

COMBINED INSTRUMENT OF DELEGATION

16 OCTOBER 2025

Instruments of Delegation in this Document

- Annual Holidays Act 1944
- Biodiversity Conservation Act 2016
- Biodiversity Conservation Regulation 2017
- Biosecurity Act 2015
- NSW Boarding Houses Act 2012
- NSW Building and Development Certifiers Act 2018
- NSW Building and Development Certifiers Regulation 2020
- Building Products (Safety) Act 2017
- NSW Cemeteries and Crematoria Act 2013
- Cemeteries and Crematoria Regulation 2022
- Child Protection (Working With Children) Act 2012
- Child Protection (Working With Children) Regulation 2013
- Children (Protection and Parental Responsibility) Act 1997
- Children's Guardian Act 2019
- Civil and Administrative Tribunal Act 2013
- Community Land Development Act 2021
- Companion Animals Act 1998
- Companion Animals Regulation 2018
- Contaminated Land Management Act 1997
- Conveyancing Act 1919
- Crown Land Management Act 2016
- Crown Land Management Regulation 2018
- Dams Safety Act 2015
- DI 1 - Contracts
- District Court Act 1973
- Employment Protection Act 1982
- Environmental Planning and Assessment Act 1979
- Environmental Planning and Assessment Regulation 2021
- Finance 1 - Bank Account Signatory
- Finance 2 - Electronic Funds Transfers
- Finance 3 - Fee Waivers/Write Offs
- Finance 4 - Debt Recovery
- Finance 5 - Land Valuations
- Fisheries Management Act 1994
- Fluoridation of Public Water Supplies Act 1957
- Food Act 2003
- General Authority Human Resources 1 - Authorise Leave
- General Authority Human Resources 2 - Direct and Control Staff
- General Authority Human Resources 5 - Sign Correspondence - General
- General Authority Human Resources 6 - Sign Correspondence - Manager Level (except Public Officer)
- General Authority Human Resources 7 - Sign Correspondence - All (exceptions)

- General Authority Human Resources 9 - Council Seal
- Gas Supply Act 1996
- Government Information (Public Access) Act 2009
- Graffiti Control Act 2008
- Heavy Vehicle National Law (NSW) 2013
- Heritage Act 1977
- Housing Act 2001
- Independent Pricing and Regulatory Tribunal Act 1992
- Land Acquisition (Just Terms Compensation) Act 1991
- Land and Environment Court Act 1979
- Library Act 1939
- Library Regulation 2018
- Liquor Act 2007
- Liquor Regulation 2018
- Local Court Act 2007
- Local Government (General) Regulation 2021
- Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021
- Local Government Act 1993
- Local Government and Other Authorities (Superannuation) Act 1927
- Major Events Act 2009
- Road Transport Act 2013
- Ombudsman Act 1974
- Pesticides Act 1999
- Procurement and Financial Delegation 2 - Authorise expenditure not exceeding \$249,999
- Procurement and Financial Delegation 3 - Authorise expenditure not exceeding \$50,000
- PFD 4 - Authorise expenditure not exceeding \$10,000
- Procurement and Financial Delegation 5 - Authorise expenditure not exceeding \$5,000
- Pipelines Act 1967
- Privacy and Personal Information Protection Act 1998
- Protection of the Environment Operations (Clean Air) Regulation 2022
- Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2019
- Protection of the Environment Operations Act 1997
- Public Health Act 2010
- Public Interest Disclosures Act 2022
- Public Spaces (Unattended Property) Act 2021
- Public Spaces (Unattended Property) Regulation 2022
- Public Works and Procurement Act 1912
- Public Works and Procurement Regulation 2019
- NSW Real Property Act 1900
- Restricted Premises Act 1943
- Road Transport (General) Act 2005
- Road Transport (Safety and Traffic Management) Act 1999

- Roads Act 1993
- Rural Fires Act 1997
- State Emergency and Rescue Management Act 1989
- State Environmental Planning Policy (Biodiversity and Conservation) 2021
- State Records Act 1998
- Strata Schemes Development Act 2015
- Strata Schemes Management Act 2015
- Surveying and Spatial Information Act 2002
- Swimming Pools Act 1992
- Swimming Pools Regulation 2018
- Tattoo Industry Act 2012
- Taxation Administration Act 1996
- Transport Administration Act 1988
- Trees (Disputes Between Neighbours) Act 2006
- Valuation of Land Act 1916
- NSW Water Management Act 2000
- Work Health and Safety Act 2011
- Work Health and Safety Regulation 2017
- Workplace Surveillance Act 2005

Delegation Sources

- Annual Holidays Act 1944
- Biodiversity Conservation Act 2016
- Biodiversity Conservation Regulation 2017
- Biosecurity Act 2015 (NSW)
- Boarding Houses Act 2012 (NSW)
- Building and Development Certifiers Act 2018
- Building and Development Certifiers Regulation 2020
- Building Products (Safety) Act 2017
- Cemeteries and Crematoria Act 2013
- Cemeteries and Crematoria Regulation 2022
- Child Protection (Working With Children) Act 2012
- Child Protection (Working With Children) Regulation 2013
- Children (Protection and Parental Responsibility) Act 1997
- Children's Guardian Act 2019
- Civil and Administrative Tribunal Act 2013
- Community Land Development Act 2021
- Companion Animals Act 1998 (NSW)
- Companion Animals Regulation 2018 (NSW)
- Contaminated Land Management Act 1997
- Conveyancing Act 1919
- Crown Land Management Act 2016
- Crown Land Management Regulation 2018

- Dams Safety Act 2015
- Director of Infrastructure
- District Court Act 1973
- Employment Protection Act 1982
- Environmental Planning and Assessment Act 1979 (NSW)
- Environmental Planning and Assessment Regulation 2021
- Financial Delegations
- Fisheries Management Act 1994
- Fluoridation of Public Water Supplies Act 1957
- Food Act 2003 (NSW)
- General Authority Human Resources
- Gas Supply Act 1996
- Government Information (Public Access) Act 2009
- Graffiti Control Act 2008 (NSW)
- Heavy Vehicle National Law (NSW) 2013
- Heritage Act 1977
- Housing Act 2001
- Independent Pricing and Regulatory Tribunal Act 1992
- Land Acquisition (Just Terms Compensation) Act 1991
- Land and Environment Court Act 1979
- Library Act 1939
- Library Regulation 2018
- Liquor Act 2007
- Liquor Regulation 2018
- Local Court Act 2007
- Local Government (General) Regulation 2021
- Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021
- Local Government Act 1993 (NSW)
- Local Government and Other Authorities (Superannuation) Act 1927
- Major Events Act 2009
- Road Transport Act 2013 (NSW)
- Ombudsman Act 1974
- Pesticides Act 1999
- Procurement and Financial
- Pipelines Act 1967
- Privacy and Personal Information Protection Act 1998
- Protection of the Environment Operations (Clean Air) Regulation 2022
- Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2019
- Protection of the Environment Operations Act 1997 (NSW)
- Public Health Act 2010 (NSW)
- Public Interest Disclosures Act 1994
- Public Spaces (Unattended Property) Act 2021

