</li> </ul>	<ul style="list-style-type: none"> <li>Planning Authority</li> </ul>

## 17. LITTER ACT 2007

No	Statutory Ref	Function or Power	Conditions or Restrictions	Delegation	Original Source of Power
1	S.8	<b>Power of councils to appoint employees as authorized officers</b> The general manager of a council may appoint an employee of the council to be an authorized officer for the purposes of this Act.	Nil	<ul style="list-style-type: none"> <li>Senior Environmental Health Officer</li> <li>Director of Planning &amp; Development</li> <li>Director of Works &amp; Infrastructure</li> <li>Compliance Coordinator</li> <li>Compliance Officer</li> </ul>	<ul style="list-style-type: none"> <li>General Manager</li> </ul>
2	S.38	Recovery of costs arising from litter abatement notices.	Nil	<ul style="list-style-type: none"> <li>Senior Environmental Health Officer</li> <li>Director of Planning &amp; Development</li> <li>Director of Works &amp; Infrastructure</li> <li>Director of Corporate &amp; Communication</li> <li>Compliance Coordinator</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>

No	Statutory Ref	Function or Power	Conditions or Restrictions	Delegation	Original Source of Power
				<ul style="list-style-type: none"> <li>Compliance Officer</li> </ul>	

## 18. LOCAL GOVERNMENT ACT 1993

No	Statutory Ref	Function or Power	Conditions or Restrictions	Delegation	Original Source of Power
1	S.20A	In order that a Council may perform its functions or exercise its powers under this or any other Act, the General Manager authorises a person to enter land for a specific purpose or in general	1. The General Manager must give notice to the owner or occupier of the land before entry is made unless: <ul style="list-style-type: none"> <li>An emergency exists; or</li> <li>The entry is in relation to an application by the owner or occupier for a licence, permit or other approval given by the Council; or</li> <li>Notice would defeat the purpose of entry.</li> </ul> 2. A person entering land under this section is to produce the identity card issued to that person.	<ul style="list-style-type: none"> <li>Director of Planning &amp; Development</li> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> <li>Works Supervisor</li> <li>Plumbing Surveyor</li> <li>Compliance Coordinator</li> <li>Compliance Officer</li> <li>Senior Environmental Health Officer</li> <li>Senior Planner</li> </ul>	<ul style="list-style-type: none"> <li>General Manager</li> </ul>
2	S.22	Delegation (of functions and powers) by Council.	Subject to the rates and charges policies and procedures, not to be sub-delegated (see S.22)	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
3	S.28D	Documents relating to agendas.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
4	S.28T(6)	<b>Code of conduct</b> The general manager is to make a copy of the council's code of conduct available – <ul style="list-style-type: none"> <li>a) For public inspection, free of charge, at the public office of the council during ordinary office hours and on its website; and</li> <li>b) For purchase at a reasonable charge.</li> </ul>	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
5	S.28T(7)	<b>Code of conduct</b> A council is to review its code of conduct within 3 months after each ordinary election.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>

No	Statutory Ref	Function or Power	Conditions or Restrictions	Delegation	Original Source of Power
6	S.28Y	Initial assessment of complaint by general manager.	Nil Conditions or Restrictions	• Chief Executive Officer	• Council
7	S.28ZK	Notification of determination of code of conduct complaint.	Nil Conditions or Restrictions	• Chief Executive Officer	• Council
8	S.55D	Register of pecuniary interests of members of audit panel.	Nil Conditions or Restrictions	• Chief Executive Officer • Director of Corporate & Communication	• Council
9	S.56B	Gifts and donations register.	Nil Conditions or Restrictions	• Chief Executive Officer • Director of Corporate & Communication • Executive Officer	• Council
10	S.65	Duty to ensure that advice, recommendations or information given is by a qualified person and certify the same to Council.	Nil Conditions or Restrictions	• Chief Executive Officer	• Council
11	S.74	<b>Expenditure</b> A Council may expend its funds for the purpose of exercising its powers or carrying out its functions under this or any other Act within the estimates adopted under Section 82.	Nil Conditions or Restrictions	• Chief Executive Officer • Director of Corporate & Communication • Director of Planning & Development • Director of Works & Infrastructure • Works Operations Manager	• Council • General Manager
12	S.75	<b>Investments</b> A Council may invest any money – (a) In any manner in which a trustee is authorised by law to invest trust funds; and (b) In any investment the Treasurer approves.	In accordance with Council's investment policies as reviewed from time to time	• Chief Executive Officer • Director of Corporate & Communication	• Council • General Manager
13	S.72	Providing Annual Report.	Nil Conditions or Restrictions	• Chief Executive Officer	• Council
14	S.72B	Notice of AGM.	Nil Conditions or Restrictions	• Chief Executive Officer	• Council
15	S.76	<b>Writing off bad debts</b> A council may write off any debts owed to the council if there are no reasonable prospects of recovering the debt; or if the costs of recovery are likely to equal or exceed the amount to be recovered.	1. No authority for the General Manager to Sub-delegate 2. The General Manager may only write off debts that do not exceed the amount of \$500	• Chief Executive Officer	• Council
16	S.77	<b>Grants and benefits</b> A council may make a grant or provide a pecuniary benefit or a non-pecuniary benefit that is not a legal entitlement to any person, other than a councillor, for any purpose it considers appropriate.	1. No authority for the General Manager to Sub-delegate 2. The General Manager may only approve any such grant or benefit upon receiving setting out the	• Chief Executive Officer	• Council

No	Statutory Ref	Function or Power	Conditions or Restrictions	Delegation	Original Source of Power
			nature, date and location of the sporting event for which the grant is sought or details of academic assistance sought. 3. That only one (1) grant of up to \$200 per applicant per calendar year can be approved by the General Manager 4. That the total expenditure for a financial year under this delegation must be reported under the "Grants and Benefits" section of the Annual Report		
17	S.81	<b>Authorised deposit-taking institution accounts</b> A Council may establish and maintain in its corporate name such authorized deposit-taking institution accounts as it considers necessary.	This applies to all account signatories.	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Corporate &amp; Communication</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
18	S.84(1)(3)(4)	<b>Financial Statements</b> The general manager is to prepare and forward to the Auditor General a copy of the council's financial statements for each financial year in accordance with the Audit Act 2008.	This section will be affected by Part 4 of the <i>Local Government (Miscellaneous Amendment) Act 2013</i> which is yet to commence.	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
19	S92(2)(3)	<b>Adjustment of amount payable</b> The General Manager is to issue a supplementary notice in accordance with section 122 in respect of any amount payable as a result of an adjustment under this section. The General Manager may refund or give credit for any amount paid in respect of a rate in excess of the amount payable as a result of an adjustment under this section.	In accordance with Rates and Charges Policy.	<ul style="list-style-type: none"> <li>Director of Corporate &amp; Communication</li> </ul>	<ul style="list-style-type: none"> <li>General Manager</li> </ul>
20	S.110	Record of Rates	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Corporate &amp; Communication</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
21	S.111	<b>Ownership</b> If the general manager is of the opinion that a person may or may not be the owner of land, the general manager may require that person to make a statutory declaration in respect of his or her interest in that land.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Corporate &amp; Communication</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
22	S.124	<b>Instalment payments</b>	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>

No	Statutory Ref	Function or Power	Conditions or Restrictions	Delegation	Original Source of Power
		A Council may permit a ratepayer to pay in instalments. The Council may decide that any rates are payable by instalments.		<ul style="list-style-type: none"> <li>Director of Corporate &amp; Communication</li> </ul>	
23	S.126	<b>Conditions of postponement</b> A council may grant a postponement of the payment of rates for a specified period if satisfied that such payment would cause hardship.	Request for postponement of the payment of rates must be received in writing addressed to the General Manager	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
24	S.127	<b>Postponement ceases to operate</b> A council may, at any time, revoke a postponement of payment of rates by giving 60 days notice in writing to the ratepayer of the date on which the postponement ceases to operate.	No authority for the General Manager to sub-delegate	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
25	S.129	<b>Remission of rates</b> The general manager is to keep a record of the details of any remission granted under this section.	No authority for the General Manager to sub-delegate	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
26	S.132(4)	<b>Certificate of liabilities</b> On receipt of an application, the general manager is to issue a certificate containing the details referred to in subsection (1).	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Director of Corporate &amp; Communication</li> </ul>	<ul style="list-style-type: none"> <li>General Manager</li> </ul>
27	Div 10 S.133-135	<b>Recovery</b> A Council can recover debts due to unpaid rates.	No authority for the General Manager to sub-delegate	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
28	S.139A	Register of Money (relevant to sale of land)	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Corporate &amp; Communication</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
29	S.175	<b>Purchase or lease of land</b> A council may purchase or lease land for any purpose which it considers to be of benefit to the council or the community.	<ul style="list-style-type: none"> <li>Restricted to leasing of land to Council and for a maximum of three (3) years; and does not include purchase or land.</li> <li>Relates to land leased to Council not land leased by Council.</li> </ul>	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
30	S.176	<b>Acquisition of land</b> A council may acquire land for prescribed purposes in accordance with the Land Acquisition Act 1993.	Restricted to the delegated provisions of S.37(d)(e)(ea) of the Local Government (General) Regulations 2005.	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
31	S.182	<b>Fencing land</b> The general manager, by notice in writing served on the owner or occupier of land, may require the owner or occupier to fence the land.	Nil Conditions or Restrictions.	<ul style="list-style-type: none"> <li>Director of Planning &amp; Development</li> <li>Director of Works &amp;</li> </ul>	<ul style="list-style-type: none"> <li>General Manager</li> </ul>



No	Statutory Ref	Function or Power	Conditions or Restrictions	Delegation	Original Source of Power
				Infrastructure	
32	S.183	<b>Land reinstated</b> The general manager, by notice in writing, may require the owner or occupier to rehabilitate land from which soil, rock, sand or material has been extracted at any time after the commencement of this Act.	Nil Conditions or Restrictions.	<ul style="list-style-type: none"> <li>• Senior Environmental Health Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Senior Planner</li> </ul>	<ul style="list-style-type: none"> <li>• General Manager</li> </ul>
33	S.185	<b>Compliance with notice</b> A person served with a notice under this Division must undertake any work required to be done under the notice in accordance with the terms of the notice and within the period specified in the notice.	Nil Conditions or Restrictions.	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Senior Environmental Health Officer</li> <li>• Director of Planning &amp; Development</li> </ul>	<ul style="list-style-type: none"> <li>• Council</li> <li>• General Manager</li> </ul>
34	S.189	<b>Closure of local highways (markets)</b> Power to allow a person to conduct a market and to close a local highway or part of a local highway for the purpose of any such market.	<ul style="list-style-type: none"> <li>• Under Section 189(2) the General Manager has a duty to publish a notice of intention in a public newspaper if it is intended that a local highway or any part of a local highway is to be closed.</li> <li>• Delegated to the General Manager only.</li> </ul>	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> </ul>	<ul style="list-style-type: none"> <li>• Council</li> </ul>
35	S.190(3)	<b>Objections</b> A council is to consider any objection before closing a local highway or part of a local highway.	Nil	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director Works &amp; Infrastructure</li> </ul>	<ul style="list-style-type: none"> <li>• Council</li> </ul>
36	S.193	<b>Establishment of pounds</b> A council may establish pounds for the detention of stray animals.	Nil	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director Planning &amp; Development</li> </ul>	<ul style="list-style-type: none"> <li>• Council</li> </ul>
37	S.194	<b>Impounding of animals</b> Power to impound any animal found straying or at large.	Nil	<ul style="list-style-type: none"> <li>• Director of Planning &amp; Development</li> <li>• Works Manager</li> <li>• Compliance Coordinator</li> <li>• Compliance Officer</li> </ul>	<ul style="list-style-type: none"> <li>• General Manager</li> </ul>
38	S.195	<b>Notice of impounding</b> Power to issue a notice to the owner if the animal is unclaimed.	Nil	<ul style="list-style-type: none"> <li>• Director of Planning &amp; Development</li> <li>• Compliance Coordinator</li> <li>• Compliance Officer</li> </ul>	<ul style="list-style-type: none"> <li>• General Manager</li> </ul>

No	Statutory Ref	Function or Power	Conditions or Restrictions	Delegation	Original Source of Power
39	S.196	<b>Fees, costs and charges</b> Power to require an owner to make payment of costs and charges incurred from the impounding of their animal by notice and to detain any such animal until payment is received.	Nil	<ul style="list-style-type: none"> <li>• Director of Planning &amp; Development</li> <li>• Compliance Coordinator</li> <li>• Compliance Officer</li> </ul>	<ul style="list-style-type: none"> <li>• General Manager</li> </ul>
40	S.197	<b>Sale or destruction of unclaimed animals</b> Power to sell, give away, or destroy an impounded animal.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Compliance Coordinator</li> <li>• Compliance Officer</li> </ul>	<ul style="list-style-type: none"> <li>• Council</li> <li>• General Manager</li> </ul>
41	S.198	<b>Destruction of animals</b> Power to arrange for an impounded animal to be destroyed.	Nil	<ul style="list-style-type: none"> <li>• Director of Planning &amp; Development</li> <li>• Compliance Coordinator</li> <li>• Compliance Officer</li> </ul>	<ul style="list-style-type: none"> <li>• General Manager</li> </ul>
42	S.200	<b>Abatement notices</b> If a council is satisfied that a nuisance exists, the general manager must serve a notice on – a) Any person whose act or default contributes to or causes the nuisance whether or not that act or default occurs wholly or only partly in the municipal area; or b) If the person cannot be ascertained or found, on the owner or occupier of the land on, or from which, the nuisance arises.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Senior Environmental Health Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Compliance Coordinator</li> <li>• Compliance Officer</li> </ul>	<ul style="list-style-type: none"> <li>• Council</li> <li>• General Manager</li> </ul>
43	S.201	<b>General manager may take necessary action</b> Power to take necessary action to abate a nuisance if – a) There is an immediate danger to any person or property; or b) The person causing the nuisance cannot be ascertained or found; or c) An abatement notice has not been complied with.	Nil	<ul style="list-style-type: none"> <li>• Senior Environmental Health Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Compliance Coordinator</li> <li>• Compliance Officer</li> </ul>	<ul style="list-style-type: none"> <li>• General Manager</li> </ul>
44	S.207	<b>Remission of fees and charges</b> A council may remit all or part of any fee or charge paid or payable under this Division.	1. No authority for the General Manager to Sub-delegate. 2. Powers must be exercised in accordance with the relevant Council policies.	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> </ul>	<ul style="list-style-type: none"> <li>• Council</li> </ul>
45	S.261(1)	<b>List of electors</b> The general manager is to –	Nil	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Executive Officer</li> </ul>	<ul style="list-style-type: none"> <li>• Council</li> </ul>

No	Statutory Ref	Function or Power	Conditions or Restrictions	Delegation	Original Source of Power
		a) Prepare and keep a list of electors from the electoral roll kept under S.258(1) as at the time of closure referred to in S.260; and b) Certify that the list is correct.			• General Manager
46	S.333A	<b>Tender</b> A council must invite tenders for any contract it intends to enter into for the supply or provision of goods or services valued at or above the prescribed amount.	Nil	• Chief Executive Officer • Director Works & Infrastructure	• Council
47	S.336	Power to use the Council arms in any manner they think fit.	Nil	• Chief Executive Officer	• Council
48	S.337	<b>Council land information certificate</b> A person may apply in writing to the general manager for a certificate in respect of information relating to land specified and clearly identified in the application.	Subclause (8) in accordance with Council's Schedule of Fees and Charges.	• Director of Planning & Development • Compliance Coordinator	• General Manager
49	S.344	Rounding of rates, &c.	Nil	• Chief Executive Officer	• Council

## 19. LOCAL GOVERNMENT (BUILDING AND MISCELLANEOUS PROVISIONS) ACT 1993

No	Statutory Ref	Function or Power	Conditions or Restrictions	Delegation	Original Source of Power
1	S.83	Power for approval of plan of subdivision	No authority for the General Manager to sub-delegate.	• Chief Executive Officer	• Council
2	S.84	<b>Power not to approve a subdivision</b> If – a) Any proposed lot has not the qualities of a minimum lot; or b) It includes any lot or other block of land smaller than is required or permitted by a finally approved planning scheme; or c) The subdivision includes any road or other works whereby drainage will be concentrated and discharged into any drain or culvert on or under any State highway.	No authority for the General Manager to sub-delegate.	• Chief Executive Officer	• Council
3	S.85	Power for refusal of application for subdivision	No authority for the General Manager to sub-delegate.	• Chief Executive Officer	• Council
4	S.86	<b>Security for payment</b> Before approving a plan of subdivision, the council may a) Require security for payments and the execution of works; and b) Refuse to approve the application until such security is given.	No authority for the General Manager to sub-delegate.	• Chief Executive Officer	• Council
5	S.89	Power to approve and seal final plans.	1. No authority for the General Manager to sub-delegate.	• Chief Executive Officer	• Council

No	Statutory Ref	Function or Power	Conditions or Restrictions	Delegation	Original Source of Power
			2. The General Manager may only approve and seal a final plan where it is in accordance with a planning permit. 3. The General Manager is not to approve a final plan unless he has received advice from the Senior Planner or the Director of Planning & Development that the application is compliant with all of the relevant legislation.		
6	S.91(3)	Power to object to the making of a correction to a final plan by the Recorder of Titles.	1. No authority for the General Manager to sub-delegate. 2. The General Manager may only object to the making of a correction to a final plan upon advice from the Senior Planner or the Director of Planning & Development that the application is compliant with all of the relevant legislation.	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
7	S.92	Power for amendments to final plans.	No authority for the General Manager to sub-delegate.	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
8	S.93	Power for cancellation of final plans.	No authority for the General Manager to sub-delegate.	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
9	S.96	<b>Dedication as highway</b> If a sealed plan shows provision for widening or deviating a way on, or adjoining, land comprised in the plan, an obligation runs with that land to dedicate it as a highway if required to do so by the highway authority.	No authority for the General Manager to sub-delegate.	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
10	S.103	Power to amend sealed plans.	1. No authority for the General Manager to sub-delegate. 2. The General Manager may only amend sealed plans upon advice from the Senior Planner or the Director of Planning & Development that the amendment complies with the relevant legislation.	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
11	S.104(1)	Power for hearing in respect of amendment of plans.	No authority for the General Manager to sub-delegate.	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>