- Public Spaces (Unattended Property) Regulation 2022
- Public Works and Procurement Act 1912
- Public Works and Procurement Regulation 2019
- Real Property Act 1900
- Restricted Premises Act 1943
- Road Transport (General) Act 2005
- Road Transport (Safety and Traffic Management) Act 1999
- Roads Act 1993 (NSW)
- Rural Fires Act 1997 (NSW)
- State Emergency and Rescue Management Act 1989
- State Environmental Planning Policy (Biodiversity and Conservation) 2021
- State Records Act 1998
- Strata Schemes Development Act 2015
- Strata Schemes Management Act 2015
- Surveying and Spatial Information Act 2002
- Swimming Pools Act 1992 (NSW)
- Swimming Pools Regulation 2018 (NSW)
- Tattoo Industry Act 2012
- Taxation Administration Act 1996
- Transport Administration Act 1988
- Trees (Disputes Between Neighbours) Act 2006 (NSW)
- Valuation of Land Act 1916
- Water Management Act 2000
- Work Health and Safety Act 2011 (NSW)
- Work Health and Safety Regulation 2017
- Workplace Surveillance Act 2005

Positions

Abbreviation	Position	Name
AO	Administration Officer	
B&PC	Building & Property Coordinator	
BC	Business Coordinator	
DCS	Director Corporate Services	
DI	Director Infrastructure	

Abbreviation	Position	Name
EA&M	Executive Assistant & Media	
EHBS	Environmental Health & Building Surveyor	
GM	General Manager	
GO	Governance Officer	
ITO	IT Officer	
LB	Librarian	
MA&PP	Manager Asset & Program Planning	
MFT	Manager Finance & Technology	
MHRWDS	Manager Human Resources, Workforce Development & Safety	
MOSR&U	Manager Open Space, Regulatory & Utilities	
MPPD	Manager Planning, Property & Development	
MW	Manager Works	
MW&W	Manager Waste & Waster	
RAN	Community Compliance Officer/(Ranger)	
RC	Records Coordinator	
RO 1	Revenue Officer	
RO 2	Revenue Officer	

Abbreviation	Position	Name
SAC&ED	Senior Advisor Communications & Economic Development	
SP	Storeperson	
WHS&RMC	WHS & Risk Management Coordinator	
WO	Weeds Officer	

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Annual Holidays Act 1944

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

Annual Holidays Act 1944			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	arrangements for annual leave.		

Biodiversity Conservation Act 2016

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

Biodiversity Conservation Act 2016

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Section 5.10	Duration of biodiversity stewardship agreements Terminating a biodiversity stewardship agreement with the Minister in accordance with the Act.	B&PC	Where the Council is party to the agreement as a public authority that owns or has the control and management of the land that is Crown land or lands of the Crown.
Section 5.21	General provisions relating to conservation agreements Entering into a conservation agreement with the Biodiversity Conservation Trust relating to land that is Crown land or lands of the Crown where the Council owns or has the control and management of the land.	MPPD, B&PC	
Section 6.6	Miscellaneous provisions relating to biodiversity offsets scheme Participating in the biodiversity offsets scheme, including by purchasing, holding, transferring and retiring biodiversity credits.	MPPD, DI, B&PC, MOSR&U	The purchase or sale of biodiversity credits may be subject to the restrictions in s.377 of the Local Government Act.
Section	Application for biodiversity certification	MPPD, DI, B&PC,	

Biodiversity Conservation Act 2016			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
8.5	Entering into an agreement with any person in connection with an application for biodiversity certification, including for the payment of any costs and expenses incurred.	MOSR&U	
Section 13.22	Recovery of costs, expenses and compensation after offence proved Recovering from an offender the incurred costs and expenses or damage in the Land and Environment Court in connection with: (i) the prevention, control, abatement or mitigation of any damage to animals or plants, or their habitat, caused by the commission of a offence, or (ii) making good any resulting damage to animals or plants or their habitat, or (b) a person (including a public authority) has, by reason of the commission of the offence, suffered loss of or damage to property or has incurred costs and expenses in preventing or mitigating, or in attempting to prevent or mitigate, any such loss or damage.	DI, MOSR&U	

Biodiversity Conservation Regulation 2017

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

Biodiversity Conservation Regulation 2017

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

Biosecurity Act 2015

Biosecurity Act 2015 (NSW)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation – all functions under the Biosecurity Act 2015 Exercise of all functions of council under the Act that may be legally delegated.	RAN, MOSR&U, WO	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Section 295	Recovery of costs, expenses and compensation Recovering the amount of any costs and expenses incurred by reason of the commission of a proven offence or the amount of the loss or damage caused by an offender by commencing Court proceedings	CCO	
Section 371	Functions of the local control authority Preventing, eliminating, minimising and managing the biosecurity risk posed or likely or be posed by weeds in relation to land for which the	CCO	Functions of the local control authority are to be exercised in accordance with any requirements specified in the Regulations and any directions (not inconsistent with the Regulations) given by the Secretary

Biosecurity Act 2015 (NSW)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Council is the local control authority		
Section 371	Functions of the local control authority Developing, implementing, coordinating, and reviewing weed control programs in relation to land for which the Council is the local control authority	CCO	
Section 371	Functions of the local control authority Inspecting land for which the Council is the local control authority in connection with its weed control functions	CCO	
Section 371	Functions of the local control authority Keeping records of the exercise of the local control authority's functions under the Biosecurity Act	CCO	

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

Biosecurity Act 2015 (NSW)

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

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

Biosecurity Act 2015 (NSW)

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

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

NSW Boarding Houses Act 2012

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

Boarding Houses Act 2012 (NSW)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	written notice of the council's intention to enter the premises to conduct an initial compliance investigation.		
Section 20	The use of force Authorising the use of force for the purpose of gaining entry to any premises to undertake an initial compliance investigation	MPPD, EHBS, MOSR&U	The authorisation must: (a) must be in writing, and (b) must be given in respect of the particular entry concerned, and (c) must specify the circumstances which are required to exist before force may be used. A person authorised to enter premises must do as little damage as possible
Section 21	Initial compliance investigations Giving notice to such persons or authorities as appear to be relevant to the council in the circumstances where a person authorised to enter a premises to carry out	MPPD, EHBS, MOSR&U	

Boarding Houses Act 2012 (NSW)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	an inspection of a boarding house: (a) uses force for the purpose of gaining entry to the premises, or (b) enters the premises in an emergency without giving written notice to the proprietor or manager.		
Section 22	Initial compliance investigations Providing other means of access in place of any taken away or interrupted by a person authorised by it to carry out an inspection.	MPPD, EHBS, MOSR&U	
Section 23	Initial compliance investigations Charging and recovering an approved fee under section 608 (Previous Council fees for services) of the Local Government Act 1993 for the conduct of an initial compliance investigation.	MPPD, EHBS, MOSR&U	Council cannot delegate the function of making the charge: s377(1)(d) of the Local Government Act 1993.
Section	Initial compliance investigations	MPPD, EHBS,	

Boarding Houses Act 2012 (NSW)

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

Boarding Houses Act 2012 (NSW)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Section 94	Exchange of information Entering into an information sharing arrangement with an Act administrator (a Minister administering the Act, the Director-General or the Commissioner for Fair Trading, Department of Finance and Services) for the purposes of sharing or exchanging any information that is held by the administrator or the council.	EHBS	
Section 99	Proceedings for offences Commencing proceedings in the Local Court or Land and Environment Court for an offence against a provision of Part 2 of the Act or Regulations for that Part.	MPPD, EHBS, MOSR&U	

NSW Building and Development Certifiers Act 2018

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

Building and Development Certifiers Act 2018

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

NSW Building and Development Certifiers Regulation 2020

Building and Development Certifiers Regulation 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation – all functions under the Building and Development Certifiers Regulation 2020 Exercise of all functions of council under the Regulation that may be legally delegated.	MPPD, EHBS	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Various	Part 8 – Councils General delegation – all functions under Part 8 of the Building and Development Certifiers Regulation 2020. Exercise of all functions of a council under Part 8 of the Building and Development Certifiers Regulation 2020 that may be legally delegated.	MPPD, EHBS	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Regulation 62	Part 8 – Councils Notice of certain matters to be given to Secretary Providing written notice to the Secretary of the date on which a registered certifier is employed or engaged or ceases to be employed or engaged by the council to	MPPD, EHBS	

Building and Development Certifiers Regulation 2020

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	undertake certification work on behalf of the council. Notes Notice is to be given in writing within 7 days of the relevant event.		
Regulation 62	Part 8 – Councils Notice of certain matters to be given to Secretary Providing the Secretary with the registration number of a registered certifier engaged or employed by the council to carry out certification work on behalf of the council. Notes Notice is to be given in writing within 7 days of the relevant event.	MPPD, EHBS	

Building Products (Safety) Act 2017

Building Products (Safety) Act 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation – all functions under the Building Products (Safety) Act 2017 Exercise of all functions of council under the Act that may be legally delegated.	MPPD, EHBS	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Various	Delegation of Secretarial functions Exercise of all of the functions of the Secretary delegated to Council.	MPPD, EHBS	A delegate of the Secretary (council) may sub-delegate a function if authorised in writing to do so by the Secretary. If the Secretary delegates functions subject to conditions or limitations, any sub-delegation by the delegate is taken to be subject to the same conditions and limitations, and any further conditions or limitations imposed by the delegate.
Section 9	Building Product Prohibition	MPPD,	The Council may only delegate this function if it has been delegated this function of the Secretary pursuant to section

Building Products (Safety) Act 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Prohibiting the use of a specified building product in a building if the Council is satisfied on reasonable grounds that the use is unsafe in the circumstances provided in the Act, in accordance with the procedure in the Act.	EHBS	89 of the Act.
Section 12	Amendment or Revocation of a Ban Amending a building product use ban or revoking a building product use ban, by written notice published on the internet.	MPPD, EHBS	The Council may only delegate this function if it has been delegated this function of the Secretary pursuant to section 89 of the Act.
Section 13	Call for public submissions Calling for public submissions on whether a building product use ban is warranted and the terms or proposed terms of the ban, by written notice published on the internet.	MPPD, EHBS	The Council may only delegate this function if it has been delegated this function of the Secretary pursuant to section 89 of the Act.
Section 14	Notice of imposition of building product use ban	MPPD, EHBS	The Council may only delegate this function if it has been delegated this function of the Secretary pursuant to section

Building Products (Safety) Act 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Giving notice of a building product use ban to the manufacturer of the building product concerned, in accordance with the Act.		89 of the Act.
Section 18	Identification and notification of particular affected buildings Issuing a notice that a particular building is or may be an affected building in accordance with the Act.	MPPD, EHBS	The Council may only delegate this function if it has been delegated this function of the Secretary pursuant to section 89 of the Act.
Section 19	General Issuing a general building safety notice that a class of buildings may be affected buildings, in accordance with the Act.	MPPD, EHBS	The Council may only delegate this function if it has been delegated this function of the Secretary pursuant to section 89 of the Act.
Section 20	Power of relevant enforcement authority to order rectification Making a building product rectification order requiring the owner of a building to do such things as are necessary in the circumstances and for the purposes provided for in the Act.	MPPD, EHBS	The Council may only delegate this function where it is the relevant enforcement authority for the purposes of the Act (defined in s.16).

Building Products (Safety) Act 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Section 24	Amendment or revocation of notices Amending or revoking an affected building notice or a general building safety notice by issuing a further notice to the parties listed in the Act.	MPPD, EHBS	The Council may only delegate this function if it has been delegated this function of the Secretary pursuant to section 89 of the Act.
Section 25	Revocation of affected building notice Revoking an affected building notice if the Council is satisfied the building concerned has been made safe, or the building is not an affected building.	MPPD, EHBS	The Council may only delegate this function if it has been delegated this function of the Secretary pursuant to section 89 of the Act.
Section 27	Building Product Undertaking Accepting a written undertaking given by a person if the person has contravened, or the Council suspects that the person has contravened or is likely to contravene, a requirement imposed by or under the Act.	MPPD, EHBS	The Council may only delegate this function if it has been delegated this function of the Secretary pursuant to section 89 of the Act.
Section 30	Application for order requiring compliance with building product undertaking	MPPD, EHBS	The Council may only delegate this function if it has been delegated this function of the Secretary pursuant to section

Building Products (Safety) Act 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Applying to the Supreme Court for an order if a person contravenes a building product undertaking.		89 of the Act.
Section 31	Withdrawal or variation of building product undertaking Withdrawing or varying a building product undertaking in accordance with the Act.	MPPD, EHBS	The Council may only delegate this function if it has been delegated this function of the Secretary pursuant to section 89 of the Act.
Section 34	Building product investigation. Authorising an investigation to ascertain whether a use of a building product in a building is unsafe or to ascertain the location of any building in which a building product has been used in a way that is or may be unsafe.	MPPD, EHBS	The Council may only delegate this function if it has been delegated this function of the Secretary pursuant to section 89 of the Act.
Section 35	Consultation Giving the manufacturer or importer of the building product that is the	MPPD, EHBS	The Council may only delegate this function if it has been delegated this function of the Secretary pursuant to section 89 of the Act.