No	Statutory Ref	Function or Power	Conditions or Restrictions	Delegation	Original Source of Power
12	S.105(2)	Power for compensation in respect of amendments.	No authority for the General Manager to sub-delegate.	• Chief Executive Officer	• Council
13	S.107	<b>Access orders</b> The council considers that work of a substantial nature is needed to provide access for vehicles from a highway onto the block, it may refuse to seal the final plan under which the block is created until the owner has carried out the work specified in the order within the specified period or given the council security for carrying out that work if called upon by it to do so.	1. No authority for the General Manager to sub-delegate. 2. The General Manager may only make an order upon advice from the Senior Planner or the Director of Planning & Development that the amendment complies with the relevant legislation	• Chief Executive Officer	• Council
14	S.109(6)	<b>Minimum lots</b> If land may be used only as a place of business the restriction on its use – a) Is to be set out above the council's seal on the final plan of the subdivision; and b) Is enforceable by the Council.	No authority for the General Manager to sub-delegate	• Chief Executive Officer	• Council
15	S.110	<b>Adhesion orders</b> The council may make an adhesion order if a block a) Has the qualities of a minimum lot; and b) Comprises 2 parcels or more that may, without the approval of any plan by the council, lawfully be sold separately so as to create a block which i) Would not have the qualities of a minimum lot; and ii) Is or in the opinion of the council is likely to be, built on or bought for building.	1. No authority for the General Manager to sub-delegate. 2. The General Manager may only make an adhesion order upon advice from the Senior Planner or the Director of Planning & Development that the amendment complies with the relevant legislation.	• Chief Executive Officer	• Council
16	S.112	<b>Purposes for which plan approved</b> The council is to state on the plan one of the following purposes for which the plan is approved: i) For the purpose of enabling the approved lot to form a single parcel; ii) For the purpose of enabling a purchaser to acquire all the sub-minimum lots which together form the minimum lot shown on the plan; iii) For the purpose of enabling the portions of the approved lot to form a single parcel or for enabling a purchaser to acquire all the sub-minimum lots which together are to form the minimum lot, as well as for the purpose of giving effect to the subdivision.	No authority for the General Manager to sub-delegate.	• Chief Executive Officer	• Council
17	S.113(4)	<b>Bringing land under Land Titles Act 1980</b> If a plan of subdivision approved by the council and lodged in the office of the Recorder of Titles includes any adjoining land to be added that is not under the provisions of the Land Titles Act 1980, the Recorder is not to take any further action upon the plan until applications to bring the land under those provisions	No authority for the General Manager to sub-delegate.	• Chief Executive Officer	• Council

No	Statutory Ref	Function or Power	Conditions or Restrictions	Delegation	Original Source of Power
		have been made under Section 11 of that Act.			
18	S.115	<b>Exemption</b> Power to exempt a subdivision from the provisions of Part 3.	1. No authority for the General Manager to sub-delegate. 2. The General Manager may only exempt a subdivision from the provisions upon advice from the Senior Planner or the Director of Planning & Development that the amendment complies with the relevant legislation.	• Chief Executive Officer	• Council
19	S.116	Power for limitation on requirement for public open space.	No authority for the General Manager to sub-delegate.	• Chief Executive Officer	• Council
20	S.117	<b>Payment instead of increasing public open space</b> Instead of requiring an owner to increase the area for public open space, the council, before approving a plan of subdivision may require security for the payment of an amount.	No authority for the General Manager to sub-delegate.	• Chief Executive Officer	• Council
21	S.118	<b>Council schemes</b> Before the council disposes of lands in circumstances in which, if the disposition were that of a private person the plan would require approval under this Part, it is to prepare a plan of subdivision that it would approve if it were a private person's plan.	No authority for the General Manager to sub-delegate.	• Chief Executive Officer	• Council
22	Part 7	Long Service Leave and Employees Assurance Scheme.	No authority for the General Manager to sub-delegate.	• Chief Executive Officer	• Council
23	S.241(1)	<b>Preservation orders</b> A council, on the recommendation of the National Trust of Australia (Tasmania) may by order – a) Prohibit the demolition of a building that is by itself or with others of historical or architectural interest or of special beauty; and b) Prohibit the alteration of or adding to the building except as the council may approve; and c) Require the owner to keep the building in good and tenantable repair.	No authority for the General Manager to sub-delegate.	• Chief Executive Officer	• Council
24	S.243	<b>Preservation order is enforceable</b> A preservation order – a) Operates as a covenant between the owner and the owner and the council that the owner, executors, administrators and assigns will comply with the order; and b) Runs with the land in equity; and	No authority for the General Manager to sub-delegate.	• Chief Executive Officer	• Council

No	Statutory Ref	Function or Power	Conditions or Restrictions	Delegation	Original Source of Power
		c) Is enforceable by the council as if it were owner of all other lands in the municipal area and the tenants were natural persons holding of the council for life.			
25	S.244	<b>Registering preservation order</b> On receipt of a sealed copy and certificate under subsection (1) the Recorder of Titles is to – (a) register the preservation order by entering a memorial on the folio of the Register identified by the certificate; and (b) endorse the memorial on the folio of the Register, under the Land Titles Act 1980 , for the land.	No authority for the General Manager to sub-delegate.	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
26	S.246	<b>Advertising hoardings</b> A person must not, within a municipal area, erect, put up, place or use or permit to be erected, put up, placed or used, any hoarding or similar structure for advertising purposes without a licence from the council.	Nil	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Senior Environmental Health Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
27	S.247	Power to require the removal of an advertising hoarding.	Nil	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Senior Environmental Health Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
28	S.248	Power to demolish, remove or remedy any building erected or constructed over or under a Council drain or a drain connected to a Council drain.	No authority to sub-delegate in respect of this delegation.	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>

## 20. LOCAL GOVERNMENT (GENERAL) REGULATIONS 2025

No	Statutory Ref	Function or Power	Conditions or Restrictions	Delegation	Original Source of Power
1	R.24(2)(3) (4)(5)	<b>Public tenders</b> A council, through a public tender process, may establish a standing contract in which a single tenderer or multiple tenderers may be contracted for a specified period to provide specified goods or services during that period without the need for a further tender process.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Director of Works &amp; Infrastructure</li> <li>• Director of Corporate &amp; Communication</li> <li>• Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>• Council</li> </ul>
2	R.25	<b>Open tenders</b> The general manager is to ensure that prospective tenderers are provided with the following in order to make a tender: a) Details of the goods or services required; b) Details of the duration of the contract, including any extensions that are specified in the contract; c) The criteria for evaluating tenders; d) The method of evaluating tenders against the evaluation criteria; e) Any mandatory tender specifications and contract conditions; f) A reference to the council's code relating to tenders and contracts.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Director of Planning &amp; Development</li> <li>• Director of Works &amp; Infrastructure</li> <li>• Director of Corporate &amp; Communication</li> <li>• Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>• General Manager</li> </ul>
3	R.26	<b>Multiple use register</b> A council may establish a multiple-use register of suppliers who meet criteria established by the council in respect of the supply of particular categories of goods or services.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Director of Works &amp; Infrastructure</li> <li>• Director of Corporate &amp; Communication</li> <li>• Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>• Council</li> </ul>
4	R.27(2)	<b>Multi stage tender</b> A multiple-stage tender process is a process by which suppliers are evaluated through stages against criteria determined by the council.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Director of Works &amp; Infrastructure</li> <li>• Director of Corporate &amp; Communication</li> <li>• Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>• Council</li> </ul>



## 21. LOCAL GOVERNMENT (HIGHWAYS) ACT 1982

No	Statutory Ref	Function or Power	Conditions or Restrictions	Delegation	Original Source of Power
1	S.6	Power to make, widening &c., of highways by corporations	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
2	S.7	Limitation on opening of highways in cities and towns by private persons.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
3	S.8	Maintenance of highways opened outside cities or towns by private persons.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
4	S.10	Obligations on landowners opening highways.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
5	S.11	Enforcement of obligations of landowners opening highways.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
6	S.14	Closure and diversion of highways.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
7	S.15	Dealing with sites of closed highways.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
8	S.17	Definition of boundaries of highway	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
9	S.19	Power to close a local highway, forbid the use of a local highway or grant licences for the use of a closed local highway	In consultation with Commissioner of Police. Delegation excludes Section 19(1)(c).	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
10	S.20	Power to close part of a local highway for the purpose of the sale of goods or entertainment on a Saturday, Sunday or statutory holiday	In consultation with Commissioner of Police and Transport Commission.	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
11	S.21	<b>General responsibility of corporations</b> The Corporation of a municipality is charged with the duty of maintaining the local highways in the municipality that are maintainable by the corporation as shown on its municipal map, and, in any particular case, it shall discharge that duty in such	Nil Conditions or Restrictions.	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>

No	Statutory Ref	Function or Power	Conditions or Restrictions	Delegation	Original Source of Power
		manner as, having regard to all the circumstances of the case, it considers practicable and appropriate.			
12	S.24	<b>Highways on boundaries of municipalities</b> Where 2 corporations would, apart from this subsection, each be liable to repair one side of a local highway that forms or follows the common boundary of the municipal districts of those corporations, they are jointly liable to repair the whole width of that highway.	Nil Conditions or Restrictions.	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Works &amp; Infrastructure</li> <li>• Works Manager</li> </ul>	• Council
13	S.25	<b>General supplementary provisions as to carrying out of highway works.</b>	Nil Conditions or Restrictions.	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Works &amp; Infrastructure</li> <li>• Works Manager</li> </ul>	• Council
14	S.26(4)	<b>Obtaining of materials for highway works.</b>	Nil Conditions or Restrictions.	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Works &amp; Infrastructure</li> <li>• Works Manager</li> </ul>	• Council
15	S.27	<b>Use of adjoining lands in carrying out highway works.</b>	Nil Conditions or Restrictions.	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Works &amp; Infrastructure</li> <li>• Works Manager</li> </ul>	• Council
16	S.28	<b>Shifting of apparatus, &amp;c., in roads.</b>	Nil Conditions or Restrictions.	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Works &amp; Infrastructure</li> <li>• Works Manager</li> </ul>	• Council
17	S.30	<b>Improvements, &amp;c., of highways.</b>	Nil Conditions or Restrictions.	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Works &amp; Infrastructure</li> <li>• Works Manager</li> </ul>	• Council
18	S.31	<b>Obstructions for prohibition or restriction of vehicular traffic.</b>	Nil Conditions or Restrictions.	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Works &amp; Infrastructure</li> <li>• Works Manager</li> </ul>	• Council
19	S.32	<b>Power to light and arrange for lighting of local highway.</b>	Nil Conditions or Restrictions.	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Works &amp; Infrastructure</li> <li>• Works Manager</li> </ul>	• Council
20	S.33	<b>Lighting or private ways and courts.</b>	Nil Conditions or Restrictions.	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Works &amp; Infrastructure</li> <li>• Works Manager</li> </ul>	• Council
21	S.34	<b>Power to make, cleanse and keep open Council drains and watercourses in and through land adjoining or near a local highway.</b>	Nil Conditions or Restrictions.	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Works &amp; Infrastructure</li> <li>• Works Manager</li> </ul>	• Council

No	Statutory Ref	Function or Power	Conditions or Restrictions	Delegation	Original Source of Power
22	S.35	<b>Crossings over footpaths, table-drains, and gutters</b> Where the corporation is of the opinion that works are necessary to be carried out in a highway under local management for the construction or repair of a vehicular crossing over a table-drain, gutter, or footpath at or opposite the entrance to land adjoining the highway, it may serve a written notice on the owner of the land requiring him to carry out those works within the time specified.	Nil Conditions or Restrictions.	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
23	S.36	<b>Fencing of streets in towns.</b>	Nil Conditions or Restrictions.	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
24	S.37	<b>Alterations, &amp;c., of entrances to highways.</b>	Nil Conditions or Restrictions.	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
25	S.38	<b>Power to remove trees as required for the facilitation and good management of local highways</b>	Nil Conditions or Restrictions.	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
26	S.39	<b>Power to require an occupier of land to cut, trim or reduce the height of vegetation to reduce or remove danger from the obstruction of their view</b>	Nil Conditions or Restrictions.	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
27	S.40	<b>Animal barriers on highways</b>	Nil Conditions or Restrictions.	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
28	S.41	<b>Prohibition of traffic likely to cause damage to highways.</b>	Nil Conditions or Restrictions.	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
29	S.42	<b>Power to close a dangerous highway.</b>	Nil Conditions or Restrictions.	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
30	S.44	<b>Protection of bridges from excessive loading.</b>	Nil Conditions or Restrictions.	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>

No	Statutory Ref	Function or Power	Conditions or Restrictions	Delegation	Original Source of Power
31	S.45(4)	<b>Removal and disposal of abandoned articles</b> Where it appears to the corporation that an article has, without lawful authority, been abandoned on a highway under local management, it may remove the article from the highway.	Nil Conditions or Restrictions.	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> <li>Director of Planning &amp; Development</li> <li>Compliance Officer</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
32	S.45(5)(6)(7)(8)(9)(10)(12)	<b>Removal and disposal of abandoned articles</b> where an article has been removed from a highway under this section, the corporation may, subject to this section, dispose of it in such manner as it thinks fit.	Nil Conditions or Restrictions.	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> <li>Director of Planning &amp; Development</li> <li>Compliance Officer</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
33	S.46(2)	<b>Permission to carry out various works in relation to highways</b> Subject to any directions given by the corporation, its powers to grant a permission may be exercised on its behalf by its mayor or by some other person authorized by it for that purpose.	Nil Conditions or Restrictions.	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
34	S.46	<b>Permission to carry out various works in relation to highways</b> A corporation may, in accordance with its by-laws, grant a person written permission to do any one or more of the following things: a) Open or break up the soil or pavement of a local highway; b) Make a drain leading to a local highway; c) Put or place a pipe or make a drain leading into a sewer or drain or other work of the corporation in or under a local highway; d) Make an excavation, vault or cellar in or under a local highway; e) Install, under a local highway, pipelines, pipe systems or other infrastructure required for the transmission, distribution or supply of natural gas or other gaseous fuels; f) Erect a hoarding or scaffolding for building or any other purpose in or on a local highway.	Nil Conditions or Restrictions.	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
35	S.50	Management of local highways not maintainable by the corporation.	Nil Conditions or Restrictions.	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
36	S.51	Making good of back roads, lanes, &c., at frontagers' expense.	Nil Conditions or Restrictions.	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>

No	Statutory Ref	Function or Power	Conditions or Restrictions	Delegation	Original Source of Power
37	S.52	<b>Projections on to highways, &amp;c.</b> At such time as is agreed with the occupier of a building, or after giving at least 30 days' notice of its intention to do so, the corporation may remove or alter an obstruction to which this section applies that has been erected or placed against or in front of the building.	Nil Conditions or Restrictions.	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
38	S.53	Low-lying land near highways.	Nil Conditions or Restrictions.	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
39	S.54	<b>Names of highways, &amp;c.</b>	Nil Conditions or Restrictions.	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> <li>Director of Planning &amp; Development</li> <li>Compliance Coordinator</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
40	S.55	<b>Numbering of buildings, &amp;c.</b>	Nil Conditions or Restrictions.	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> <li>Director of Planning &amp; Development</li> <li>Compliance Coordinator</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
41	S.59	<b>Development of land in connection with highway improvements.</b>	Nil Conditions or Restrictions.	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
42	S.60(3)	<b>Restrictive covenants for benefit of highway</b> A corporation may, at any time, by agreement with the person against whom there is enforceable a covenant, discharge the covenant or may agree to a variation of the covenant.	Nil Conditions or Restrictions.	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
43	S.62	<b>Special provisions as to acquisition for widening or other alteration</b> A corporation may take land for the widening or other alteration of a highway. Land shall not be taken under this section, unless a) Every part of it is within 3 metres of the boundary of an existing highway and b) No building is situated wholly or partly on the land or within 3 metres of its boundary.	Nil Conditions or Restrictions.	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
44	S.63	<b>Letting of highways not presently used</b> Where the corporation has acquired highway rights over any land, it may, if the land is not presently required to be opened as a highway, let that land to the owner of	Nil Conditions or Restrictions.	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>

No	Statutory Ref	Function or Power	Conditions or Restrictions	Delegation	Original Source of Power
		any adjoining land.			
45	S.66	<b>Proof that Street is subject to Part V</b> The carriage-way of a street shall be deemed to have been well and sufficiently made only if it was made well enough to be an all-weather road for light or heavy traffic or both according to the standards accepted at the time of its making.	Nil Conditions or Restrictions.	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
46	S.67(2)	<b>Street works in streets not previously made up</b> Where a street has not at any time been well and sufficiently made, the corporation may, in accordance with a scheme under this Part, carry out such street works as it considers necessary to put that street in a proper condition in substantial conformity with the standard requirements, recovering the cost of the works in the manner provided in this Part.	Nil Conditions or Restrictions.	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
47	S.68	<b>Scheme of street construction</b> Where the corporation intends to carry out street works in a street, it shall cause to be prepared a scheme for the carrying out of those works.	Nil Conditions or Restrictions.	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
48	S.71	<b>Notice of preparation of scheme.</b>	Nil Conditions or Restrictions.	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
49	S.72	<b>Objection by owners (to the scheme)</b>	Nil Conditions or Restrictions.	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
50	S.74	<b>Execution of scheme.</b>	Nil Conditions or Restrictions.	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
51	S.76	<b>Payment by frontagers (under the scheme).</b>	Nil Conditions or Restrictions.	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
52	S.77	<b>State contribution</b> Where a corporation has prepared a scheme for the carrying out of street works that comprise or include the construction of a carriage-way, the Minister for State Highways may, on the application of the corporation, undertake to make a contribution to the corporation of an amount equal to one-third of the cost of the construction of the carriage-way.	Nil Conditions or Restrictions.	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
53	S.79	<b>Urgent works</b> If it considers it urgently necessary to do so, a corporation may, without a scheme, carry out in a street any part of the works referred to in section 67, and the cost of carrying out those works may be included in a scheme subsequently made by the	Nil Conditions or Restrictions.	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>