Building Products (Safety) Act 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	subject of a building product investigation notice of the investigation and an opportunity to make submissions by giving notice in accordance with the Act.		
Section 36	Publication and use of results of building product investigation Imposing or amending a building product use ban, as the Council considers appropriate, to reflect the results of a building product investigation. Publishing a notice of the results of a building product investigation, in accordance with the Act.	MPPD, EHBS	The Council may only delegate this function if it has been delegated this function of the Secretary pursuant to section 89 of the Act.
Section 39	Product Assessment Ordering a person to conduct a product assessment in relation to a building product, and to provide to the Council a product assessment report about that assessment, in accordance with the Act.	MPPD, EHBS	The Council may only delegate this function if it has been delegated this function of the Secretary pursuant to section 89 of the Act.
Section	Taking of required actions	MPPD,	The Council may only delegate this function if it has been delegated this function of the Secretary pursuant to section

Building Products (Safety) Act 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
40	Taking any action that is reasonably necessary to conduct or complete a product assessment where a person has failed to do so.	EHBS	89 of the Act.
Section 40	Recovery of costs Requiring the liable person under section 40 to pay a reasonable fee for action taken by the Council under the section, by notice in writing.	MPPD, EHBS	The Council may only delegate this function if it has been delegated this function of the Secretary pursuant to section 89 of the Act.
Section 41	Use of product assessment report Imposing or amending a building product use ban as the Council considers appropriate having regard to a product assessment report.	MPPD, EHBS	The Council may only delegate this function if it has been delegated this function of the Secretary pursuant to section 89 of the Act.
Section 41	Publication of product assessment report Publishing a product assessment report.	MPPD, EHBS	The Council may only delegate this function if it has been delegated this function of the Secretary pursuant to section 89 of the Act.

Building Products (Safety) Act 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Section 53	Compensation Compensating all interested parties for damage caused by an authorised officer in exercising a power to enter premises, or a power to break open or otherwise access a thing for the purposes of examination or inspection, but not any damage caused by the exercise of any other power.	MPPD, EHBS	The Council may only delegate this function if it has been delegated this function of the Secretary pursuant to section 89 of the Act.
Section 74	Appointment of Authorised Officers Appointing any person (including a class of persons) as an authorised officer.	MPPD, EHBS	The Council may only delegate this function if it has been delegated this function of the Secretary pursuant to section 89 of the Act.
Section 74	Appointment of Authorised Officers Revoking or amending an appointment of an authorised officer by instrument in writing	MPPD, EHBS	The Council may only delegate this function if it has been delegated this function of the Secretary pursuant to section 89 of the Act.
Section	Information Sharing Arrangement	MPPD,	

Building Products (Safety) Act 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
86	Entering into an arrangement with the Secretary for the purposes of sharing or exchanging information relating to the purposes provided for in the Act.	EHBS	
Section 86	Exchange of Information Requesting and receiving information held by the Secretary to the extent that the information is reasonably necessary to the exercise of the Secretary's functions under the Act, the administration or execution of this Act or to protect the safety of a person or property.	MPPD, EHBS	
Section 86	Exchange of Information Disclosing information to the Secretary to the extent that the information is reasonably necessary to the exercise of the Secretary's functions or to prevent or eliminate a safety risk that may arise from the use of a building product in a building.	MPPD, EHBS	

Building Products (Safety) Act 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Section 86	Investigations Referring a matter to the Secretary or conducting an investigation into a matter jointly with the Secretary.	MPPD, EHBS	
Section 87	Permits Issuing, varying or revoking a permit to a person that authorises the person to engage in any specified conduct in accordance with the Act.	MPPD, EHBS	The Council may only delegate this function if it has been delegated this function of the Secretary pursuant to section 89 of the Act.

NSW Cemeteries and Crematoria Act 2013

Cemeteries and Crematoria Act 2013			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation – all functions under the Cemeteries and Crematoria Act 2013 Exercise of all functions of council under the Act that may be legally delegated Notes: Councils have functions under the Act as a “council”, “government agencies”, “cemetery operators” and “Crown cemetery operators” (where the council is the Crown Land Manager of a Crown cemetery). As “Crown cemetery operator”, a council may delegate any of its functions (other than the power of delegation) to any other person or body: s.75	MOSR&U, AO	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Section 15	Arrangement with the Cemeteries Agency Entering into arrangements with the cemeteries agency with respect to the exercise of functions of authorised officers under the Act.	MOSR&U, AO	

Cemeteries and Crematoria Act 2013			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Notes: As “government agency”.		
Section 27	Cemeteries and Crematoria Register Notifying the Cemeteries Agency of certain matters for inclusion on the Cemeteries and Crematoria Register, including notifying of any material change in the information provided Notes: As “cemetery operator”.	MOSR&U, AO	
Section 33	Improvement notices Appealing to the Civil and Administrative Tribunal of NSW for a review of the decision by the Cemeteries Agency to issue an improvement notice to the council (as “cemetery operator”). Notes: As “cemetery operator”.	MOSR&U, AO	
Section 43	Reports and information	MOSR&U,	

Cemeteries and Crematoria Act 2013

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Providing reports to the Cemeteries Agency in the form, at such times and concerning such matters or specifying such information, as may be required by the Cemeteries Agency by notice in writing to the council. Notes: As “cemetery operator”.	AO	
Section 43	Reports and information Giving information or forwarding specified records to the Cemeteries Agency where required to do so by the Agency. Notes: As “cemetery operator”.	MOSR&U, AO	
Section 46	Interment rights Permitting: - the interment of the remains of the person to whom it relates at the site in a cemetery	MOSR&U, AO	

Cemeteries and Crematoria Act 2013

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	identified in, or in accordance with, the interment right, and - the interment in accordance with the cultural or religious practice applicable to the part of the cemetery in which the interment site is located at the time the interment right is granted, and - a memorial to the deceased person to be erected at the site with the approval of the council, and leaving: - the remains undisturbed in perpetuity (or, in the case of a renewable interment right, until such time as the remains may be disturbed or removed in accordance with the Act) unless disturbance or removal at an earlier time is requested or authorised by the holder of the interment right, and - any memorial to the deceased person lawfully erected at that site, with the permission of the council, undisturbed (provided the interment right remains in force and the memorial is kept in good repair) until such time as the memorial may be disturbed in accordance with the Act unless disturbance at an earlier time is requested or authorised by the holder of the interment right.		