No	Statutory Ref	Function or Power	Conditions or Restrictions	Delegation	Original Source of Power
		corporation in respect of the remainder of those works carried out in that street, and, with any necessary modifications, this Part applies to the scheme as if the part of the works previously carried out were part of the works to be authorized by the scheme.			
54	S.81	<b>Record of charges.</b>	Nil Conditions or Restrictions.	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Works &amp; Infrastructure</li> <li>• Director of Planning &amp; Development</li> <li>• Compliance Coordinator</li> <li>• Compliance Officer</li> <li>• Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>• Council</li> </ul>
55	S.95	<b>Establishment of controlled parking (a parking meter or voucher machine).</b>	Nil Conditions or Restrictions.	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Works &amp; Infrastructure</li> <li>• Director of Planning &amp; Development</li> <li>• Compliance Coordinator</li> <li>• Compliance Officer</li> <li>• Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>• Council</li> </ul>
56	S.96	<b>Hours of operation of controlled parking.</b>	Nil Conditions or Restrictions.	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Works &amp; Infrastructure</li> <li>• Director of Planning &amp; Development</li> <li>• Compliance Coordinator</li> <li>• Compliance Officer</li> <li>• Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>• Council</li> </ul>
57	S.99	<b>Closure of parking spaces in certain cases.</b>	S.99(7) allows the General Manager to issue authorisations; Council delegation also covers this.	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Works &amp; Infrastructure</li> <li>• Director of Planning &amp; Development</li> <li>• Compliance Coordinator</li> <li>• Compliance Officer</li> <li>• Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>• Council</li> </ul>

No	Statutory Ref	Function or Power	Conditions or Restrictions	Delegation	Original Source of Power
58	S.100(1A)	<b>Infringement notices</b> (in respect of an offence relating to a vehicle).	Nil Conditions or Restrictions.	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Works Manager</li> <li>Director of Planning &amp; Development</li> <li>Compliance Coordinator</li> <li>Compliance Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
59	S.102	<b>Removal of vehicles in certain cases from parking spaces.</b>	Nil Conditions or Restrictions.	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
60	S.104	<b>Permits for use of parking spaces without operation of meters or use of parking vouchers.</b>	Nil Conditions or Restrictions.	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
61	S.109	<b>Lighting of certain State highways:</b> Contributions by corporations to lighting of certain State highways.	Nil Conditions or Restrictions.	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
62	S.110	<b>Powers and duties of corporations in relation to State highways</b> A corporation may exercise the powers conferred by section 30 in respect of a State highway in the municipality and, in relation to the exercise of those powers in respect of that highway, this Act has effect as if it were a local highway maintainable by the corporation.	Nil Conditions or Restrictions.	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
63	S.112	<b>Liability of corporation to maintain road works carried out by the Crown</b>	Nil Conditions or Restrictions.	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
64	S.114	<b>Right of private persons opening new streets to obtain contributions.</b>	Delegation excludes S.114(8).	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
65	S.115	<b>Retention of petrol-pumps in highways.</b>	Nil Conditions or Restrictions.	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
66	S.116	<b>Tramways along or across highways</b> The Governor may authorize the laying down, construction, and maintenance of a tramway or railway along or across a local highway, subject to such terms and conditions as may be recommended by the corporation.	Nil Conditions or Restrictions.	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>



No	Statutory Ref	Function or Power	Conditions or Restrictions	Delegation	Original Source of Power
67	S.119	<b>Determination of compensation</b> Where a corporation or other person is entitled to be paid compensation under this Act, that compensation shall, unless provision is otherwise made for its determination, be determined by agreement between the parties or, in default of agreement, by action in a court of competent jurisdiction.	Nil Conditions or Restrictions.	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Works &amp; Infrastructure</li> <li>• Director of Corporate &amp; Communication</li> </ul>	<ul style="list-style-type: none"> <li>• Council</li> </ul>

## 22. MONETARY PENALTIES ENFORCEMENT ACT 2005

No	Statutory Ref	Function or Power	Conditions or Restrictions	Delegation	Original Source of Power
1	S.17(2)	<b>Options for dealing with infringement notice</b> – approve or refuse an application for the withdrawal of an infringement notice or a variation of an infringement notice, and notify the applicant of the approval or refusal.	Nil Conditions or Restrictions.	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> </ul>	<ul style="list-style-type: none"> <li>• Council</li> </ul>
2	S.18(1)	<b>Referral to Director of infringement notice issued by fee-paying public sector body.</b>	Nil Conditions or Restrictions.	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Corporate &amp; Communication</li> <li>• Director Planning &amp; Development</li> <li>• Rates Officer</li> <li>• Accounts Payable Officer</li> <li>• Customer Services Officer</li> <li>• Technical Officer Development Services</li> </ul>	<ul style="list-style-type: none"> <li>• Council</li> </ul>
3	S.23	<b>Withdrawal of infringement notice.</b>	Nil Conditions or Restrictions.	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> </ul>	<ul style="list-style-type: none"> <li>• Council</li> </ul>
4	S.28(3)-(4-)	<b>Application to fee-paying public sector body for variation of payment conditions.</b>	Nil Conditions or Restrictions.	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> </ul>	<ul style="list-style-type: none"> <li>• Council</li> </ul>
5	S.39(1)	<b>Hearing of offence by court – commencement of proceedings.</b>	Nil Conditions or Restrictions.	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> </ul>	<ul style="list-style-type: none"> <li>• Council</li> </ul>
6	S.40(3)	<b>Application to court to set aside conviction.</b>	Nil Conditions or Restrictions.	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> </ul>	<ul style="list-style-type: none"> <li>• Council</li> </ul>

## 23. NEIGHBOURHOOD DISPUTES ABOUT PLANTS ACT 2017

No	Statutory Ref	Function or Power	Conditions or Restrictions	Delegation	Original Source of Power
1	s.27	Appear on behalf of the Council in relation to applications to TASCAT under Part 4	Nil Conditions or Restrictions.	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director Planning and Development</li> <li>Senior Planner</li> <li>Natural Resource Management Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>

## 24. OCCUPATIONAL LICENCING ACT 2005

No	Statutory Ref	Function or Power	Conditions or Restrictions	Delegation	Original Source of Power
1	<u>37C</u>	<b>Certain Organisations May Apply for a Building Services Licence</b> - a Council may apply for a building services licence and under s 37C(1)(c) and nominate a person to be the licenced person of the licenced entity s37C(2)(c).	Nil Conditions or Restrictions.	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director Planning &amp; Development</li> <li>Director Works &amp; Infrastructure</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
	<u>37D</u>	<b>Continuation of building services licence held by certain organisations</b> - the Council, as a Licenced Entity, must notify the Administration in writing as soon as practicable after becoming aware that a "relevant event" (as defined in s 37(C)(5) has occurred or is to occur in respect of the Licenced Entity.		<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director Planning &amp; Development</li> <li>Director Works &amp; Infrastructure</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>

## 25. PLACE NAMES ACT 2020

No	Statutory Ref	Function or Power	Conditions or Restrictions	Delegation	Original Source of Power
1	S.11 (2)	<b>Naming of roads, streets, &amp;c.</b> As a responsible authority the council has a responsibility to name, alter or revoke a name of a place.	Nil	Chief Executive Officer	<ul style="list-style-type: none"> <li>Council</li> </ul>
2	S. 11(3)	<b>Naming of roads, streets, &amp;c.</b> The responsible authority for a place referred to in section 4(1)(c) must ensure that any naming action, performed in respect of the place, complies with –	Nil	Chief Executive Officer	<ul style="list-style-type: none"> <li>Council</li> </ul>

No	Statutory Ref	Function or Power	Conditions or Restrictions	Delegation	Original Source of Power
		(a) the relevant provisions of the guidelines; and (b) this Act and any other applicable Act; and (c) the relevant procedures of the responsible authority.			
3	S.11 (4)	<b>Naming of roads, streets, &amp;c.</b> As soon as practicable after performing a naming action in respect of a place, the responsible authority for the place is to submit details of the action to the Registrar for recording in the register.	Nil	Chief Executive Officer	• Council

## 26. PUBLIC HEALTH ACT 1997

No	Statutory Ref	Function or Power	Conditions or Restrictions	Delegation	Original Source of Power
1	S.11(1)(2)	<b>Appointment of officers</b>	Nil Conditions or Restrictions	• Chief Executive Officer	• Council
2	S.32(1)(2)	<b>Production of Records</b>	Nil Conditions or Restrictions	• Chief Executive Officer • Director of Planning & Development • Senior Environmental Health Officer	• Council • General Manager
3	S.33(a)(b)	<b>Production of things</b> A council or an authorized officer may require a person to produce for inspection anything in the person's possession if – a) The council or the officer reasonably believes that it may disclose evidence of the commission of an offence under this Act; or b) It is otherwise necessary for the purposes of this Act.	Nil Conditions or Restrictions	• Chief Executive Officer • Director of Planning & Development	• Council • General Manager
4	S.34(a)(b)	<b>Production of licence</b> A council or an authorized officer may – a) Require a person to produce for inspection any licence the person holds or should hold; and b) Examine, remove and take photographs or copies of, or extracts or notes from, any licence.	Nil Conditions or Restrictions	• Chief Executive Officer • Director of Planning & Development	• Council • General Manager

No	Statutory Ref	Function or Power	Conditions or Restrictions	Delegation	Original Source of Power
5	S.35	<b>Photographs, sketches, measurements and recordings</b> For the purposes of this Act, a council or an authorized office may: a) Take any photograph, film or video recording; and b) Take any measurements; and c) Make any sketches or drawing; and d) Make any other recording by any other means.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Senior Environmental Health Officer</li> <li>Compliance Coordinator</li> <li>Compliance Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
6	S.36(1)(2)	<b>Information requirements</b> A council or an authorized officer may require a person to – a) Give his or her full name and residential address; b) Give details of any licence, permit or exemption under this Act; c) Provide any information relating to public health reasonably required for the purposes of this Act. A council or an authorized officer may require any person to give information about that person's or another person's activities in respect of any matter under this Act.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
7	S.57	<b>Council immunization programs.</b>	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Senior Environmental Health Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
8	S.77(1)(3)	<b>Grant or refusal of licence for Place of Assembly.</b>	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Senior Environmental Health Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
9	S.78	<b>Issue of licence for Place of Assembly.</b>	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Senior Environmental Health Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
10	S.81	<b>Renewal of licence of Place of Assembly.</b>	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Senior Environmental Health Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
11	S.82	<b>Variation of licence of Place of Assembly.</b>	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Senior Environmental Health Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
12	S.83	<b>Cancellation of licence of Place of Assembly.</b>	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Senior Environmental Health Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
13	S.84(2)	<b>Overcrowding</b> A council, an authorized officer, a person authorized by the Commissioner for Licensing or a person authorized by the State Fire Commissioner may –	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Senior Environmental Health Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>

No	Statutory Ref	Function or Power	Conditions or Restrictions	Delegation	Original Source of Power
		a) Cause the doors of a place of assembly to be closed; b) Evacuate the place of assembly; or c) Cause any event occurring at that place of assembly to be cancelled in circumstances referred to in paragraph (b).			
14	S.87	<b>Closure order of Unhealthy premises.</b>	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Senior Environmental Health Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
15	S.88	<b>Service of closure order of Unhealthy premises.</b>	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Senior Environmental Health Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
16	S.89	<b>Revocation of closure order of Unhealthy premises.</b>	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Senior Environmental Health Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
17	S.92(1)(4)(6)	<b>Rectification notice</b> A council, on the advice of an Senior Environmental Health Officer or building surveyor, is to serve a rectification notice in an approved form. If a person fails to comply with a notice, the council may cause any necessary work to be carried out at that person's expense. A council, upon the certificate of an Senior Environmental Health Officer or building surveyor that the condition of the premises is no longer, or is not likely to become, offensive, injurious or prejudicial to health, is to revoke a rectification notice.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Senior Environmental Health Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
18	S.97	<b>Grant or refusal of registration of premises.</b>	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Senior Environmental Health Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
19	S.98	<b>Issue of certificate of registration of premises.</b>	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Senior Environmental Health Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
20	S.101	<b>Renewal of registration of premises.</b>	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Senior Environmental Health Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
21	S.102	<b>Variation of registration of premises.</b>	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Senior Environmental Health Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>

No	Statutory Ref	Function or Power	Conditions or Restrictions	Delegation	Original Source of Power
22	S.103	Cancellation of registration of premises.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Senior Environmental Health Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
23	S.106	Grant or refusal of licence (to carry out any Public health risk activity).	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Senior Environmental Health Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
24	S.107	Issue of licence (to carry out any Public health risk activity).	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Senior Environmental Health Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
25	S.110	Renewal of licence (to carry out any Public health risk activity).	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Senior Environmental Health Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
26	S.111	Variation of licence (to carry out any Public health risk activity).	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Senior Environmental Health Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
27	S.112	Cancellation of licence (to carry out any Public health risk activity).	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Senior Environmental Health Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
28	S.115	Grant or refusal of registration of regulated system.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Senior Environmental Health Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
29	S.116	Issue of certificate of registration (of a regulated system).	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Senior Environmental Health Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
30	S.119(1)(3)	Notice to comply with direction.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Senior Environmental Health Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
31	S.121	Renewal of registration (of any regulated system).	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Senior Environmental Health Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
32	S.122	Variation of registration (of any regulated system).	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Senior Environmental Health Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>

No	Statutory Ref	Function or Power	Conditions or Restrictions	Delegation	Original Source of Power
33	S.123	<b>Cancellation of registration (of any regulated system).</b>	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Senior Environmental Health Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
34	S.128	<b>Notification of quality of water.</b>	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Senior Environmental Health Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
35	S.129(1)	<b>Orders relating to water quality.</b>	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Senior Environmental Health Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
36	S.130(1)(3)	<b>Monitoring and review (of the quality of water within the municipal area).</b>	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Senior Environmental Health Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
37	S.131	<b>Samples</b> An authorized officer or a council may take a sample from any water. Any sample taken under this section is to be analysed and tested in accordance with the requirements of the Director.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Senior Environmental Health Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
38	S.135	<b>Grant or refusal of registration (as a supplier of water).</b>	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Senior Environmental Health Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
39	S.136	<b>Issue of certificate of registration (as a supplier of water).</b>	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Senior Environmental Health Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
40	S.136AA	<b>Renewal of registration (as a supplier of water).</b>	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Senior Environmental Health Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
41	S.136B	<b>Variation of registration (as a supplier of water).</b>	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Senior Environmental Health Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
42	S.136C	<b>Cancellation of registration (as a supplier of water).</b>	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Senior Environmental Health Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
43	S.136H	<b>Issue of certificate of registration (as a water carrier).</b>	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Senior Environmental Health Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>

No	Statutory Ref	Function or Power	Conditions or Restrictions	Delegation	Original Source of Power
44	S.136I	<b>Renewal of registration (as a water carrier).</b>	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Senior Environmental Health Officer</li> </ul>	<ul style="list-style-type: none"> <li>• Council</li> <li>• General Manager</li> </ul>
45	S.136K	<b>Variation of registration (as a water carrier).</b>	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Senior Environmental Health Officer</li> </ul>	<ul style="list-style-type: none"> <li>• Council</li> <li>• General Manager</li> </ul>
46	S.136L	<b>Cancellation of registration (as a water carrier).</b>	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Senior Environmental Health Officer</li> </ul>	<ul style="list-style-type: none"> <li>• Council</li> <li>• General Manager</li> </ul>
47	S.144	<b>Registers kept by Councils</b> A council is to keep – a) A register of registered regulated systems; and b) A register of registered users and suppliers of water from private water sources; and c) A register of registered premises used for public health risk activities.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Senior Environmental Health Officer</li> </ul>	<ul style="list-style-type: none"> <li>• Council</li> <li>• General Manager</li> </ul>
48	S.148(1)	<b>Requirement for information</b> The Director, any council or an authorized officer may require a person to provide information relating to public health which is reasonably needed for the purposes of this Act.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Senior Environmental Health Officer</li> </ul>	<ul style="list-style-type: none"> <li>• Council</li> <li>• General Manager</li> </ul>
49	S.152(1)	<b>Costs incurred in exercising power.</b>	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> </ul>	<ul style="list-style-type: none"> <li>• Council</li> </ul>
50	S.158(1)	<b>Proceedings</b> Proceedings for an offence under this Act may only be instituted by – a) The Minister or a person authorized by the Minister; or b) An authorized officer; or c) A nominated officer in relation to proceedings for an offence under Part 4; or d) A police officer; or e) A council.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> </ul>	<ul style="list-style-type: none"> <li>• Council</li> </ul>
51	S.169(1)	<b>Infringement notices</b> An authorized officer or a council may serve an infringement notice on a person if of the opinion that the person has committed a prescribed offence.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Senior Environmental Health Officer</li> </ul>	<ul style="list-style-type: none"> <li>• Council</li> <li>• General Manager</li> </ul>



No	Statutory Ref	Function or Power	Conditions or Restrictions	Delegation	Original Source of Power
52	S.190(1),(3) & (4)	<b>Sale or disposal of forfeited things.</b>	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Corporate &amp; Communication</li> <li>Director of Planning &amp; Development</li> <li>Senior Environmental Health Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
53	S.191(3)	<b>Return of and access to seized things.</b>	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Senior Environmental Health Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
54	S.192(1)	<b>Sale or disposal of seized things.</b>	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Corporate &amp; Communication</li> <li>Director of Planning &amp; Development</li> <li>Senior Environmental Health Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>

## 27. PUBLIC INTEREST DISCLOSURE ACT 2002

No	Statutory Ref	Functions or Power	Conditions or Restrictions	Delegation	Original Source of Power
1	S.29B	<b>Referral of disclosure to Integrity Commission</b> Where a public body believes a disclosure relates to misconduct defined in the Integrity Commission Act 2009, the public body may refer the disclosure to the Integrity Commission.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Executive Officer</li> <li>Director of Corporate &amp; Communication</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
2	S.29D(1)	<b>Notice of referral</b> If public body refers a disclosure to the Integrity Commission, they must notify the person who made that disclosure of the referral.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Executive Officer</li> <li>Director of Corporate &amp; Communication</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
3	S.33(1)	<b>Determination by public body of disclosure as to public interest disclosure</b> Public body to determine whether disclosure is a public interest disclosure within 45 days.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Executive Officer</li> <li>Director of Corporate &amp; Communication</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
4	S.34(1)	<b>Procedure where public body determines disclosure to be public interest disclosure</b> Notifications where disclosure is determined a public interest disclosure.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Executive Officer</li> <li>Director of Corporate &amp; Communication</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>

No	Statutory Ref	Functions or Power	Conditions or Restrictions	Delegation	Original Source of Power
5	S.35(1)	<b>Procedure where public body determines disclosure not to be public interest disclosure</b> Notifications where disclosure is deemed not to be public interest disclosure.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Executive Officer</li> <li>Director of Corporate &amp; Communication</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
6	S.62B	<b>Delegation by Principal officer</b> The principal officer may by instrument in writing delegate to a public interest disclosure officer specified in the instrument the performance or exercise of such of his or her functions or powers under this Act (other than this power of delegation) as are specified in the instrument, and may, by instrument in writing, revoke wholly or in part any such delegation.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Executive Officer</li> <li>Director of Corporate &amp; Communication</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
7	S.64	<b>Matter that do not have to be investigated</b> A public body may decide not to investigate a disclosure.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Executive Officer</li> <li>Director of Corporate &amp; Communication</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
8	S.65(1)	<b>Decisions by public body not to investigate</b> Notification of decision not to investigate.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Executive Officer</li> <li>Director of Corporate &amp; Communication</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
9	S.68	<b>Referral to Ombudsman by public body</b> A public body may refer the investigation of a disclosed matter to the Ombudsman if the public body considers that its own investigation is being obstructed or that it is otherwise not within the capacity of the public body to complete the investigation.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Executive Officer</li> <li>Director of Corporate &amp; Communication</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
10	S.70	<b>Provision of information to Ombudsman</b> Public body must give the Ombudsman in writing any information it has in respect to a disclosed matter.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Executive Officer</li> <li>Director of Corporate &amp; Communication</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
11	S.72(1)	<b>Notice of referral</b> Notice to be given where public body refers an investigation to the Ombudsman.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Executive Officer</li> <li>Director of Corporate &amp; Communication</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
12	S.74	<b>Information about progress of investigation</b> Public body must at the request of the person who made the disclosure or the Ombudsman, give all reasonable information about the investigation with 28 days.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Executive Officer</li> <li>Director of Corporate &amp; Communication</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>

No	Statutory Ref	Functions or Power	Conditions or Restrictions	Delegation	Original Source of Power
13	S.76(1)	<b>Report on investigation</b> Public body must notify the Ombudsman and the relevant person on completing an investigation of a disclosed matter.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Executive Officer</li> <li>Director of Corporate &amp; Communication</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
14	S.77(1)	<b>Report to person making disclosure</b> Public body must inform the person who made the disclosure of the findings.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Executive Officer</li> <li>Director of Corporate &amp; Communication</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
15	S.77A(2)	<b>Investigations to be completed within 6 months</b> A public body may apply to the Ombudsman for an extension of up to 6 months in which to complete the investigation.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Executive Officer</li> <li>Director of Corporate &amp; Communication</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
16	S.77A(4)	<b>Investigations to be completed within 6 months</b> If investigation is not complete within time specified in 77A(1), public body must refer the disclosure to the Ombudsman.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Executive Officer</li> <li>Director of Corporate &amp; Communication</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>

## 28. RIGHT TO INFORMATION ACT 2009

No	Statutory Ref	Function or Power	Conditions or Restrictions	Delegation	Original Source of Power
1	S.10	<b>Electronic information</b> If information is stored in an electronic form, a Minister or public authority may refuse an application if – <ul style="list-style-type: none"> <li>a) The information cannot be produced using the normal computer hardware and software and technical expertise of the public authority; and</li> <li>b) Producing it would substantially and unreasonably divert the resources of the public authority from its usual operations.</li> </ul>	A delegation may be for a period not exceeding 3 years.	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
2	S.12	<b>Information to be provided apart from Act</b> This Act does not prevent and is not intended to discourage a public authority or a Minister from publishing or providing information, otherwise than as required by this Act.	A delegation may be for a period not exceeding 3 years.	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Corporate &amp; Communication</li> <li>Executive Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>

No	Statutory Ref	Function or Power	Conditions or Restrictions	Delegation	Original Source of Power
3	S.13(5)(6)(7)(8)	<b>Application for assessed disclosure of information.</b>	A delegation may be for a period not exceeding 3 years.	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
4	S.14(1)	<b>Transfer of applications (for assessed disclosure of information).</b>	A delegation may be for a period not exceeding 3 years.	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
5	S.15	<b>Time within which applications for assessed disclosure of information are to be decided.</b>	A delegation may be for a period not exceeding 3 years.	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
6	S.16	<b>Charges for information</b> All applications for assessed disclosure of information must be accompanied by an application fee of 25 fee units. The application fee may be waived if – <ul style="list-style-type: none"> <li>a) The applicant is impecunious; or</li> <li>b) The applicant is a Member of Parliament acting in connection with his or her official duty; or</li> <li>ba) The applicant is a journalist acting in connection with their professional duties; or</li> <li>c) The applicant is able to show that he or she intends to use the information for a purpose that is of general public interest or benefit.</li> </ul>	A delegation may be for a period not exceeding 3 years.	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Corporate &amp; Communication</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
7	S.17	<b>Deferment of provision of information.</b>	A delegation may be for a period not exceeding 3 years.	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
8	S.18	<b>Provision of information.</b>	A delegation may be for a period not exceeding 3 years.	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
9	S.19	<b>Requests may be refused if resources unreasonably diverted.</b>	A delegation may be for a period not exceeding 3 years.	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
10	S.20	<b>Repeat or vexatious applications may be refused.</b>	A delegation may be for a period not exceeding 3 years.	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
11	S.21(1)	<b>Decision to be made on behalf of public authority by authorised person</b> A decision in respect of an application for information made to a public authority is to be made by – <ul style="list-style-type: none"> <li>a) The responsible Minister; or</li> <li>b) The principal officer of the public authority or</li> <li>c) A delegated officer.</li> </ul>	A delegation may be for a period not exceeding 3 years.	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>

No	Statutory Ref	Function or Power	Conditions or Restrictions	Delegation	Original Source of Power
12	S.21(2)	<b>Decision to be made on behalf of public authority by authorised person</b> A person who makes a decision in accordance with this Act is to act impartially in making that decision.	A delegation may be for a period not exceeding 3 years.	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Corporate &amp; Communication</li> <li>Executive Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
13	S.22	<b>Reasons to be given (when a decision in relation to an application for information is made).</b>	A delegation may be for a period not exceeding 3 years.	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
14	S.23	<b>Other responsibilities of principal officer.</b>	A delegation may be for a period not exceeding 3 years.	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Corporate &amp; Communication</li> <li>Executive Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
15	S.33	<b>Public Interest Test</b> In this Division, information is exempt information if the principal officer of the public authority or Minister considers, after taking into account all relevant matters, that it is contrary to the public interest to disclose the information.	A delegation may be for a period not exceeding 3 years.	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Corporate &amp; Communication</li> <li>Executive Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
16	S.36(2)	<b>Personal information of person</b> If <ol style="list-style-type: none"> <li>An application is made for information under this Act; and</li> <li>The information was provided to a public authority or Minister by a third party; and</li> <li>The principal officer or Minister decides that disclosure of the information concerned may be reasonably expected to be of concern to the third party – the principal officer or Minister is to, by notice in writing to the third party –</li> <li>Notify that person that the public authority or Minister has received an application for the information; and</li> <li>State the nature of the information that has been applied for; and</li> <li>Request that, within 15 working days from the date of the notice, the person provide his or her view as to whether the information should be provided.</li> </ol>	A delegation may be for a period not exceeding 3 years.	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Corporate &amp; Communication</li> <li>Executive Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
17	S.36(3)(5)	<b>Personal information of person</b> If a public authority or Minister, after receipt of a person's view, decides to provide the information, the public authority or Minister must, by notice in writing given to that person, notify that person of the decision. See subsection 5 for caveats.	A delegation may be for a period not exceeding 3 years.	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Corporate &amp; Communication</li> <li>Executive Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>

No	Statutory Ref	Function or Power	Conditions or Restrictions	Delegation	Original Source of Power
18	S.37(2)	<b>Information relating to business affairs of a third party</b> If – a) An application is made for information under this Act; and b) The information was provided to a public authority or Minister by a third party; and c) The principal officer or Minister decides that disclosure of the information concerned may be reasonably expected to be of substantial concern to the third party – the principal officer or Minister must, before deciding whether the disclosure of the information under this Act would be likely to expose the third party that provided the information to substantial harm to the third party's competitive position, by notice in writing given to the third party – d) Notify the third party that the public authority or Minister has received an application for the information; and e) State the nature of the information applied for; and f) Request that, within 15 working days from the date of the notice, the third party provide the third party's view as to whether the information should be provided.	A delegation may be for a period not exceeding 3 years.	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Corporate &amp; Communication</li> <li>Executive Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
19	S.37(3)(5)	<b>Information relating to business affairs of a third party</b> If a public authority or Minister, after receipt of a third party's view, decides to disclose the information, the public authority or Minister must, by notice in writing given to the third party, notify the third party of the decision. See subsection 5 for caveats.	A delegation may be for a period not exceeding 3 years.	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Corporate &amp; Communication</li> <li>Executive Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
20	S.43(4)(5)	<b>Internal review (of a decision in respect of an application).</b>	A delegation may be for a period not exceeding 3 years.	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>

## 29. ROADS AND JETTIES ACT 1935

No	Statutory Ref	Functions or Power	Conditions or Restrictions	Delegation	Original Source of Power
1	S.22LGA	To agree with the Minister for the maintenance or reconstruction of a State highway or a subsidiary road otherwise than in accordance with S.11(1).	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>

No Statutory Ref		Functions or Power	Conditions or Restrictions	Delegation	Original Source of Power
2	S.22LGA	To carry out the Council's power to move, keep or impound any vehicle causing an obstruction or danger etc and related action pursuant to S.48B.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> <li>Compliance Coordinator</li> <li>Compliance Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
3	S.11	Maintenance of State highways, &c. in cities, &c.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
4	S.11(2)	To agree with the Minister for the maintenance or reconstruction of a State highway or a subsidiary road otherwise than in accordance with S.11(1).	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
5	S.28	Acquisition of land for quarry, &c.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
6	S.29	Intention to acquire land may be abandoned if compensation excessive.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
7	S.32	Entry by Council upon land and staking out of same.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
8	S.33	Rental of land (for the purpose of obtaining materials therefrom for the construction or maintenance of any road or street).	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
9	S.34	Use of uncultivated land for temporary road.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
10	S.35	Taking of timber, &c., from land (for making, repairing, or fencing any road, or for any other purposes of this Act).	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
11	S.36	Quarries, &c., to be fenced and filled up or otherwise secured.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>

No Statutory Ref		Functions or Power	Conditions or Restrictions	Delegation	Original Source of Power
12	S.37	Fences to be restored.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
13	S.38	<b>Deviations to be fenced</b> Where any road has been diverted, the road authority shall, if required by the owner or occupier of any land through which such road passes, cause such road to be well and sufficiently fenced where it so passes.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
14	S.40	Power to make, cleanse and keep open drains or watercourses in and through land adjoining or near any road	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
15	S.41	Timber growing near roads may be cut down: Consent of owner required in certain cases.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
16	S.42	Hedges, &c., obstructing view of traffic to be cut or trimmed.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
17	S.44	Culverts to be constructed by owners at entrances to lands adjoining roads.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> <li>Development Engineer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
18	S.45	Power of Minister in certain cases to erect gates across roads.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
19	S.46	Damage caused by overweight vehicles.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
20	S.47	Road metal, &c., may be placed on side of road.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
21	S.47A	Warning gantries for bridges with overhead members.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Works Operations Manager</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
22	S.48	Power of road authority, with the consent of the Governor, to permit tramway or railway along or across road.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Works Operations Manager</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>



No	Statutory Ref	Functions or Power	Conditions or Restrictions	Delegation	Original Source of Power
23	S.48A	Removal and disposal of abandoned articles.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> <li>Director Planning &amp; Development</li> <li>Compliance Coordinator</li> <li>Compliance Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
24	S.48B	Power to remove vehicles causing obstruction or danger.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> <li>Director of Planning &amp; Development</li> <li>Compliance Officer</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
24	S.49	Obstructing roads: Notice to remove obstructions.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> <li>Director of Planning &amp; Development</li> <li>Works Manager</li> <li>Compliance Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
26	S.50B	<b>Excavations</b> A person must not make any excavation, vault or cellar beneath a street in a town without the consent of the appropriate council.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
27	S.51	Laying down timber, &c., on roads.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>

### 30. STRATA TITLES ACT 1998

No	Statutory Ref	Functions or Power	Conditions or Restrictions	Delegation	Original Source of Power
1	S.31AA	<b>Requirement for staged development scheme</b> Where an application for a certificate of approval is made wholly or partly in respect of vacant land, the council may refuse the application on the ground that an application for a staged development scheme under section 38 should be made.	<p>No authority to sub-delegate in respect of the delegation</p> <p>Any action taken may only be done so upon advice from the Senior Planner or the Director of Planning &amp; Development . that the application complies with the relevant legislation</p>	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Senior Planner</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>

No	Statutory Ref	Functions or Power	Conditions or Restrictions	Delegation	Original Source of Power
2	S.31(2A)	<b>Application for, and grant of, certificate of approval</b> The Council must within 30 days of receiving an application issue or refuse to issue a certificate of approval.	No authority to sub-delegate in respect of the delegation  Any action taken may only be done so upon advice from the Senior Planner or the Director of Planning & Development . that the application complies with the relevant legislation	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Senior Planner</li> </ul>	<ul style="list-style-type: none"> <li>• Council</li> </ul>
3	S.31(2B)	<b>Application for, and grant of, certificate of approval</b> The Council may give the applicant notice requiring further information in order to determine the application.	No authority to sub-delegate in respect of the delegation  Any action taken may only be done so upon advice from the Senior Planner or the Director of Planning & Development . that the application complies with the relevant legislation	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Senior Planner</li> </ul>	<ul style="list-style-type: none"> <li>• Council</li> </ul>
4	S.31(3)	<b>Application for, and grant of, certificate of approval</b> The Council may issue a certificate of approval for a strata plan after satisfying itself of certain matters.	No authority to sub-delegate in respect of the delegation  Any action taken may only be done so upon advice from the Senior Planner or the Director of Planning & Development . that the application complies with the relevant legislation	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Senior Planner</li> </ul>	<ul style="list-style-type: none"> <li>• Council</li> </ul>
5	S.31(4)	<b>Application for, and grant of, certificate of approval</b> The Council must return sketches, plans and models if it refuses to issue a certificate of approval.	No authority to sub-delegate in respect of the delegation  Any action taken may only be done so upon advice from the Senior Planner or the Director of Planning & Development . that the application complies with the relevant legislation	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Senior Planner</li> </ul>	<ul style="list-style-type: none"> <li>• Council</li> </ul>
6	S.31(6)	<b>Application for, and grant of, certificate of approval</b> The Council must refuse to issue a certificate of approval if it considers the proposal is actually a subdivision.	No authority to sub-delegate in respect of the delegation  Any action taken may only be done so upon advice from the Senior Planner or 7the Director of Planning & Development . that the application complies with the relevant legislation	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Senior Planner</li> </ul>	<ul style="list-style-type: none"> <li>• Council</li> </ul>

No	Statutory Ref	Functions or Power	Conditions or Restrictions	Delegation	Original Source of Power
7	S.36(1)	<b>Application for council approval</b> (in relation to a staged development scheme).	No authority to sub-delegate in respect of the delegation  Any action taken may only be done so upon advice from the Senior Planner or the Director of Planning & Development . that the application complies with the relevant legislation	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Senior Planner</li> </ul>	<ul style="list-style-type: none"> <li>• Council</li> </ul>
8	S.37(1)(a)	<b>Approval of scheme in principle</b> Before giving in principle approval for a staged development scheme council can require specified changes to the scheme.	No authority to sub-delegate in respect of the delegation  Any action taken may only be done so upon advice from the Senior Planner or the Director of Planning & Development . that the application complies with the relevant legislation	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Senior Planner</li> </ul>	<ul style="list-style-type: none"> <li>• Council</li> </ul>
9	S.37(1)(b)	<b>Approval of scheme in principle</b> Before giving in principle approval for a staged development scheme council can require the demolition or alteration of buildings on the site.	No authority to sub-delegate in respect of the delegation  Any action taken may only be done so upon advice from the Senior Planner or the Director of Planning & Development . that the application complies with the relevant legislation	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Senior Planner</li> </ul>	<ul style="list-style-type: none"> <li>• Council</li> </ul>
10	S.37(2)(a)	<b>Approval of scheme in principle</b> Council can approve a staged development scheme unconditionally.	No authority to sub-delegate in respect of the delegation  Any action taken may only be done so upon advice from the Senior Planner or the Director of Planning & Development . that the application complies with the relevant legislation	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Senior Planner</li> </ul>	<ul style="list-style-type: none"> <li>• Council</li> </ul>
11	S.37(2)(b)	<b>Approval of scheme in principle</b> Council can approve the staged development scheme subject to specified conditions.	No authority to sub-delegate in respect of the delegation  Any action taken may only be done so upon advice from the Senior Planner or the Director of Planning & Development . that the application complies with the relevant legislation	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Senior Planner</li> </ul>	<ul style="list-style-type: none"> <li>• Council</li> </ul>