Cemeteries and Crematoria Act 2013

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Notes: As “cemetery operator”.		
Section 46	Interment rights Ensuring that any remains of a person that are disturbed or removed are dealt with in accordance with any cultural or religious practices applicable to the remains. Notes: As “cemetery operator”.	MOSR&U, AO	
Section 47	Interment rights Granting an interment right entitling the person or persons to whom it is granted the exclusive right of interment in a specified interment site either in perpetuity or for a specified period (determined in accordance with s54 of the Act). Notes: As “cemetery operator”.	MOSR&U, AO	

Cemeteries and Crematoria Act 2013

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Sections 49 and 50	Interment rights Amending the council's cemetery register (on application) so as to indicate that a person has become the holder the interment right as a result of a bequest or intestacy. Notes: As "cemetery operator".	MOSR&U, AO	
Section 52	Revocation of perpetual interment rights Revoking (and giving notice of the council's intention to revoke) a perpetual interment right that the council or any other cemetery operator for the cemetery has granted Notes: As "cemetery operator".	MOSR&U, AO	
Section 52	Revocation of perpetual interment rights Negotiating with the holder of a perpetual interment right for the sale or retention of the	MOSR&U, AO	

Cemeteries and Crematoria Act 2013

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	right. Notes: As “cemetery operator”.		
Section 53	Revocation of perpetual interment rights Electing whether the form of compensation to give to the former holder of a perpetual interment right that was revoked by the council. Notes: As “cemetery operator”.	MOSR&U, AO	
Section 53	Revocation of perpetual interment rights Ensuring that any report on the council’s accounts contains an estimate of its contingent liability with respect to any interment rights it has revoked. Notes: As “cemetery operator”.	MOSR&U, AO	

Cemeteries and Crematoria Act 2013

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Section 54	Grant and renewal of renewable interment rights Granting and renewing renewable interment rights in relation to specified interment sites in a cemetery operated by the council. Notes: As “cemetery operator”.	MOSR&U, AO	
Section 54	Grant and renewal of renewable interment rights Giving notice to the holder if a renewable interment right and each person (if any) shown on the council’s register as a secondary contact with respect to the holder of the right that the right is due to expire, that it can be renewed and the fee for doing so. Notes: As “cemetery operator”.	MOSR&U, AO	

Cemeteries and Crematoria Act 2013

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Section 55	Re-use of interment sites and removal of memorials Re-using an interment site to which an expired renewable interment right related and removing any memorial to a deceased person erected on or at the site, in accordance with s.55 of the Act and cl.14 of the Regulation, and exercising all ancillary functions which must be carried out to comply with these provisions. Notes: As “cemetery operator”.	MOSR&U, AO	
Sections 56, 58, 59	Granting interment rights Granting and transferring interment rights in respect of a site in a cemetery, including entering into arrangements to transfer an interment right from a person to the council, and including applying to the Cemeteries Agency for approval, if necessary, of the grant or transfer of an interment right to a person in the circumstances contemplated by s.56(4) of the Act. Notes: As “cemetery operator”.	MOSR&U, AO	

Cemeteries and Crematoria Act 2013

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Section 60	Refusal of grant or transfer of interment rights Determining whether to refuse to grant or transfer an interment right where, in the council's opinion, the grant or transfer would tend to create a monopoly or encourage dealing in interment rights. Notes: As "cemetery operator".	MOSR&U, AO	
Section 61	Determining the holder of an interment right Determining whether a person holds an interment right, including giving notice and taking any other reasonable steps to determine the holder of an interment right before making such a determination. Notes: As "cemetery operator".	MOSR&U, AO	

Cemeteries and Crematoria Act 2013

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Section 63	Register of interment rights, memorials, cremations and interments Keeping a register of interment rights, memorials, cremations, interments and such other events as may be prescribed by the regulations ('the cemetery operator's register'). Notes: As "cemetery operator".	MOSR&U, AO	
Section 63	Register of interment rights, memorials, cremations and interments Making the council's cemetery operator's register available for public inspection free of charge. Notes: As "cemetery operator".	MOSR&U, AO	
Section 63	Register of interment rights, memorials, cremations and interments Amending the council's cemetery operator's register to remove inaccuracies or to record	MOSR&U, AO	

Cemeteries and Crematoria Act 2013

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	changes as a result of a transfer, revocation or death of the holder of an interment right. Notes: As “cemetery operator”.		
Section 63	Register of interment rights, memorials, cremations and interments Where the council ceases to direct the operations of a cemetery, ensuring that the council's cemetery operator's register is sent to the Cemeteries Agency or otherwise disposed of as the Cemeteries Agency directs. Notes: As “cemetery operator”.	MOSR&U, AO	
Section 64	Register of interment rights, memorials, cremations and interments Keeping all certificates, permits and other documents relating to any cremation carried out by it and mark them with a number corresponding to the number allocated to the cremation in the council's cemetery operator's register.	MOSR&U, AO	

Cemeteries and Crematoria Act 2013			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Notes: As “cemetery operator”.		
Section 64	Register of interment rights, memorials, cremations and interments Destroying certificates, permits and other documents relating to any cremation after 15 years from the date of the cremation to which they relate. Notes: As “cemetery operator”.	MOSR&U, AO	
Section 64	Register of interment rights, memorials, cremations and interments When a crematorium is closed, sending all registers and documents relating to the cremations that have taken place at the crematorium to the Cemeteries Agency or otherwise disposing of them as the Cemeteries Agency may direct. Notes: As “cemetery operator”.	MOSR&U, AO	

Cemeteries and Crematoria Act 2013

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Section 65	Certificates of interment rights Issuing and replacing certificates for interment rights. Notes: As “cemetery operator”.	MOSR&U, AO	
Section 66	Orders for exhumations Issuing orders for exhumations. Notes: As “cemetery operator”.	MOSR&U, AO	
Section 67	Orders for interment Issuing orders for interments. Notes: As “cemetery operator”.	MOSR&U, AO	
Section 67	Orders for interment	MOSR&U,	

Cemeteries and Crematoria Act 2013

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Setting down the procedure to be followed to obtain an order for interment. Notes: As “cemetery operator”.	AO	
Section 68	Hours of burial Determining the times at which internments are to take place. Notes: As “cemetery operator”.	MOSR&U, AO	
Section 69	Heritage advisory committee Establishing and seeking the advice of a heritage advisory committee. Notes: As “cemetery operator”.	MOSR&U, AO	
Section 90	Strategic plans Preparing a draft strategic plan for the management of the operation of each Crown cemetery for which the council is responsible, in accordance with s.90 of the Act, and submitting the draft plan to the Cemeteries Agency for review.	MOSR&U, AO	

Cemeteries and Crematoria Act 2013

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Notes: As “Crown cemetery operator”.		
Section 90	Strategic plans Advising the Cemeteries Agency if the council wishes to exercise its functions in a manner inconsistent with an approved strategic plan. Notes: As “Crown cemetery operator”.	MOSR&U, AO	
Section 90	Strategic plans Ensuring that an approved strategic plan is published in the Gazette and made available to members of the public upon request. Notes: As “Crown cemetery operator”.	MOSR&U, AO	
Section 93	Preparation of draft plan of management	MOSR&U,	

Cemeteries and Crematoria Act 2013

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Preparing a draft plan of management for a Crown cemetery or cemeteries operated by the council. Notes: As “Crown cemetery operator”.	AO	
Section 99	Annual report Submitting at the end of each financial year an annual report to the Cemeteries Agency of the council’s operations in connection with the Crown cemeteries under the council’s control. Notes: As “Crown cemetery operator”.	MOSR&U, AO	
Section 106	Planning, conduct and maintenance Making such provision as it considers necessary for any of the matters set out in s.106 of the Act. Notes: As “Crown cemetery operator”.	MOSR&U, AO	