No	Statutory Ref	Functions or Power	Conditions or Restrictions	Delegation	Original Source of Power
12	S.37(2)(c)	<b>Approval of scheme in principle</b> Council can refuse to approve the staged development scheme.	No authority to sub-delegate in respect of the delegation  Any action taken may only be done so upon advice from the Senior Planner or the Director of Planning & Development . that the application complies with the relevant legislation	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Senior Planner</li> </ul>	<ul style="list-style-type: none"> <li>• Council</li> </ul>
13	S.37(4)	<b>Approval of scheme in principle</b> If council approves the proposed staged development scheme it must issue a certificate of approval.	No authority to sub-delegate in respect of the delegation  Any action taken may only be done so upon advice from the Senior Planner or the Director of Planning & Development . that the application complies with the relevant legislation	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Senior Planner</li> </ul>	<ul style="list-style-type: none"> <li>• Council</li> </ul>
14	S.41(2)	<b>Progressive development</b> The council may refuse to approve a particular stage in a staged development scheme if an earlier stage of the scheme has not been completed as required under the terms of the registered scheme.	No authority to sub-delegate in respect of the delegation  Any action taken may only be done so upon advice from the Senior Planner or the Director of Planning & Development . that the application complies with the relevant legislation	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Senior Planner</li> </ul>	<ul style="list-style-type: none"> <li>• Council</li> </ul>
15	S.42(2)	<b>Application for variation of scheme</b> The application is to be made in the first instance to the council for the area in which the site is situated.	No authority to sub-delegate in respect of the delegation  Any action taken may only be done so upon advice from the Senior Planner or the Director of Planning & Development 16. that the application complies with the relevant legislation	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Senior Planner</li> </ul>	<ul style="list-style-type: none"> <li>• Council</li> </ul>
16	S.42(5)	<b>Application for variation of scheme</b> The council may dispense with the consent of a present or prospective owners of lots in the staged development scheme in relation to a proposed variation if satisfied of certain matters.	No authority to sub-delegate in respect of the delegation  Any action taken may only be done so upon advice from the Senior Planner or the Director of Planning & Development . that the application complies with the relevant legislation	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Senior Planner</li> </ul>	<ul style="list-style-type: none"> <li>• Council</li> </ul>

No	Statutory Ref	Functions or Power	Conditions or Restrictions	Delegation	Original Source of Power
17	S.42(6)	<b>Application for variation of scheme</b> The council may approve the variation unconditionally, or approve the variation subject to specified conditions or refuse to approve the variation.	No authority to sub-delegate in respect of the delegation  Any action taken may only be done so upon advice from the Senior Planner or the Director of Planning & Development . that the application complies with the relevant legislation	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Senior Planner</li> </ul>	<ul style="list-style-type: none"> <li>• Council</li> </ul>
18	S.45	<b>Injunction</b> Council (as an “interested person” under the Act) can apply for a mandatory injunction requiring the developer of a staged development scheme to complete the scheme.	No authority to sub-delegate in respect of the delegation  Any action taken may only be done so upon advice from the Senior Planner or the Director of Planning & Development . that the application complies with the relevant legislation	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Senior Planner</li> </ul>	<ul style="list-style-type: none"> <li>• Council</li> </ul>
19	S.54(1)(a)	<b>Approval of scheme</b> Before giving in principle approval for a community development scheme council can require specified changes to the scheme.	No authority to sub-delegate in respect of the delegation  Any action taken may only be done so upon advice from the Senior Planner or the Director of Planning & Development . that the application complies with the relevant legislation	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Senior Planner</li> </ul>	<ul style="list-style-type: none"> <li>• Council</li> </ul>
20	S.54(1)(b)	<b>Approval of scheme</b> Before giving in principle approval for a community development scheme council can require the demolition or alteration of buildings on the site.	No authority to sub-delegate in respect of the delegation  Any action taken may only be done so upon advice from the Senior Planner or the Director of Planning & Development . that the application complies with the relevant legislation	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Senior Planner</li> </ul>	<ul style="list-style-type: none"> <li>• Council</li> </ul>
21	S.54(2)(a)	<b>Approval of scheme</b> Council can approve a proposed community development scheme unconditionally.	No authority to sub-delegate in respect of the delegation  Any action taken may only be done so upon advice from the Senior Planner or the Director of Planning & Development . that the application complies with the relevant legislation	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Senior Planner</li> </ul>	<ul style="list-style-type: none"> <li>• Council</li> </ul>

No	Statutory Ref	Functions or Power	Conditions or Restrictions	Delegation	Original Source of Power
22	S.54(2)(b)	<b>Approval of scheme</b> Council can approve the proposed community development scheme subject to specified conditions.	No authority to sub-delegate in respect of the delegation  Any action taken may only be done so upon advice from the Senior Planner or the Director of Planning & Development . that the application complies with the relevant legislation	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Senior Planner</li> </ul>	<ul style="list-style-type: none"> <li>• Council</li> </ul>
23	S.54(2)(c)	<b>Approval of scheme</b> Council can refuse to approve the proposed community development scheme.	No authority to sub-delegate in respect of the delegation  Any action taken may only be done so upon advice from the Senior Planner or the Director of Planning & Development . that the application complies with the relevant legislation	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Senior Planner</li> </ul>	<ul style="list-style-type: none"> <li>• Council</li> </ul>
24	S.54(4)	<b>Approval of scheme</b> If council approves the proposed community development scheme it must issue a certificate of approval.	No authority to sub-delegate in respect of the delegation  Any action taken may only be done so upon advice from the Senior Planner or the Director of Planning & Development . that the application complies with the relevant legislation	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Senior Planner</li> </ul>	<ul style="list-style-type: none"> <li>• Council</li> </ul>
25	S.57(2)	<b>Progressive development</b> The council may refuse to approve a particular stage of a community development scheme in certain circumstances.	No authority to sub-delegate in respect of the delegation  Any action taken may only be done so upon advice from the Senior Planner or the Director of Planning & Development . that the application complies with the relevant legislation	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Senior Planner</li> </ul>	<ul style="list-style-type: none"> <li>• Council</li> </ul>
26	S.58(2)	<b>Application for variation of scheme</b> The application is to be made in the first instance to the council for the area in which the site is situated.	No authority to sub-delegate in respect of the delegation  Any action taken may only be done so upon advice from the Senior Planner or the Director of Planning & Development . that the application complies with the relevant legislation	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Senior Planner</li> </ul>	<ul style="list-style-type: none"> <li>• Council</li> </ul>

No	Statutory Ref	Functions or Power	Conditions or Restrictions	Delegation	Original Source of Power
27	S.58(5)	<b>Application for variation of scheme</b> The council may dispense with the consent of a present or prospective owners of lots in the community development scheme in relation to a proposed variation if satisfied of certain matters.	No authority to sub-delegate in respect of the delegation  Any action taken may only be done so upon advice from the Senior Planner or the Director of Planning & Development . that the application complies with the relevant legislation	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Senior Planner</li> </ul>	<ul style="list-style-type: none"> <li>• Council</li> </ul>
28	S.58(6)	<b>Application for variation of scheme</b> The council may approve the variation unconditionally, or approve the variation subject to specified conditions or refuse to approve the variation.	No authority to sub-delegate in respect of the delegation  Any action taken may only be done so upon advice from the Senior Planner or the Director of Planning & Development . that the application complies with the relevant legislation	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Senior Planner</li> </ul>	<ul style="list-style-type: none"> <li>• Council</li> </ul>
29	S.61	<b>Injunction</b> Council (as an “interested person” under the Act) can apply for a mandatory injunction requiring the developer of a community development scheme to complete the scheme.	No authority to sub-delegate in respect of the delegation  Any action taken may only be done so upon advice from the Senior Planner or the Director of Planning & Development . that the application complies with the relevant legislation	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Senior Planner</li> </ul>	<ul style="list-style-type: none"> <li>• Council</li> </ul>
30	S.65(a)	<b>Assignment of interest in land subject to scheme</b> If the owner of land subject to a registered community development scheme proposes to sell or dispose of land subject to the scheme the owner must given written notice of the proposed transaction to the Council for the area in which the site is situated.	No authority to sub-delegate in respect of the delegation  Any action taken may only be done so upon advice from the Senior Planner or the Director of Planning & Development . that the application complies with the relevant legislation	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Senior Planner</li> </ul>	<ul style="list-style-type: none"> <li>• Council</li> </ul>
31	S.65(b)(i)	<b>Assignment of interest in land subject to scheme</b> If the owner of land subject to a registered community development scheme proposes to sell or dispose of land subject to the scheme the person who is to acquire title to the land in consequence of the transaction must give to the council a written undertaking to develop the land in accordance with the registered scheme.	No authority to sub-delegate in respect of the delegation  Any action taken may only be done so upon advice from the Senior Planner or the Director of Planning & Development . that the application complies with the relevant legislation	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Senior Planner</li> </ul>	<ul style="list-style-type: none"> <li>• Council</li> </ul>

No	Statutory Ref	Functions or Power	Conditions or Restrictions	Delegation	Original Source of Power
32	S.65(b)(ii)	<b>Assignment of interest in land subject to scheme</b> If the owner of land subject to a registered community development scheme proposes to sell or dispose of land subject to the scheme the person who is to acquire title to the land in consequence of the transaction must give the council any security required by the council, within 28 days after notice of the transaction was given to the council, for the development of the land in accordance with the scheme.	No authority to sub-delegate in respect of the delegation  Any action taken may only be done so upon advice from the Senior Planner or the Director of Planning & Development . that the application complies with the relevant legislation	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Senior Planner</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
33	S.142(2)(b)	Recording of certain orders.	No authority to sub-delegate in respect of the delegation  Any action taken may only be done so upon advice from the Senior Planner or the Director of Planning & Development . that the application complies with the relevant legislation	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Senior Planner</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>

### 31. SURVEY CO-ORDINATION ACT 1944

No	Statutory Ref	Function or Power	Conditions or Restrictions	Delegation	Original Source of Power
1	S.4(2)	<b>Public authorities to compile and forward to Surveyor-General lists of existing plans</b> Every public authority shall, upon being so required by the Surveyor-General, appoint a fit and proper person as the proper officer of that authority for the purposes of this Act.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
2	S.5	Public authorities to give notice of intention to commence new surveys.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>



## 32. TRAFFIC ACT 1925

### Notes on Legislation S.3(2):

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

- (a) Words and expressions used in this Act that are defined under the Vehicle and Traffic Act 1999 (and not in this Act) have, unless the contrary intention appears, the same respective meanings; and
- (b) A reference to “this Act” extends, unless the contrary intention appears, to both Acts.

No	Statutory Ref	Function or Power	Conditions or Restrictions	Delegation	Original Source of Power
1	S.43(2)	<b>Removal of things obstructing public streets</b> An authorized person may remove, take and detain articles placed or left in public streets to the obstruction, annoyance or danger of other persons.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Works &amp; Infrastructure</li> <li>• Director of Planning &amp; Development</li> <li>• Compliance Officer</li> <li>• Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>• Council</li> </ul>
2	S.43(3)(4)(5)	<b>Removal of things obstructing public streets</b> A relevant authority must notify articles owner of removal and/or dispose of articles not removed.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Works &amp; Infrastructure</li> <li>• Director of Planning &amp; Development</li> <li>• Compliance Officer</li> <li>• Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>• Council</li> </ul>

## 33. URBAN DRAINAGE ACT 2013

No	Statutory Ref	Function or Power	Conditions or Restrictions	Delegation	Original Source of Power
1	S.5(4)	<b>Council to provide adequate public stormwater system</b> A council may appeal to the Tasmanian Civil and Administrative Tribunal against an order under subsection 5(3) within the period specified in the order.)	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Works &amp; Infrastructure</li> <li>• Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>• Council</li> </ul>
2	S.5(6)	<b>Council to provide adequate public stormwater system</b> Council to provide public stormwater system. If found not too, they must comply with the orders in notice of default.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Works &amp; Infrastructure</li> <li>• Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>• Council</li> </ul>
3	S.7	<b>Service of notice relating to negotiations for provisions of stormwater services.</b>	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Works &amp; Infrastructure</li> <li>• Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>• Council</li> </ul>

No	Statutory Ref	Function or Power	Conditions or Restrictions	Delegation	Original Source of Power
4	S.11(1)	<b>Power of council to adopt stormwater systems</b> General manager may agree with a person who has a private stormwater system or is proposing to construct stormwater system that if it is constructed in accordance with the terms of the agreement that the council will declare the works to be vested in the council.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
5	S.11(4)	<b>Power of council to adopt stormwater systems</b> General manager may require person constructing a drain to construct it in a different way.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
6	S.11(8)	<b>Power of council to adopt stormwater systems</b> Where a council imposes a requirement under S.11(4) they must pay extra costs incurred by person constructing the drain.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
7	S.12	<b>Council to maintain maps.</b>	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
8	S.13	<b>Protection of stormwater assets</b> General manager granting consent as to protection of stormwater assets. Issuing of notices requiring removal where consent has not been granted.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
9	S.13(4)	<b>Protection of stormwater assets</b> If a person fails to carry out the works required in the notice within the specified period, the council may demolish, remove or remedy the building or construction and carry out any works necessary for restoring or reinstating the public stormwater system.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
10	S.13(5)(b)	<b>Protection of stormwater assets</b> If the council carries out works under S.13(4) expenses are recoverable in a court of a competent jurisdiction.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
11	S.14	<b>Interference with public stormwater systems</b> General manager granting consent as to interference with stormwater systems. Issuing of notices requiring removal where consent has not been granted.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
12	S.14(4)	<b>Interference with public stormwater systems</b> If a person fails to comply with the notice issued under 14(2) within the specified period, the council may demolish, remove or remedy the works and carry out any works necessary for restoring or reinstating the infrastructure.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
13	S.14(5)(b)	<b>Interference with public stormwater systems</b> If the council carries out works under S.14(4) expenses are recoverable in a court of a competent jurisdiction.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>

No	Statutory Ref	Function or Power	Conditions or Restrictions	Delegation	Original Source of Power
14	S.15(13)	<b>Power of authorised officers to carry out work on or adjacent to public land</b> A council must make good, to the satisfaction of the authority responsible for the land, any damage caused by the exercise of powers under this section as soon as practicable.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
15	S.16(9)	<b>Power of authorized officers to enter private land</b> The council must make good any damage caused by the exercise of powers under this section as soon as practicable or pay reasonable compensation for the damage.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> <li>Works Supervisor</li> <li>Team Leader – Bicheno</li> <li>Team Leader – Swansea</li> <li>Team Leader – Triabunna</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
16	S.17	<b>Power to undertake construction of public stormwater systems</b> Without the permission of the relevant general manager, a person must not discharge, or cause or permit to be discharged, stormwater into any system other than the public stormwater system.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
17	S.18(3)	<b>Discharge of matter into public stormwater system</b> General Manager must give permission to discharge matter into public stormwater systems.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
18	S.20	<b>Limits on connection point</b> General manager to provide approval in relation to limits on connection points for public and private stormwater systems.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
19	S.21(1)	<b>Requirement to connect</b> General Manager may service notice requiring connection to public stormwater systems.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
20	S.21(3)	<b>Requirement to connect</b> Where notice has been served, council may recover costs if it is not complied with.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
21	S.22(1)	<b>Requirement to disconnect</b> General manager may service notice to property owner requiring the removal of existing connections between the property and public stormwater systems and recover costs where notice is not complied with.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
22	S.22(3)	<b>Requirement to disconnect</b> Where notice has been served, council may recover costs if it is not complied with.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>

No	Statutory Ref	Function or Power	Conditions or Restrictions	Delegation	Original Source of Power
23	S.23(2)(a)	<b>Property owners not to direct stormwater onto neighbouring properties</b> General manager to issue notice giving property owner creating nuisance 28 days to stop.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
24	S.23(2)(b)	<b>Property owners not to direct stormwater onto neighbouring properties</b> If a property owner does not comply with a notice under S.23(2)(a) the council can carry out such works that are necessary to rectify the nuisance.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
25	S.23(3)	<b>Property owners not to direct stormwater onto neighbouring properties</b> Any costs incurred under S.23(2)(b) are recoverable in a court of competent jurisdiction.	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>

### 34. VEHICLE AND TRAFFIC ACT 1999


No	Statutory Ref	Function or Power	Conditions or Restrictions	Delegation	Original Source of Power
1	S.56C(2)(3)(4)(5)	<b>Certain activities prohibited on public streets</b> (ie selling goods, or a business, calling, or employment) in accordance with the provisions of Section 56C(2)(3)(4)(5) of the Vehicle and Traffic Act 1999	Nil Conditions or Restrictions	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>

### 35. MISCELLANEOUS POWERS AND FUNCTIONS TO THE GENERAL MANAGER AND AN OFFICER / EMPLOYEE

No	Function or Power	Delegation	Original Source of Power
1	To call for and accept quotations, tenders or auction the disposal of surplus or redundant plant, equipment or materials.	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> <li>Director of Corporate &amp; Communication</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
2	To approve the taking over by the Council of engineering works involved in the development of a subdivision subject to certification by the Engineering Technical Officer or Consultant Engineer that all the items, including maintenance, have been satisfactorily completed and "as constructed" drawings have been received.	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> <li>Development Engineer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
3	To institute, defend, abandon, settle or compromise any proceedings before any tribunal for the recovery of debts due to the Council or for breaches of any By-laws or statutes affecting the Council, or to protect, recover or secure recompense for damage to or loss of any property of the Council.	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Corporate &amp; Communication</li> <li>Director of Planning &amp; Development</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>

No	Function or Power	Delegation	Original Source of Power
4	To authorise and to institute proceedings for non-compliance with any order or notice lawfully made or given by or on behalf of the Council, and where such order or notice is not complied with, to authorise the carrying out of the necessary work where the Council has the power to do so.	<ul style="list-style-type: none"> <li>• Director of Works &amp; Infrastructure</li> <li>• Chief Executive Officer</li> <li>• Senior Environmental Health Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Director of Corporate &amp; Communication</li> <li>• Director of Works &amp; Infrastructure</li> </ul>	<ul style="list-style-type: none"> <li>• Council</li> <li>• General Manager</li> </ul>
5	To issue or publish or cause to be issued or published statements of fact relating to Council's activities or policies.	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Works &amp; Infrastructure</li> <li>• Director of Planning &amp; Development</li> <li>• Director of Corporate &amp; Communication</li> <li>• Works Manager</li> <li>• Community &amp; Communications Officer</li> </ul>	<ul style="list-style-type: none"> <li>• Council</li> </ul>
6	To seek legal advice and to complete affidavits on behalf of Council in accordance with Council policies.	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> </ul>	<ul style="list-style-type: none"> <li>• Council</li> </ul>
7	To sign all contracts, leases and agreements on behalf of Council in accordance with Council policies.	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> </ul>	<ul style="list-style-type: none"> <li>• Council</li> </ul>
8	To control and supervise all contracts and to approve expenditure authorised thereunder in the relevant budget, including contingency provisions.	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Corporate &amp; Communication</li> <li>• Director of Works &amp; Infrastructure</li> <li>• Director of Planning &amp; Development</li> </ul>	<ul style="list-style-type: none"> <li>• Council</li> <li>• General Manager</li> </ul>
9	To authorise the carrying out by Council of private works for other parties.	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Planning &amp; Development</li> <li>• Director of Works &amp; Infrastructure</li> <li>• Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>• Council</li> <li>• General Manager</li> </ul>
10	To authorise the joining in or the contribution by the Council, to the erection or repair of any fence between land of the Council and adjoining land in accordance with the Boundary Fences Act 1908 and in keeping with the Council budget estimates.	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Works &amp; Infrastructure</li> </ul>	<ul style="list-style-type: none"> <li>• Council</li> <li>• General Manager</li> </ul>
11	To determine the use of public roads for walk-a-thons, charitable collections or other like events.	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Corporate &amp; Communication</li> <li>• Director of Works &amp; Infrastructure</li> </ul>	<ul style="list-style-type: none"> <li>• Council</li> <li>• General Manager</li> </ul>
12	To authorise the closure of roads or parts thereof temporarily for repairs or construction.	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Works &amp; Infrastructure</li> </ul>	<ul style="list-style-type: none"> <li>• Council</li> <li>• General Manager</li> </ul>
13	To authorise the total or partial release of bonds, guarantees and security deposits where the relevant Manager has certified that the work or thing which the bond, guarantee or security deposit relates has been satisfied in whole or in part and to call on any bonds, guarantees or security deposits where the work secured has not been carried out in accordance with Council requirements.	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Director of Corporate &amp; Communication</li> <li>• Director of Planning &amp; Development</li> </ul>	<ul style="list-style-type: none"> <li>• Council</li> <li>• General Manager</li> </ul>
14	To authorise the use of Council's plant and equipment in emergencies at the request of the State Emergency	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> </ul>	<ul style="list-style-type: none"> <li>• Council</li> </ul>