Cemeteries and Crematoria Act 2013			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Section 107	Planning, conduct and maintenance Giving notice to the Cemeteries Agency of a fee or charge set by the council. Notes: As “Crown cemetery operator”.	MOSR&U, AO	Council cannot delegate the function of "fixing" a fee: s.377(1)(e) Local Government Act 1993.
Section 107	Planning, conduct and maintenance Waiving payment of the whole or any part of any fee or charge set under s.107 of the Act. Notes: As “Crown cemetery operator”.	MOSR&U, AO	Council cannot delegate the function of "fixing" a fee: s.377(1)(e) Local Government Act 1993.
Schedule 4, clause 3	Conversion of cemeteries into public parks Giving notice of a resolution by the council to apply for the conversion of the whole or any part of land within a cemetery into a public park.	MOSR&U, AO	

Cemeteries and Crematoria Act 2013			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Notes: As “council”.		
Schedule 4, clause 5	Conversion of cemeteries into public parks Furnishing information to the Minister in relation to an application by the council for the whole or any part of the land within a cemetery to be declared a public park.	MOSR&U, AO	
Schedule 4, clause 9	Conversion of cemeteries into public parks Maintaining as a rest park land converted from a cemetery to a public park and for which the council is the sole Crown land manager.	MOSR&U, AO	
Schedule 4, clause 10	Conversion of cemeteries into public parks Depositing s burial register and/or supplementary burial register for land converted from a cemetery to a public park at the Mitchell Library, Sydney.	MOSR&U, AO	

Cemeteries and Crematoria Act 2013

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

Cemeteries and Crematoria Act 2013

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Schedule 4, clause 11	Conversion of cemeteries into public parks Advertising the council's intention to remove a monument on land converted from a cemetery to a public park.	MOSR&U, AO	
Schedule 4, clause 13	Conversion of cemeteries into public parks Causing any remains or ashes unearthed or disturbed to be reverently interred anywhere within the land converted from a cemetery to a public park.	MOSR&U, AO	
Schedule 4, clause 14	Conversion of cemeteries into public parks Maintaining any buildings that were in existence on land converted from a cemetery to a public park at the date of conversion.	MOSR&U, AO	
Schedule 4,	Conversion of cemeteries into public parks	MOSR&U,	

Cemeteries and Crematoria Act 2013

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

Cemeteries and Crematoria Regulation 2022

Cemeteries and Crematoria Regulation 2022			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation – all functions under the Cemeteries and Crematoria Regulation 2022 Exercise of all functions of council under the Regulation that may be legally delegated.	MOSR&U, AO	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Regulation 4C	Application for licence Applying to the Cemeteries Agency for a grant of a licence.	MOSR&U, AO	
Regulation 4O	Voluntary surrender or suspension of licence Applying to the Cemeteries Agency for a cancellation or suspension of its licence.	MOSR&U, AO	

Cemeteries and Crematoria Regulation 2022

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Regulation 4P	Review by Cemeteries Agency Applying to the Cemeteries Agency for a review a decision by the Cemeteries Agency of a kind listed at reg. 4P(1) of the Regulation.	MOSR&U, AO	
Regulation 4Q	Review by NCAT Applying to the NSW Civil and Administrative Tribunal for an administrative review of a decision by the Cemeteries Agency of a kind listed at reg. 4Q(1) of the Regulation.	MOSR&U, AO	

Child Protection (Working With Children) Act 2012

Child Protection (Working With Children) Act 2012			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation – all functions under the Child Protection (Working With Children) Act 2012 Exercise of all functions of council under the Act that may legally be delegated. Notes: Council is an “employer” and also a “government agency”.	DCS	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.

Child Protection (Working With Children) Regulation 2013

Child Protection (Working With Children) Regulation 2013			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation – all functions under the Child Protection (Working With Children) Regulation 2013 Exercise of all functions of council under the Regulation that may legally be delegated. Notes: Council is an “employer” and also a “government agency”.	MACLS, LB, LO	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.

Children (Protection and Parental Responsibility) Act 1997

Children (Protection and Parental Responsibility) Act 1997			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation – all functions under the Children (Protection and Parental Responsibility) Act 1997 Exercise of all functions of council under the Children (Protection and Parental Responsibility) Act 1997 that may be legally delegated.	MHRWDS	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Section 14	Operational area Requesting that the Attorney General declare the Council's local government area to be an operational area for the purposes of Part 3 Division 2 of the Children (Protection and Parental Responsibility) Act 1997.	MHRWDS	
Section 15	Duration of declaration Reporting to the Attorney General when requested on the implementation and effectiveness of the powers conferred by Part 3 Division 2 of the Children (Protection and Parental Responsibility) Act 1997.	MHRWDS	

Children (Protection and Parental Responsibility) Act 1997

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Notes: The powers conferred by Part 3 Division 2 apply to police officers and are relevant to the removal of children from public places. These are not council functions.		
Section 16	Amendment or revocation of declaration Requesting that the Attorney General amend or revoke an order declaring an area (or portion of an area) to be an operational area.	MHRWDS	
Various – Part 4	General delegation – all functions under Part 4 of the Child (Protection and Parental Responsibility) Act 1997 Exercise of all functions of council under Part 4 of the Children (Protection and Parental Responsibility) Act 1997 that may legally be delegated, including the preparation, notification, adoption, amendment and revocation of local crime prevention plans.	MHRWDS	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Section 31	Preparation of draft local crime prevention plans Preparing a draft local crime prevention plan for the local government area (or part of the area), including requesting that the	MHRWDS	

Children (Protection and Parental Responsibility) Act 1997

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Attorney General give assistance in preparing the draft local crime prevention plan, and taking such steps as the delegate considers appropriate or necessary to publicise its intention to prepare a draft local crime prevention plan and seeking and considering submissions from members of the community of the area and the public generally		
Section 34	Public notice of draft local crime prevention plans Giving public notice of a draft local crime prevention plan and placing the plan on public exhibition in accordance with s.34 of the Children (Protection and Parental Responsibility) Act 1997.	MHRWDS	
Section 35	Adoption of local crime prevention plan Deciding whether to amend a draft local crime prevention plan or adopt it without amendment as a local crime prevention plan for the relevant local government area (or part of the area).	MHRWDS	
Section 35	Adoption of local crime prevention plan Placing an amended draft local crime prevention plan on public exhibition (at the discretion of the delegate).	MHRWDS	

Children (Protection and Parental Responsibility) Act 1997

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Section 36	Duration of local crime prevention plan Specifying the duration for which a local crime prevention plan has effect.	MHRWDS	
Section 37	Amendment or revocation of local crime prevention plan Exhibiting publicly any proposed amendment to a local crime prevention plan before adopting the amendment.	MHRWDS	
Section 38	Public availability of local crime prevention plans Publishing a local crime prevention plan (“the plan”) in a newspaper circulating generally in the local government area and the Gazette, within 14 days after adoption of the plan.	MHRWDS	
Section 38	Public availability of local crime prevention plans Giving notice of a revocation of a local crime prevention plan (“the plan”) or causing a copy of amendments to the plan to be published in a newspaper circulating generally in the local government area and the Gazette, within 14 days after the amendment or revocation of the plan.	MHRWDS	
Section 39	Approval of crime prevention plan	MHRWDS	

Children (Protection and Parental Responsibility) Act 1997

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Requesting that the Attorney General approve a draft local crime prevention plan prepared, or local crime prevention plan adopted, by the Council as a “safer community compact”.		
Section 40	Effect of approval Applying to the Attorney General for the grant of financial assistance in respect of an actual or proposed safer community compact.	MHRWDS	
Section 41	Council to report periodically on implementation of compact Assessing and reporting to the Minister, as and when required by the Minister, on the implementation and effectiveness of the compact.	MHRWDS	
Section 44	Monitoring of complaints from community Monitoring, identifying, and advising the Attorney General, if requested to do so by the Attorney General, on trends in complaints relating to action taken in the operational area under the Children (Protection and Parental Responsibilities) Act 1997 or the compact.	MHRWDS	

Children's Guardian Act 2019

Children's Guardian Act 2019			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Section 29(2)	Head of a relevant entity to give written notice to Children's Guardian Giving written notice to the Children's Guardian about a reportable allegation in relation to a Council employee or conviction considered to be a reportable conviction.	GM	
Section 29(5)	Head of a relevant entity may give notice to the employee subject to a written notice Giving notice to an employee that a report about a reportable allegation or conviction considered to be a reportable conviction has been made in respect of the employee.	GM	

Civil and Administrative Tribunal Act 2013

Civil and Administrative Tribunal Act 2013			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation – all functions under the Civil and Administrative Tribunal Act 2013 Exercise of all functions of council under the Act that may be legally delegated.	MHRWDS	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.

Community Land Development Act 2021

Community Land Development Act 2021			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation - all functions under the Community Land Development Act 2021 Exercising all of the functions of council under the Act that can legally be delegated.	MPPD, B&PC, DCS	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.

Companion Animals Act 1998

Companion Animals Act 1998 (NSW)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation - all functions under the Companion Animals Act 1998 Exercising all of the functions of council under the Act that can legally be delegated.	RAN, MOSR&U	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.

Companion Animals Regulation 2018

Companion Animals Regulation 2018 (NSW)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Part 3	General delegation – registering companion animals Registering companion animals. Includes associated functions such as cancelling registrations, reinstating registrations, satisfying notification requirements, etc.	RAN, MOSR&U	

Contaminated Land Management Act 1997

Contaminated Land Management Act 1997			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation - all functions under the Contaminated Land Management Act 1997 Exercise of all functions of council under the Act that may be legally delegated.	CCO	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.

Conveyancing Act 1919

Conveyancing Act 1919			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation - all functions under the Conveyancing Act 1919 Exercise of all functions of council under the Act that may be legally delegated.	MPPD, B&PC, DCS	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993

Crown Land Management Act 2016

Crown Land Management Act 2016			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation – all functions under the Crown Lands Management Act 2016 Exercise of all functions of council under the Act that may be legally delegated.	CCO	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.

Crown Land Management Regulation 2018

Crown Land Management Regulation 2018			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation – all functions under the Crown Land Management Regulation 2018 Exercise of all functions of council under the Crown Land Management Regulation that may be legally delegated.	CCO	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.

Dams Safety Act 2015

Dams Safety Act 2015			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation – all functions under the Dams Safety Act 2015 Exercise of all functions of council under the Act that may be legally delegated. (Councils are public authorities under the Act)	DI	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Section 49	Arrangements with public authorities Entering into an arrangement or agreement with Dams Safety NSW that the Council may act as agent of Dams Safety NSW for the purposes of the Dams Safety Act 2015.	DI	
Section 49	Acting as an agent of Dams Safety NSW in accordance with any arrangement or agreement made pursuant to s.49 of the Dams Safety Act 2015	DI	Subject to such terms and conditions as may be agreed on by Dams Safety NSW and the public

Dams Safety Act 2015			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			authority

DI 1 - Contracts

Director of Infrastructure			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
DI 1 - Contracts	Authority to sign contracts for the provision of works and services, other than those requiring the Council Seal, subject to consultation with the General Manager and approval under the Council's adopted Procurement Policy/Procedure.	GM, SAC&ED, DCS	

District Court Act 1973

District Court Act 1973			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation – all functions under the District Court Act 1973 Exercise of all functions of council under the Act that may be legally delegated.	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.

Employment Protection Act 1982

Employment Protection Act 1982			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation – all functions under the Employment Protection Act 1982 Exercise of all functions of council under the Act that may be legally delegated. Notes: Council has functions as an “employer” pursuant to s.4 of the Act and s.5 of the Industrial Arbitration Act 1940.	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.

Environmental Planning and Assessment Act 1979

Environmental Planning and Assessment Act 1979 (NSW)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation – all functions under the Environmental Planning and Assessment Act 1979 Exercise of all functions of council under the Environmental Planning and Assessment Act 1979 that may be legally delegated, including all functions of council under all State Environmental Planning Policies, except the State Environmental Planning Policy (Biodiversity and Conservation) 2021	RAN, MPPD, EHBS, DCS	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993. Delegation of functions to be exercised in respect of community land are limited by Division 2 of Part 2 of the Local Government Act 1993. Council can only directly delegate to the general manager or another "person or body" (e.g. a committee) but not Council employees: section 377(1). The general manager can sub-delegate to Council employees or other persons or bodies: section 378(2).

Environmental Planning and Assessment Regulation 2021

Environmental Planning and Assessment Regulation 2021			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation – all functions under the Environmental Planning and Assessment Regulation 2021 Exercise of all functions of council under the Regulation that may be legally delegated.	MPPD, EHBS, DCS	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.

Finance 1 - Bank Account Signatory

Financial Delegations			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Finance 1 - Bank Account Signatory	Act as a signatory to the Council's bank account/s.	MFT, DCS	

Finance 2 - Electronic Funds Transfers

Financial Delegations			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
F2 - Electronic Funds Transfers	Certify electronic funds transfers and cheque runs.	MFT, DCS	

Finance 3 - Fee Waivers/Write Offs

Financial Delegations			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
F3 - Fee Waivers/Write Offs	Write off or waiver fees and charges up to the amount specified in Council's Write-Off Policy.	MFT, DCS	

Finance 4 - Debt Recovery

Financial Delegations			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
F4 - Debt Recovery	Instruct Council's debt recovery agents to commence legal proceedings in respect of debt recovery matters for recovery of outstanding rates and charges and sundry debtors.	MFT, RO 1, RO 2, DCS	

Finance 5 - Land Valuations

Financial Delegations			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
F5 - Land Valuations	Exercise the Council's functions under the Valuation of Land Act 1916 (NSW), including the making of applications for the valuation of land within the Tenterfield Local Government Area.	MFT, DCS	

Fisheries Management Act 1994

Fisheries Management Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation - all functions under the Fisheries Management Act 1994 Exercise of all functions of council under the Act that may be legally delegated.	DI	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.