No	Function or Power	Delegation	Original Source of Power
	Services, Tasmania Police or the State Fire Authority.	<ul style="list-style-type: none"> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>General Manager</li> </ul>
15	To make payments and donations in keeping with Council policy.	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Corporate &amp; Communication</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
16	To approve or disapprove, upon written application, requests to consume intoxicating liquor on Council reserves or premises.	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
17	To lend materials from Council stores stock in emergency circumstances as determined by the General Manager subject to the provision of a written acknowledgement of receipt of an undertaking to replace within a set time.	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Works &amp; Infrastructure</li> <li>Works Manager</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
18	Power to approve demolition of buildings not classified by the National Trust or Heritage listed.	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Director of Works &amp; Infrastructure</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
19	To approve conditionally or otherwise all temporary signs and hoardings.	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director of Planning &amp; Development</li> <li>Senior Planner</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> <li>General Manager</li> </ul>
20	Authority to appoint "Authorised Officers" or "Council Officers" where such are required to be appointed under the Local Government Act 1993 or any other Act and to issue "Certificates of Authority" to those officers where required.	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
21	The Affixing of the Common Seal in accordance with Council's <i>Use of Council's Common Seal Policy</i>	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>
22	To act in the role of Permit Authority to facilitate the powers and functions in administration, enforcement and responsibilities in accordance with the provisions of the Building Act 2016. **NOTE CONDITION: 1. This authority does not grant the Officers the power to delegate this function to any other persons.	<ul style="list-style-type: none"> <li>Director Planning &amp; Development</li> <li>Compliance Coordinator</li> <li>Compliance Officer</li> <li>Plumbing Surveyor</li> </ul>	<ul style="list-style-type: none"> <li>General Manager</li> </ul>
23	<b>Environmental Health By-Law No.1 of 2019</b> Section 3(1) Authorised Officer Appointed as an authorised officer for the purposes of the by-law	<ul style="list-style-type: none"> <li>Chief Executive Officer</li> <li>Director Planning &amp; Development</li> <li>Director Infrastructure &amp; Works</li> <li>Senior Environmental Health Officer</li> <li>Compliance Officer</li> <li>Compliance Coordinator</li> <li>Works Manager</li> <li>Waste Transfer Station operator</li> </ul>	<ul style="list-style-type: none"> <li>Council</li> </ul>

APPLICANT DETAILS			
Organisation / Group	Bicheno Community MEN'S Shed		
Is your organisation an incorporated body?	YES	Incorporated Number	1A 11407
Is your organisation a registered not-for-profit?	YES	Registration Number	5531199 4554
Contact Person	Pamela TROODE	Surname	
Contact Number	0428001102		
Postal Address	24 BANKSIA ST Bicheno 7215		
Email	pamtrooded@outlook.com		
PROJECT TITLE AND BRIEF DESCRIPTION (If insufficient space, please attach additional sheet)			
<p>FINANCIAL HELP WITH INSURANCE Policy for 2025/26 YR.</p> <p>the shed is anticipating an INCREASE, from last year (see attached)</p>			
OUTLINE INTENDED OUTCOMES OF THE PROJECT			
<p>Bicheno Men's shed is a very small organisation.</p> <p>Our income is not "NOTEWORTHY" as we do a lot of voluntary work for community - therefore seek assistance</p>			
FUNDING REQUEST			
Funding sought from council	\$ 1000.00		
Funding to be contributed by you or your organisation	\$ 1000.00		
Funding to be contributed from other organisations	\$ -		
Total Project Expenses	\$ 2000.00		
Signed			
Name	Pamela TROODE (TREASURER)		
Date	19/5/2025		

Please Note:

ATTACHED INVOICE is 2024/2025. (\* not Received 2025/2026 as yet.)

I have Received email from insurance company

Stating 2025/2026 Payment will be due 30/6/2025.



## TAX INVOICE

Pamela Troode  
Bicheno Men's Shed Inc  
19 Sinclair Street  
Bicheno TAS 7215

Marsh Advantage Insurance Pty Ltd  
ABN 31 081 358 303  
Collins Square  
727 Collins Street  
Melbourne 3008  
Tel +61 3 9613 1415  
Fax +61 3 9614 3600  
www.marshadvantage.com.au

Invoice No. **030-M002626**  
Date 29 June 2024  
Our Ref 098282  
Client Code 030-BICMENS  
Policy No. 31-0100037-IAR  
Class **Industrial Special Risks - Renewal**  
Insured Jobs Australia Limited  
Period 30/06/2024 to 30/06/2025  
Situation As Declared  
Insurer Allianz Australia Insurance Ltd  
Sydney NSW

## Adviser/s

Jamie Tzouvanellis

Premium	1,043.33
FSL/ESL	292.14
Broker Fee	250.00
GST	158.54
Stamp Duty	146.90

<b>TOTAL DUE</b>	<b>AUD \$1,890.91</b>
------------------	-----------------------

Refer overleaf for information about statutory notices, terms and conditions

## PAYMENT OPTIONS

## PAY IN FULL NOW

**Total Due AUD \$1,890.91 by 13/07/2024**

\*BPAY and Card payments are limited to \$50,000 per transaction



Bill Code: 3269  
Ref: 88023 55068 1794094 1

\*Registered to BPAY Pty Ltd  
ABN 69 079 137 518

Telephone or Internet Banking - BPAY®  
Contact your bank or financial institution  
to make this payment from your cheque,  
savings, debit, credit card or transaction  
account. More Info: [www.bpay.com.au](http://www.bpay.com.au)

Visa/Mastercard/Amex - [www.marsh.com/au/payonline](http://www.marsh.com/au/payonline)

Payment reference 880 235 5068. A 1% surcharge fee (including GST) applies

EFT ONLY Bank: Commonwealth Bank Acct: 80 235 5068  
BSB: 066-774 Ref: 030-BICMENS  
Email Remittance to: [Payments.Australia@marsh.com](mailto:Payments.Australia@marsh.com)

Cheque - Mail with completed Payment Slip overleaf

OR

## PAY BY THE MONTH

Premium Funding

**Call the above Adviser/s to discuss this option.**

Benefits of funding include:

- Improved Cash Flow
- Retain your valuable Capital
- Leave your banking facilities open and available,
- Pay all of our invoices with one easy monthly payment



**Not-For-Profit Cash Management Account**

/1684 009719



BICHENO MEN'S SHED  
19 SINCLAIR STREET  
BICHENO TAS 7215

**Your details at a glance**

**BSB number** 633-000  
**Account number** 149948267  
**Customer number** 30318638/1201  
**Account title** BICHENO MEN'S SHED

**Account summary**

**Statement period** 1 Apr 2025 - 30 Apr 2025  
**Statement number** 142  
**Opening balance on 1 Apr 2025** \$10,372.38  
**Deposits & credits** \$800.02  
**Withdrawals & debits** \$0.00  
**Closing Balance on 30 Apr 2025** \$11,172.40

Stay alert.  
Avoid a scam.

Learn more at  
[bendigobank.com.au/security/scams](https://bendigobank.com.au/security/scams)

**Any questions?**

Contact Us at P O Box 480, Bendigo 3552 on **03 5445 0666**,  
or call **1300 BENDIGO** (1300 236 344).

**Not-For-Profit Cash Management Account**

Date	Transaction	Withdrawals	Deposits	Balance
	<b>Opening balance</b>			<b>\$10,372.38</b>
1 Apr 25	INTEREST		0.02	10,372.40
1 Apr 25	<b>Monthly Transaction Summary</b>			
	PAY ANYONE TRANSFERS (1 @ 0.40)	0.40		
	<b>Total Transaction Fees</b>	<b>0.40</b>		
	ACCOUNT REBATE		0.40	
	<b>Total Rebates</b>		<b>0.40</b>	
	<b>Net Transaction Fees for March 25</b>	<b>0.00</b>		10,372.40
29 Apr 25	DIRECT CREDIT 101934685 Aurora Energy 0403739396		800.00	11,172.40
	<b>Transaction totals / Closing balance</b>	<b>\$0.00</b>	<b>\$800.02</b>	<b>\$11,172.40</b>



Account number 149948267  
 Statement period 01/04/2025 to 30/04/2025  
 Statement number 142 (page 2 of 2)

We suggest you carefully check all entries on your statement. Apparent errors or possible unauthorised transactions should be promptly reported to us.

The security of your Personal Identification Number (PIN) is very important. To avoid being liable for unauthorised transactions, you should follow the terms and conditions of your account. We also recommend some simple steps to protect your PIN:

- Memorise your PINs and passwords and destroy any communications advising you of new ones. Don't keep a record of your PINs or passwords, in written or electronic form.
- If you choose your own, ensure that it is not something easy to guess like your (or a family member's) birth date, name, phone number, postcode, driver's licence number or numbers that form a pattern.
- Don't tell anyone your PIN, not even friends, family or a bank representative.
- Ensure nobody watches you enter your PIN or password. A good practice is to cover the keypad when you put in your PIN or password.
- Watch out for email, SMS or call scams asking for details relating to your account. If you receive suspicious emails, please contact us immediately.

Please note: These are guidelines only. While following these steps will help you to protect your PIN, your liability for any losses arising from unauthorised transactions is determined in accordance with the ePayments Code. For further details, see <https://asic.gov.au/regulatory-resources/financial-services/epayments-code/> or visit [bendigobank.com.au/mycard](https://bendigobank.com.au/mycard) for all card related information. Business customers visit [mybusinesscard](https://bendigobank.com.au/mybusinesscard).

An International Transaction Fee of 3% of the transaction amount (in AUD) is payable for each transaction which is conducted in a currency other than Australian dollars (AUD), or conducted in Australian dollars (AUD) but with or using a merchant, payment processor, financial institution or other entity (including an online merchant) who is outside of Australia. (Fee does not apply to Bendigo Ready Credit Card). Note: It may not always be apparent to you that an online merchant is located outside of Australia. Additional charges may apply for cash transactions.

#### Card Security

For information on how to securely use your card and account please visit [bendigobank.com.au/mycard](https://bendigobank.com.au/mycard) for all card related information. Business customers visit [mybusinesscard](https://bendigobank.com.au/mybusinesscard).

#### Resolving Complaints

If you have a complaint, please contact us on 1300 361 911 to speak to a member of our staff. If the matter has not been resolved to your satisfaction, you can lodge a complaint with the Australian Financial Complaints Authority (AFCA). AFCA provides fair and independent financial services complaint resolution that is free to consumers. You can contact AFCA at:

Website: [www.afca.org.au](https://www.afca.org.au)  
 Telephone: 1800 931 678 (free call)  
 Email: [info@afca.org.au](mailto:info@afca.org.au)  
 In writing to: Australian Financial Complaints Authority, GPO Box 3, Melbourne VIC 3001

30042025/IES / E-1684 / S-7739 / 00303 18638060587

Stay up to date with the latest scams at  
[bendigobank.com.au/security/scams/alerts](https://bendigobank.com.au/security/scams/alerts)



Bendigo and Adelaide Bank Limited ABN 11 068 049 178 AFSL/Australian Credit Licence 237879 | [bendigobank.com.au](https://bendigobank.com.au)

APPLICANT DETAILS			
<b>Organisation / Group</b>	Bicheno Helping Hands Fund (Legacy of Peter Farrow)		
<b>Is your organisation an incorporated body?</b>	No	<b>Incorporated Number</b>	
<b>Is your organisation a registered not-for-profit</b>	No	<b>Registration Number</b>	
<b>Contact Person</b>	May	<b>Surname</b>	Farrow
<b>Contact Number</b>	0458 751 146		
<b>Postal Address</b>	8 Tasman Highway, Bicheno 7215		
<b>Email</b>	farrowmay8@gmail.com		
PROJECT TITLE AND BRIEF DESCRIPTION (If insufficient space, please attach additional sheet)			
<p>Bicheno Helping Hands is a volunteer community group that provides meals for the vulnerable in the Bicheno community. The group organises fundraising events to raise funds for the purchase of nutritious, healthy meals for residents in the Bicheno community. The group has 6 volunteers that deliver the meals to the residents homes. The service is provided throughout June/July/August when residents are most impacted by the cold and isolation. On average, 30 meals per week are purchased from the Blue Edge Bakery at a cost of \$22.50 per meal totalling \$675.00 per week. The Helping Hands group is expecting an increase in requests for support this year due to the cost of living crisis.</p> <p>If successful, the grant will be auspiced by the Bicheno Community Development Association</p>			
OUTLINE INTENDED OUTCOMES OF THE PROJECT			
<p>This project aims to foster a stronger, more inclusive community in Bicheno by increasing positive community sentiment and supporting vulnerable residents. Volunteers personally deliver meals to recipients, providing not only nourishment but also meaningful social interaction. These visits serve as informal welfare checks, ensuring that individuals have the essentials they need—particularly during the challenging winter months.</p>			
FUNDING REQUEST			
<b>Funding sought from council</b>	\$ 1,000 to be auspiced by the BCDA		
<b>Funding to be contributed by you or your organisation</b>	\$ 7,100		
<b>Funding to be contributed from other organisations</b>	\$ <sup>0</sup>		
<b>Total Project Expenses</b>	\$ 8,100		
<b>Signed</b>			
<b>Name</b>			
<b>Date</b>			



APPLICANT DETAILS			
<b>Organisation / Group</b>	Bicheno Helping Hands Fund (Legacy of Peter Farrow)		
<b>Is your organisation an incorporated body?</b>	No	<b>Incorporated Number</b>	
<b>Is your organisation a registered not-for-profit</b>	No	<b>Registration Number</b>	
<b>Contact Person</b>	May	<b>Surname</b>	Farrow
<b>Contact Number</b>	0458 751 146		
<b>Postal Address</b>	8 Tasman Highway, Bicheno 7215		
<b>Email</b>	farrowmay8@gmail.com		
PROJECT TITLE AND BRIEF DESCRIPTION (If insufficient space, please attach additional sheet)			
<p>Bicheno Helping Hands is a volunteer community group that provides meals for the vulnerable in the Bicheno community. The group organises fundraising events to raise funds for the purchase of nutritious, healthy meals for residents in the Bicheno community. The group has 6 volunteers that deliver the meals to the residents homes. The service is provided throughout June/July/August when residents are most impacted by the cold and isolation. On average, 30 meals per week are purchased from the Blue Edge Bakery at a cost of \$22.50 per meal totalling \$675.00 per week. The Helping Hands group is expecting an increase in requests for support this year due to the cost of living crisis.</p> <p>If successful, the grant will be auspiced by the Bicheno Community Development Association</p>			
OUTLINE INTENDED OUTCOMES OF THE PROJECT			
<p>This project aims to foster a stronger, more inclusive community in Bicheno by increasing positive community sentiment and supporting vulnerable residents. Volunteers personally deliver meals to recipients, providing not only nourishment but also meaningful social interaction. These visits serve as informal welfare checks, ensuring that individuals have the essentials they need—particularly during the challenging winter months.</p>			
FUNDING REQUEST			
<b>Funding sought from council</b>	\$ 1,000 to be auspiced by the BCDA		
<b>Funding to be contributed by you or your organisation</b>	\$ 7,100		
<b>Funding to be contributed from other organisations</b>	\$ <sup>0</sup>		
<b>Total Project Expenses</b>	\$ 8,100		
<b>Signed</b>			
<b>Name</b>	MAY FARROW		
<b>Date</b>	9-7-25		

*received*

APPLICANT DETAILS			
Organisation / Group	The Salvation Army Tasmania East Coast Mobile Mission		
Is your organisation an incorporated body?		Incorporated Number	
Is your organisation a registered not-for-profit	Yes	Registration Number	23 860 168 024
Contact Person	Steve MILLER	Surname	
Contact Number	0458 959 820		
Postal Address	P.O. Box 325 SWANSEA Tas. 7190		
Email	stephen.miller@salvationarmy.org.au		
PROJECT TITLE AND BRIEF DESCRIPTION (If insufficient space, please attach additional sheet)			
Food costs for community groups, hope groups, and afternoon teas for people who are lonely and/or unwell with mental health or other issues. We provide safe places and spaces for connection, food really helps in this process			
OUTLINE INTENDED OUTCOMES OF THE PROJECT			
To support people in their vulnerability and challenges, and help them become better versions of themselves! This takes a whole lot of time and effort, again food really helps in this process			
FUNDING REQUEST			
Funding sought from council	\$1,000 —		
Funding to be contributed by you or your organisation	\$ on-going		
Funding to be contributed from other organisations	\$		
Total Project Expenses	\$ on-going		
Signed	S. S. Miller		
Name	Steve MILLER		
Date	02/07/2025		

Received 2/7/25  






## EVENT SUPPORT GRANT APPLICATION

### EVENT SUPPORT ASSISTANCE GUIDELINES

#### ELIGIBLE EVENTS:

The Council will consider requests for assistance by community, sporting and non-profit organisations holding major festivals, events or promotions in the Glamorgan Spring Bay.

Major festivals and events are defined as significant events that are the only one of their kind in the Glamorgan Spring Bay in any one year and attract significant numbers of people to the event (generally in excess of 500) and/or attract significant media coverage for the Glamorgan Spring Bay.

#### ELIGIBLE ORGANISATIONS:

Any community group, organisation or club that is legally incorporated or operating under the auspices of an incorporated body. The organisation must hold and produce evidence of public liability cover for the event.

#### ELIGIBLE ASSISTANCE:

In-kind support includes provision of such items as wheelie bins, barricades, delivery and collection of bins, erection of barricades and advertising of street closures (if a council road and it has been approved by Council). The cost to the Council of any in-kind assistance approved will be calculated and costed against the application.

The maximum allocation to an event is \$2,000.

#### PRIORITIES:

The funding available is limited. Priority will be given to events that:

- Have a significant benefit for a wide range of Glamorgan Spring Bay residents and businesses.
- Are unique within the Glamorgan Spring Bay
- If profit making, put the funds back into the community, preferably through community projects that will benefit a wide cross-section of the community.


## Event Support Grant Application

Please make sure you answer all Sections of this form.

APPLICANTS DETAILS			
Contact Person Name:	Sally Fletcher		
Position in organisation:	Committee member		
Postal Address:	17 Old Spring Bay Road , Swansea TAS 7190		
Phone:	0400 899 956	Mobile:	0400 899 956
Email:	mustangfletch@hotmail.com		

ORGANISATION DETAILS	
Name of group or organisation running the event:	JAMSET Pty Ltd
Address:	17 Old Spring Bay Road, Swansea TAS 7190
Website:	<a href="https://freycinetchallenge.com.au">https://freycinetchallenge.com.au</a>
ABN:	82 659 528 524
Incorporation number:	
Legal Status (Please tick which one applies to your group):	
<input type="checkbox"/> Not-for-profit or incorporated association.	
<input type="checkbox"/> Registered business hosting a fundraising event where proceeds are donated to charity.	
<input checked="" type="checkbox"/> Registered business hosting a profited event. <b>Any surplus funds are used for the following year's event.</b>	

EVENT DETAILS			
Event name:	The Freycinet Challenge		
Event description:	See attachment 1.		
Event date(s):	4 <sup>th</sup> -5 <sup>th</sup> October 2025	Time(s):	7am-3pm both days.
Set up date(s):	3 <sup>rd</sup> October afternoon	Close down date(s):	5 <sup>th</sup> October afternoon.
Event held previously:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Total no. of people expected to attend at any one time:	500
Entry costs:	Free entry: <input type="checkbox"/>	Voluntary donation: <input type="checkbox"/>	Admission fees: \$ as per website. Vary a/c to category.


EVENT VENUE	
Venue Name:	Coles Bay, Freycinet Peninsula
Venue Address:	Coles Bay, Tasmania. 7215
Has permission been obtained from the venue:	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Owner / Manager / Committee of Management
Permission to use venue:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Will the event be held on Council or private land?	<input checked="" type="checkbox"/> Council Land <input type="checkbox"/> Private Land. Land Parks and Wildlife also.
Event description: (Please provide dot points including what you are going to do, the need for the event and why it is of value, any event partners, any further details about location etc.)	
See attachment 1.	
	
INSURANCE	
Do you hold insurance for this event?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Please outline the insurance type and value involved: (Attach Certificate of Currency with your application)	
Public Liability, Products Liability, Professional Indemnity. Certificate of currency attached (attachment 2).	
TEMPORARY ROAD CLOSURES (if applicable)	
Will the event require road closure? (Attach Traffic Management Plan)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Which road(s) will be closed for the event?	Partial road closure -Coles Bay Esplanade from Coles Bay Road to Harold Street
Time of road closures:	7am-3pm both days.



BENEFITS OF THE EVENT TO GLAMORGAN SPRING BAY		
Please tick or highlight any of the following areas that are relevant to your event:		
<input checked="" type="checkbox"/> Community Participation	<input checked="" type="checkbox"/> Environment	<input checked="" type="checkbox"/> Sport & Recreation
<input checked="" type="checkbox"/> Community Education	<input checked="" type="checkbox"/> Tourism & Events	<input type="checkbox"/> Heritage & History
<input checked="" type="checkbox"/> Health & Safety	<input type="checkbox"/> Multi-Cultural	<input type="checkbox"/> Arts & Culture
What will Glamorgan Spring Bay residents gain from this event?		
See attachment 3.		
What will Glamorgan Spring Bay businesses gain from this event?		
<ul style="list-style-type: none"> <li>Local Coles Bay Businesses will benefit over the weekend through the number of athletes, families and friends attending. They will be enjoying what the businesses have to offer.</li> <li>Some Swansea businesses benefit from provision of goods and services for the event.</li> <li>Accommodation providers will benefit with the influx of visitors requiring accommodation over the weekend. Our event sponsors all volunteers' accommodation. Many extend their stay in the area, taking advantage of local tours, cruises, restaurants, local activities.</li> <li>Sales of petrol throughout Glamorgan Spring Bay increases.</li> </ul>		
Briefly explain how you plan to acknowledge Council's contribution / assistance to the event.		
<ul style="list-style-type: none"> <li>The Mayor, Cheryl Arnol, will be invited to attend the presentation ceremony to assist with presentations to the athletes. All families and friends will be present.</li> <li>As sponsor of Freycinet Challenge you will be our partner. Your contribution is what makes it possible for the event to run successfully. We want you to share that success and benefit from our partnership.</li> <li>Council's contribution will be acknowledged during all the media opportunities by having their branding included in the visual content and mentioned as major sponsor during stages of the event and at presentation.</li> <li>A launch will take place prior to the event with media present.</li> <li>Placement of your logo on signage and banners around the event hub.</li> <li>Acknowledgement of your support during the live commentary at the event hub and during the awards ceremony.</li> </ul>		

<b>REQUEST FOR FUNDING</b>	
Please confirm the dollar amount you are applying for from Council (per year).	\$ 2,000
Please outline the amount of funds, if any, you are requesting from Council, and the purpose to which the funds will be applied: <i>Please provide quotations with your application</i>	
The funds requested from Council will be used for safety during the 2025 event- water safety and road safety provided by SES The 2024 invoices for these are attached. (Attachment 4).	
Are you prepared to accept partial funding? (Council's grants are highly competitive and Council may offer less than the amount you request.)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>IN-KIND SUPPORT</b> <i>In-kind support (Council contribution) is where Council waives or reduces our fees including permit fees, Council venue or site hire, and bin hire.</i>	
Are you requesting in-kind support from Council?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
What in-kind support would you like?	
<input checked="" type="checkbox"/> Wheelie bin hire	<input type="checkbox"/> Venue/Site hire waiver
<input type="checkbox"/> Permit fees waiver	<input checked="" type="checkbox"/> Power
Other: _____	

<b>CERTIFICATION / DECLARATION</b>
<p>This declaration must be signed by a person authorised to sign on behalf of the organisation.</p> <ul style="list-style-type: none"> <li>• I certify to the best of my knowledge that the information given on this form is complete and correct.</li> <li>• I understand that approval of the grant is subject to mutual agreement between Glamorgan Spring Bay Council and the applicant.</li> <li>• I understand that if Glamorgan Spring Bay Council approves a grant, I will be required to accept the conditions of the grant in accordance with Glamorgan Spring Bay Council requirements.</li> <li>• I understand that Glamorgan Spring Bay Council does not accept any liability or responsibility for the proposal in this application and that it is the responsibility of the applicant or their sponsor to provide the appropriate insurance cover and abide by all relevant health and safety standards.</li> <li>• I agree that if funded, funds will be used only for the event described on this application.</li> <li>• I consent to the release of event information in this application for promotional and evaluation purposes relevant to Glamorgan Spring Bay Council.</li> <li>• I will seek permission from the group before submitting photographs for use by Glamorgan Spring Bay Council.</li> </ul> <p>The above organisation has authorised me to submit this application on their behalf. The information contained herein is, to the best of my knowledge, true and correct.</p>

<b>Name:</b>	Sally Fletcher
<b>Signature:</b>	
<b>Position in organisation:</b>	Committee member Freycinet Challenge
<p><b>Please return this application to:</b> <a href="mailto:community@freycinet.tas.gov.au">community@freycinet.tas.gov.au</a></p> <p><i>Please Note: All successful applicants are required to submit evidence of expenditure in a final report. Included in reporting will be formal receipts, photographs and providing the opportunity for Community Services staff to attend the funded event.</i></p>	

FINAL CHECK LIST		
Action	Completed	
Completed all sections of the application form	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Signed the application form	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Attached copies of any required documentation	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Attached copies of supporting quotes	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

**ATTACHMENT 1.**

**FREYCINET CHALLENGE'S RESERVE APPLICATION AND AGREEMENT**

**INTENDED USE OF RESERVE:**

- During the two days of competition (4<sup>th</sup> and 5<sup>th</sup> October 2025) the reserve area will be used as the "event hub" for competitors during the event.
- In this area bike racks will be erected for 200 bikes. Small tents will be erected in the area and used for shelter by competitors, sponsors, medical personnel.
- From midday on the 3rd October, the race committee requests permission to begin erecting race equipment (e.g. bike racks, bunting to direct competitors in the transition area etc).
- There will be no alcohol served or sold in the area.
- A food van by Swansea Men's Shed and Swansea Salvation Army will be present in the hub, as it has been for the past couple of years. They will apply directly to Council for a permit for the weekend.
- I will touch base with Council to ensure all necessary permits are in place.
- The Esplanade will need to be closed between Coles Bay Road and Harold Street.

# Alex now on hunt for 10th title

**Overall solo winner of the Freycinet Challenge, Alex Hunt, crosses the finish line.**

MORE than 250 athletes competed recently in the popular and challenging multisport event, the Freycinet Challenge.

The overall male solo champion was Alex Hunt his ninth year as champion and the overall female solo champion was Maggie Lennox her second year as champion.

The event was a combination of mountain biking, kayaking, trail running and road bike covering 166km in and around Freycinet National Park.

"The weather was exceptionally kind to the event with the persistent strong winds calming for most of the weekend," a spokesperson said.

"There was some showers during Sunday morning which added to the challenge of the event and helped achieve perfect conditions for a fast paddle leg.

"Of the 257 athletes who competed 35 were solo, a record number for the event and 222 in teams. The remainder competed in two, three and four-person teams."

Race director Andrew Grove kept the event running smoothly over the two days.

Glamorgan Spring Bay Mayor Cheryl Arnol attended and made the presentations to the champion athletes.

More than 20 SES volunteers provided traffic control and safety for the athletes during the ride and run legs.

The dates for next year's Freycinet Challenge are set for October 4-5 and the event will celebrate its 25th anniversary.

The organising committee is always looking for volunteers and if interested please contact [info@freycinetchallenge.com.au](mailto:info@freycinetchallenge.com.au)

Freycinet Lodge was the major sponsor of the event which received good support from local East Coast businesses and the Council. The Bichenno Surf Club and Freycinet Volunteer Marine Rescue provided water safety during the two kayaking stages.

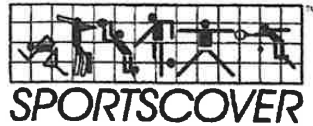
**The thrilling Freycinet Challenge kayak leg makes a splash at the start.**

**ATTACHMENT 1.**

**Event description:**

*(Please provide dot points including what you are going to do, the need for the event and why it is of value, any event partners, any further details about location etc.)*

- The Freycinet Challenge is a multi-sport race, running over two days on the stunning Freycinet Peninsula at Coles Bay, which is on the East Coast of Tasmania. Competitors have the option to take on the 1-day Challenge or the 2-day Challenge, either as a solo competitor or as part of a team.
- The race is divided into eight stages, with four stages running on each day. Participants compete in the sporting disciplines of Sea Kayaking, Trail Running, Road Cycling and Mountain Biking. The course takes the athletes into the Freycinet National Park, the Coles Bay Conservation Area and onto the waters off Muirs and Richardson Beaches.
- The Freycinet Challenge has been running every year since 1999. It has become an iconic event in the sporting calendar. It now attracts athletes from all over Tasmania, mainland Australia and other parts of the world. Over 400 athletes, and their friends and family, make their way to Coles Bay every year in October, giving the East Coast tourism economy a boost after the long winter in Tasmania. It is well known that exercise attributes to personal health. Training for the event and the weekend racing are important way to increase participants' mental and physical wellbeing.
- Each stage of the Freycinet Challenge finishes in the transition area (known as the event hub), which is on the Esplanade at Coles Bay. Partners such as Freycinet Lodge, The Iluka Tavern, Granite bakery, IGA general store, Iluka Caravan Park, Swansea Salvation Army, Swansea Men's Shed, East Coast Vineyards, Tasmania sponsors and locally sourced entertainment are at this location, which has a carnival atmosphere for spectators and athletes to enjoy during the two days of competition. Other partners over the weekend include SES, Surf Lifesaving local clubs from Bicheno and Scamander,

**Sportscover Australia Pty Ltd**

A.C.N. 006 637 903

A.B.N. 43 006 637 903

AFS Licence No. 230914

**CERTIFICATE OF CURRENCY****CERTIFICATE NO. 84163**

This certificate confirms that the under mentioned policy is effective in accordance with the details shown.

**Name of Insured:** FREYCINET CHALLENGE

**Cover:** Public Liability: \$20,000,000 any one occurrence  
 Products Liability: \$20,000,000 any one occurrence and in the aggregate  
 Professional Indemnity: \$1,000,000 any one claim and in the aggregate  
 Management Liability: Not Insured  
 (For The Business of Event With Trail Running, Kayaking, Cycling And Mountain Biking only)

**Sport/Business:** Event With Trail Running, Kayaking, Cycling And Mountain Biking**Excess:** As per policy schedule.**Period of Insurance:** 14/3/2025 to 14/3/2026**Underwriter:** Certain underwriters at Lloyd's & HDI Global Specialty SE-Australia**Policy Number:** PMEL99/0130780**Territorial Scope:** Worldwide**Jurisdictional Limits:** Commonwealth of Australia and New Zealand**Counterparties:** None

For full terms, conditions and exclusions please refer to Your Policy Wording version  
 Combined\_Liability\_Policy\_Wording\_05.24.



24/03/2025

DATE

**SPORTSCOVER™** MELBOURNE • SYDNEY • LONDON

Claims: 1300 134 956 | Office: +61 (0)3 8562 9100  
 Email: info@sportscover.com | Post: Locked Bag 6003, Wheelers Hill, VIC 3150  
 ACH 886 637 903 • ABN 43 006 637 903 • AFS LICENCE NUMBER 230914  
 The word SPORTSCOVER and the Sportscover logo are registered trademarks of Sportscover Australia Pty Ltd.

INSURING SPORT SINCE 1986  
 2009, 2010 UNDERWRITING AGENCY OF THE YEAR  
 2014 GENERATION 1 YOUTH EMPLOYER OF THE YEAR

sportscover.com



### **Attachment 3.**

#### **What will Glamorgan Spring Bay residents gain from this event?**

- **Opportunity for the residents to attend a long established, well recognised Multi Sport Event.**
- **Local businesses will increase sales over the weekend as hundreds of people will frequent shops purchasing local produce, petrol, snacks, accommodation etc.**
- **Local businesses are paid by the event management to provide hundreds of lunches, snacks, drinks for the competitors and volunteers.**
- **A great way to increase their socialisation in their community seeing athletes perform at a high level.**
- **Opportunity for residents from Glamorgan Spring Bay to become involved as volunteers.**
- **Residents can meet the athletes and gain some knowledge of this iconic event.**
- **The Freycinet national park is highlighted.**



ABN: 19 173 586 474

Trading as

**Department of Police, Fire and Emergency Management**GPO Box 308  
HOBART TAS 7001**TAX INVOICE**

Telephone: (03) 6173 2323  
(03) 6173 2446  
Email: [finance@dpfem.tas.gov.au](mailto:finance@dpfem.tas.gov.au)

Freycinet Challenge

**Invoice No:** 2024188  
**Date of Invoice:** 06/03/2025  
**Debtor Id:** 120723  
**Due Date:** 05/04/2025  
**Page :** 1 of 1

Description	Exclusive Amt	GST Amt	Amount
Donation for 2024 Freycinet Challenge	6,000.00		6,000.00
<b>Total Amount Due:</b>	<b>6,000.00</b>	<b>0.00</b>	<b>6,000.00</b>

PAID

**PAYMENT OPTIONS**Payment may be made by direct deposit to:

Bank: Westpac, Hobart  
BSB: 037-001  
Account Name: Dept Police, Fire & Emergency Management  
Account No: 268016  
Reference: 2024188  
Please Email your remittance advice to: [finance@dpfem.tas.gov.au](mailto:finance@dpfem.tas.gov.au)

Cheque

Please detach and return with your remittance to:

**DPFEM, GPO Box 308, Hobart, TAS, 7001**

120723

Freycinet Challenge

Credit CardPlease contact (03) 6173 2323  
with your Credit Card details.Payment in personCan be made at any Service Tasmania outlet.  
Product Code: 122

**Invoice No:** 2024188  
**Date:** 06/03/2025  
**Amount: (AUD)** \$6,000.00

**TAX INVOICE**

freycinet challenge

Invoice Date  
15 Oct 2024

Invoice Number  
INV-0069

ABN  
77 984 727 480

Bicheno Surf Life Saving  
Club  
PO BOX 149  
BICHENO TAS 7215  
AUSTRALIA

Description	Quantity	Unit Price	Amount AUD
Water safety for the Freycinet Challenge 5 and 6 October. 3 boats each day.	6.00	500.00	3,000.00
Subtotal			3,000.00
TOTAL AUD			3,000.00

**Due Date: 30 Nov 2024**  
Please Deposit to : Bicheno Surf Lifesaving Club Inc.  
Bendigo Bank  
BSB 633-000 ACC 155066004

[View and pay online now](#)

**PAYMENT ADVICE**

To: Bicheno Surf Life Saving Club  
PO BOX 149  
BICHENO TAS 7215  
AUSTRALIA

Customer freycinet challenge  
Invoice Number INV-0069

Amount Due 3,000.00  
Due Date 30 Nov 2024

Amount Enclosed

Enter the amount you are paying above



9 Melbourne Street (PO Box 6)  
Triabunna TAS 7190

K 03 6256 4777

F 03 6256 4774

X [admin@freycinet.tas.gov.au](mailto:admin@freycinet.tas.gov.au)

B [www.gsbcc.tas.gov.au](http://www.gsbcc.tas.gov.au)

## EVENT SUPPORT GRANT APPLICATION

### EVENT SUPPORT ASSISTANCE GUIDELINES

#### ELIGIBLE

The Council  
holding  
Major f  
Glamor  
excess c

#### ELIGIBLE

Any cor  
an incor  
event.

#### ELIGIBLE

In-kind support includes provision of such items as wheelie-bins, barricades, delivery and collection of bins, erection of barricades and advertising of street closures (if a council road and it has been approved by Council). The cost to the Council of any in-kind assistance approved will be calculated and costed against the application.

The maximum allocation to an event is \$2,000.

#### PRIORITIES:

The funding available is limited. Priority will be given to events that:

- Have a significant benefit for a wide range of Glamorgan Spring Bay residents and businesses.
- Are unique within the Glamorgan Spring Bay
- *If profit making, put the funds back into the community, preferably through community projects that will benefit a wide cross-section of the community.*

## Event Support Grant Application

*Please make sure you answer all Sections of this form.*

### APPLICANTS DETAILS

Contact Person Name:

Jo-ann Raspin

Position in organisation:

Committee Member

Postal Address:

9 Freycinet Court - Swansea

Phone:

Mobile:

0419949371

Email: jo.raspinb@yahoo.com.au

#### ORGANISATION DETAILS

Name of group or organisation running the event:

Swansea Chamber Commerce & Tourism  
Local Events Committee.

- Address: 1 Young Street - Swansea - Tas. 7190
- Website: Swansea Chamber of Commerce - ~~swansea.com.au~~
- ABN: +
- Incorporation number: 1A 04296

Legal Status (Please tick which one applies to your group):

☒ Not-for-profit or incorporated association.

Registered business hosting a fundraising event where proceeds are donated to charity.

Registered business hosting a profited event.

#### EVENT DETAILS

Event name: mental Health Comedy Road Show Event.

Event description: •

Event date(s): 10/10/25 Time(s): 6 PM - 10:30 PM

Set up date(s): 10/10/25 Close down date(s): 10/10/25

Event held previously: Yes ☒ No ☐ Total no. of people expected to attend at any one time: - 80

• Entry costs: Free entry ☒ Voluntary donation ☐ Admission fees: \$

#### EVENT VENUE

Venue Name: Swansea Town Hall.

Venue Address: 12 Franklin Street, Swansea

Has permission been obtained from the venue:

☒ Yes ☐ No

Owner / Manager / Committee of Management JO Raspin

Permission to use venue:

☒ Yes ☐ No

Will the event be held on Council or private land?

☒ Council Land ☐ Private Land

Event description:

(Please provide dot points including what you are going to do, the need for the event and why it is of value, any event partners, any further details about location etc.)

See attached.

#### INSURANCE

Local Insurance Services - LC1087940 PLB

Do you hold insurance for this event? ☒ Yes ☐ No

Please outline the insurance type and value involved: (Attach Certificate of Currency with your application)

Swansea Chamber of Commerce & Tourism

## TEMPORARY ROAD CLOSURES (if applicable)

Will the event require road closure?  
(Attach Traffic Management Plan)

Yes

No

Which road(s) will be closed for the event?

Time of road closures:

## BENEFITS OF THE EVENT TO GLAMORGAN SPRING BAY

Please tick or highlight any of the following areas that are relevant to your event:

Community Participation

Environment

Sport &amp; Recreation

Community Education

Tourism &amp; Events

Heritage &amp; History

Health &amp; Safety

Multi-Cultural

Arts &amp; Culture

What will Glamorgan Spring Bay residents gain from this event?

Edecation - mental Health.  
opportunity to connect with local services.

What will Glamorgan Spring Bay businesses gain from this event?

Briefly explain how you plan to acknowledge Council's contribution / assistance to the event.

Advertising of event to include acknowledgement to  
Council Logo.

## REQUEST FOR FUNDING

Please confirm the dollar amount you are applying for from Council (~~per year~~).

\$ 1100 - 00

Please outline the amount of funds, if any, you are requesting from Council, and the purpose to which the funds will be applied: *Please provide quotations with your application*

cf Quotation.

Are you prepared to accept partial funding?

(Council's grants are highly competitive and Council may offer less than the amount you request.)

Yes

No

## IN-KIND SUPPORT

In-kind support (Council contribution) is where Council waives or reduces our fees including permit fees.

*Council venue or site hire, and bin hire.*

Are you requesting in-kind support from Council?

Yes

No

What in-kind support would you like?

Wheelie bin hire

Venue/Site hire waiver

Permit fees waiver

Power

Other:

#### CERTIFICATION / DECLARATION

This declaration must be signed by a person authorised to sign on behalf of the organisation.

- I certify to the best of my knowledge that the information given on this form is complete and correct.
- I understand that approval of the grant is subject to mutual agreement between Glamorgan Spring Bay Council and the applicant.
- I understand that if Glamorgan Spring Bay Council approves a grant, I will be required to accept the conditions of the grant in accordance with Glamorgan Spring Bay Council requirements.
- I understand that Glamorgan Spring Bay Council does not accept any liability or responsibility for the proposal in this application and that it is the responsibility of the applicant or their sponsor to provide the appropriate insurance cover and abide by all relevant health and safety standards.
- I agree that if funded, funds will be used only for the event described on this application.
- I consent to the release of event information in this application for promotional and evaluation purposes relevant to Glamorgan Spring Bay Council.
- I will seek permission from the group before submitting photographs for use by Glamorgan Spring Bay Council.

The above organisation has authorised me to submit this application on their behalf. The information contained herein is, to the best of my knowledge, true and correct.

Name:

Signature:

Position in organisation:

Please return this application to: [community@freycinet.tas.gov.au](mailto:community@freycinet.tas.gov.au)

*Please Note: All successful applicants are required to submit evidence of expenditure in a final report. Included in reporting will be formal receipts, photographs and providing the opportunity for Community Services staff to attend the funded event.*

#### FINAL CHECK LIST

Action	Completed	
Completed all sections of the application form	Yes	No
Signed the application form	Yes	No
Attached copies of any required documentation	Yes	No
Attached copies of supporting quotes	Yes	No

**MoodMission Pty Ltd**

Director: David Bakker  
 9 Broughton Ave  
 Mount Nelson, TAS 7007  
 Phone 0432947983  
[david@moodmissionapp.com](mailto:david@moodmissionapp.com)  
 ABN: 95 610 271 175  
 ACN: 610 271 175

**TO:**

Glamorgan Spring Bay Council

INVOICE NO.: 20250521

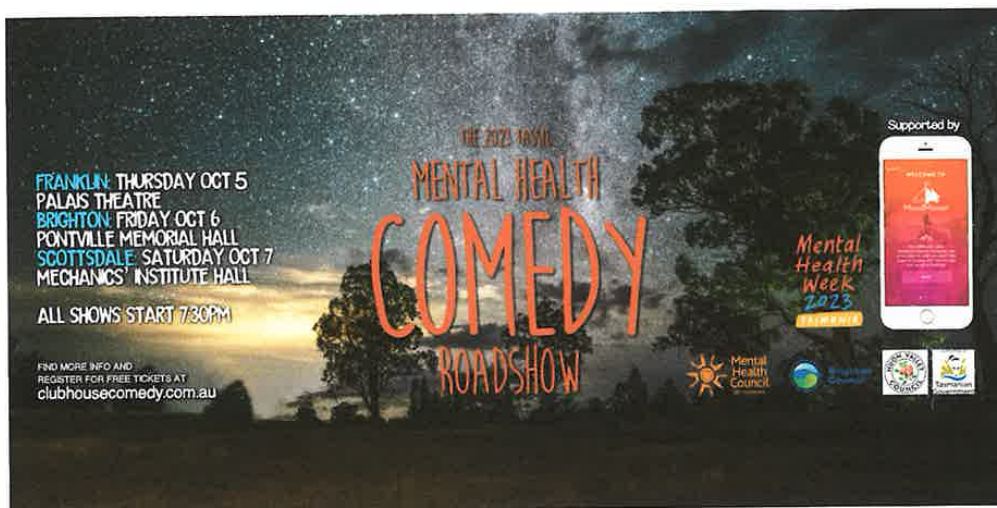
DATE: MAY 21, 2025

DESCRIPTION	AMOUNT
Mental Health Comedy Roadshow Expenses, may include: <ul style="list-style-type: none"> <li>- Social media promotion</li> <li>- AV/tech support crew fees</li> <li>- Accommodation for acts and support crew</li> <li>- Travel expenses for acts and support crew</li> <li>- Insurance</li> </ul>	1100
GST (10%)	100
	<b>TOTAL: 1100</b>

Banking details for transfer:  
**NAME:** MOODMISSION PTY LTD  
**BSB:** 06 2692  
**ACCOUNT NO.:** 2677 1520

*Please include invoice number as reference for the transfer.*





The Mental Health Comedy Roadshow is a series of regionally based 1.5 hour comedy shows with Tasmanian comedians speaking their minds about mental health. The roadshow has been running for the past 5 years, with support from the Mental Health Council of Tasmania and regional councils. The roadshow is produced by Dr [David Bakker](#), Clinical Psychologist and producer of Hobart comedy room [The Clubhouse](#). A diverse line-up of Tasmanian comedians speak their minds about mental health.

These are free events to attend and are promoted to local community members. The events also provide an opportunity for community members to connect with local services, which are invited to set up information at the venue. Attendees are invited to peruse and connect at intermission. Where possible we also aim to have a local community member perform as part of the line up. Our previous years' shows in St Helens, Launceston, Hobart, Campbell Town, Franklin, Queenstown, and Strahan have all fostered incredibly welcoming atmospheres, where stigmas about mental health are broken down and humour is used to make difficult conversations much easier. Comedy is a great medium to make people feel welcome and seen. This may be the first time community members talk with each other about the important issue of mental health. Connections built around mental health can be the strongest and most helpful for wellbeing.

The Roadshow's goals are to:

- Raise awareness of the normality of mental illness and the fluidity of mental health that doesn't discriminate in a fun and entertaining way
- Promote the evidence-based MoodMission app and the use of technology to support regional mental health
- Highlight the valuable role that the arts play in our mental health, both within our communities but also for us as individuals
- Work with local providers such as community houses and local councils to highlight local initiatives aimed at supporting community resilience
- Encourage other providers to get creative with their promotion of mental health/illness awareness through the arts

**For more information, contact David at [david@moodmissionapp.com](mailto:david@moodmissionapp.com).**



Received 2/7/25  


## Event Support Grant Application

Please make sure you answer all Sections of this form.

APPLICANTS DETAILS			
Contact Person Name:	Rory Cadman		
Position in organisation:	Event Manager		
Postal Address:	17 Ashbourne Grove, West Moonah, 7009 TAS		
Phone:	0428 407 014	Mobile:	
Email:	rory.cadman@bichenofestivals.com.au		


ORGANISATION DETAILS	
Name of group or organisation running the event:	Bicheno Festivals Committee Inc
Address:	PO Box 93, Bicheno TAS, 7215
Website:	www.bichenofestivals.com.au
ABN:	52 144 768 200
Incorporation number:	1A11157
Legal Status (Please tick which one applies to your group):	
<input checked="" type="checkbox"/> Not-for-profit or incorporated association. <input type="checkbox"/> Registered business hosting a fundraising event where proceeds are donated to charity. <input type="checkbox"/> Registered business hosting a profited event.	

EVENT DETAILS			
Event name:	Bicheno Food and Wine Festival		
Event description:	A festival of food, beverage and entertainment showcasing east coast produce set in a beautiful location on the Bicheno foreshore		
Event date(s):	15/11/2025	Time(s):	11am - 6pm
Set up date(s):	13/11/2025-15/11/2025	Close down date(s):	15/11/2025-17/11/2025
Event held previously:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Total no. of people expected to attend at any one time:	3500
Entry costs:	Free entry: <input type="checkbox"/>	Voluntary donation: <input type="checkbox"/>	Admission fees: \$39.50 (Adult)

EVENT VENUE	
Venue Name:	Bicheno Lions Park
Venue Address:	Burgess St, Bicheno
Has permission been obtained from the venue:	Yes <input type="checkbox"/> No <input type="checkbox"/> (Application Pending) Owner / Manager / Committee of Management
Permission to use venue:	<input type="checkbox"/> Yes <input type="checkbox"/> No (Application Pending)
Will the event be held on Council or private land?	<input checked="" type="checkbox"/> Council Land <input type="checkbox"/> Private Land
<b>Event description:</b> <i>(Please provide dot points including what you are going to do, the need for the event and why it is of value, any event partners, any further details about location etc.)</i>	
- 3500 patron event held each year at the Bicheno Lions Park - Showcasing local food, wine, beer, spirits and sweets, with between 30 - 35 vendors each year - Supported by a program of entertainment from some of the best musicians on the East Coast, with two performance spaces and children's activities - Providing a significant event on the social calendar for the region, as well as being a significant driver of visitation, boosting tourism and hospitality for business in and around the Bicheno area - Managed by a local board, with proceeds being directed to a community fund, available to local community organisations and business for improvements to their events, activities or facilities	
INSURANCE	
Do you hold insurance for this event?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Please outline the insurance type and value involved: <i>(Attach Certificate of Currency with your application)</i>	
Public Liability	
Cancellation	(Previous CoC's attached, renewal applications pending and will be provided on request)
Voluntary Workers	
TEMPORARY ROAD CLOSURES <i>(if applicable)</i>	
Will the event require road closure? <i>(Attach Traffic Management Plan)</i>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Which road(s) will be closed for the event?	Burgess St
Time of road closures:	8am - 6.30pm

BENEFITS OF THE EVENT TO GLAMORGAN SPRING BAY		
Please tick or highlight any of the following areas that are relevant to your event:		
<input checked="" type="checkbox"/> Community Participation	<input type="checkbox"/> Environment	<input type="checkbox"/> Sport & Recreation
<input type="checkbox"/> Community Education	<input checked="" type="checkbox"/> Tourism & Events	<input type="checkbox"/> Heritage & History
<input type="checkbox"/> Health & Safety	<input type="checkbox"/> Multi-Cultural	<input checked="" type="checkbox"/> Arts & Culture
What will Glamorgan Spring Bay residents gain from this event?		
<ul style="list-style-type: none"> <li>- A significant event on the social calendar for the region</li> <li>- Access to a vast array of food and beverages all in one location</li> <li>- A full day of entertainment, with music and children's activities</li> <li>- Significant visitation numbers, driving up business in tourism and hospitality</li> </ul>		
What will Glamorgan Spring Bay businesses gain from this event?		
<ul style="list-style-type: none"> <li>- Massive uptick in tourism and hospitality numbers</li> <li>- Boost to regional recognition with visitors from across the state</li> <li>- Opportunity to partner with the event to promote other local events or activities around the festival</li> </ul>		
Briefly explain how you plan to acknowledge Council's contribution / assistance to the event.		
<ul style="list-style-type: none"> <li>- Partnership placement on marketing materials (website, social media and signage)</li> <li>- Media content for use of Council</li> </ul>		
REQUEST FOR FUNDING		
Please confirm the dollar amount you are applying for from Council (per year).		\$2,000
Please outline the amount of funds, if any, you are requesting from Council, and the purpose to which the funds will be applied: <i>Please provide quotations with your application</i>		
Waste Management - Hire of Wheelie Bins and Transport: \$750 Waste Management - Hire of skip bins and waste collection: \$1,000 Waste Management - Staffing: \$250		
(All costs are indicative based on previous years expenditure. Quotes/Invoices can be provided closer to the event upon request.)		
Are you prepared to accept partial funding? (Council's grants are highly competitive and Council may offer less than the amount you request.)		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

IN-KIND SUPPORT	
<i>In-kind support (Council contribution) is where Council waives or reduces our fees including permit fees, Council venue or site hire, and bin hire.</i>	
Are you requesting in-kind support from Council?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
What in-kind support would you like?	
<input type="checkbox"/> Wheelie bin hire	<input checked="" type="checkbox"/> Venue/Site hire waiver
<input checked="" type="checkbox"/> Permit fees waiver	<input checked="" type="checkbox"/> Power
Other: <u>Collection of recycling post event (aluminium cans, glass and plastic bottles). Sorted in Bulka Bags for collection</u>	

CERTIFICATION / DECLARATION	
This declaration must be signed by a person authorised to sign on behalf of the organisation.	
<ul style="list-style-type: none"> <li>• I certify to the best of my knowledge that the information given on this form is complete and correct.</li> <li>• I understand that approval of the grant is subject to mutual agreement between Glamorgan Spring Bay Council and the applicant.</li> <li>• I understand that if Glamorgan Spring Bay Council approves a grant, I will be required to accept the conditions of the grant in accordance with Glamorgan Spring Bay Council requirements.</li> <li>• I understand that Glamorgan Spring Bay Council does not accept any liability or responsibility for the proposal in this application and that it is the responsibility of the applicant or their sponsor to provide the appropriate insurance cover and abide by all relevant health and safety standards.</li> <li>• I agree that if funded, funds will be used only for the event described on this application.</li> <li>• I consent to the release of event information in this application for promotional and evaluation purposes relevant to Glamorgan Spring Bay Council.</li> <li>• I will seek permission from the group before submitting photographs for use by Glamorgan Spring Bay Council.</li> </ul>	
The above organisation has authorised me to submit this application on their behalf. The information contained herein is, to the best of my knowledge, true and correct.	
Name:	Rory Cadman
Signature:	
Position in organisation:	Festival Manager
Please return this application to: <a href="mailto:community@freycinet.tas.gov.au">community@freycinet.tas.gov.au</a>	
<p><i>Please Note: All successful applicants are required to submit evidence of expenditure in a final report. Included in reporting will be formal receipts, photographs and providing the opportunity for Community Services staff to attend the funded event.</i></p>	