Fluoridation of Public Water Supplies Act 1957

Fluoridation of Public Water Supplies Act 1957			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation – all functions under the Fluoridation of Public Water Supplies Act 1957 Exercise of all functions of council under the Act that may be legally delegated.	MW&W, DI	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.

Food Act 2003

Food Act 2003 (NSW)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation - all functions under the Food Act 2003 Exercising all of the functions of council that may be legally delegated under the Act. (Council has responsibilities under the Food Act 2003 only where council is appointed as an “enforcement agency” by the NSW Food Authority: see sections 4 and 111.)	MPPD, EHBS, DCS	Council cannot delegate any of the functions listed in section 377(1) of the Local Government Act 1993. Council may only delegate to members of council staff where it has written authorisation to do so from the NSW Food Authority: section 109E.

General Authority Human Resources 1 - Authorise Leave

General Authority Human Resources			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
GAHR 1 - Authorise Leave	Authorise staff timesheets, overtime, sick and annual leave, long service leave, special employee leave, leave without pay, job share arrangements, temporary motor vehicle leases and attendance at seminars within New South Wales.	EA&M, MHRWDS, LB, MFT, MPPD, DI, DCS	

General Authority Human Resources 2 - Direct and Control Staff

General Authority Human Resources			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
GAHR 2 - Direct and Control Staff	Direct and Control Council Staff in the performance of their duties.	RC, EA&M, SAC&ED, MHRWDS, LB, MFT, MPPD, DI, DCS	

General Authority Human Resources 5 - Sign Correspondence - General

General Authority Human Resources			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
GAHR 5 - Sign Correspondence - General	Sign correspondence relating to the functions of the position held on behalf of Council except for correspondence: (a) to the Ombudsman and ICAC; (b) to the Prime Minister, Premier, Ministers (Federal or State), Members of Parliament (Federal Or State); (c) relating to staff appointments; (d) to government departments of a controversial nature; (e) considered to require the General Manager's signature; and	SP, RAN, RC, EA&M, RO 1, RO 2, EHBS, B&PC, WHS&RMC, BC	

General Authority Human Resources			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	(f) to Councillors. NB: All correspondence to be signed in accordance with Council's Corporate Style Guide.		

General Authority Human Resources 6 - Sign Correspondence - Manager Level (except Public Officer)

General Authority Human Resources			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
GAHR 6 - Sign Correspondence - Manager Level (except Public Officer)	Sign correspondence relating to the functions of the position held on behalf of Council except for correspondence: (a) to the Ombudsman and ICAC; (b) to the Prime Minister, Premier, or Ministers 9Federal or State); (c) to government departments of a controversial nature; (d) considered to require the General Manager's signature; and (e) to Members of Parliament on contentious issues	SAC&ED, MHRWDS, LB, MFT, MPPD	

General Authority Human Resources			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	NB: All correspondence to be signed in accordance with Council's Corporate Style Guide.		

General Authority Human Resources 7 - Sign Correspondence - All (exceptions)

General Authority Human Resources			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
GAHR 7 - Sign Correspondence - All (exceptions)	Sign correspondence relating to the functions of the position held on behalf of Council except for correspondence: (a) considered to require the General Manager's signature; and (b) to Members of Parliament on contentious issues. NB: All correspondence to be signed in accordance with Council's Corporate Style Guide.	DI, DCS	

General Authority Human Resources 9 - Council Seal

General Authority Human Resources			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
GAHR 9 - Council Seal	Authorise care and control of the Council Seal in accordance with the Local Government (General) Regulation 2005.	GM, DCS	

Gas Supply Act 1996

Gas Supply Act 1996			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation – all functions under the Gas Supply Act 1996 Exercise of all functions of council or roads authority under the Gas Supply Act 1996 that may legally be delegated.	DI	Council cannot delegate any of the functions listed in section 377(1) of the Local Government Act 1993.

Government Information (Public Access) Act 2009

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

Government Information (Public Access) Act 2009

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Section 7	Access to government information generally Reviewing the council's program for the release of government information at least annually.	RC, EA&M, AEA&M	The functions of an agency under this section may only be exercised by or with the authority of the principal officer of the agency.
Section 8	Access to government information generally Releasing information in response to an informal request, including imposing reasonable conditions.	RC, AO	The functions of an agency under this section may only be exercised by or with the authority of the principal officer of the agency.
Section 16	Providing assistance Providing advice and assistance to a person who requests or proposes to request access to government information.	MCSGR, CCO	
Sections 20 and 21	Open access information Making an agency information guide and reviewing, updating and amending guide.	MCSGR, CCO	
Section 25	Open access information Keeping a disclosure log that contains information about access applications	MCSGR, CCO	

Government Information (Public Access) Act 2009

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

Government Information (Public Access) Act 2009

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

Government Information (Public Access) Act 2009

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

Government Information (Public Access) Act 2009

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	valid.		
Section 52	Dealing with access applications Providing reasonable advice and assistance to assist an applicant to provide such information as may be necessary to make a valid access application.	MCSGR, CCO	
Section 54	Dealing with access applications Consulting with relevant persons regarding the disclosure of personal information regarding that person, information relating to that person's business, commercial, professional or financial interests, or where the information concerns the affairs of a government of the Commonwealth or another State (and the person is that government).	MCSGR, CCO	
Section 54	Dealing with access applications Giving written notice to relevant persons where information about that person is likely to be included in council's disclosure log in relation to an access application.	MCSGR, CCO	
Section 54A	Consultation with other agencies	RC	

Government Information (Public Access) Act 2009

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Consulting with any other agency to determine whether there is an overriding public interest against disclosure or to identify a person that may be required to be consulted.		
Section 55	Dealing with access applications Requiring an applicant to provide evidence concerning any personal factors of the application that were relevant to the council's decision that there was not an overriding public interest against disclosure and requiring the applicant to take reasonable steps to provide proof of his or her identity.	RC	
Section 56	Dealing with access applications Deciding whether to include information in the disclosure log where a person objects to the inclusion of that information.	MCSGR, CCO	
Section 56	Dealing with access applications Giving notice to an objector of council's decision as to whether or not to include information in council's disclosure log in relation to an access application.	MCSGR, CCO	
Sections 57	Dealing with access applications	MCSGR,	

Government Information (Public Access) Act 2009

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
and 58	Determining access applications. (See Part 4, Division 4 for detailed requirements for determining access applications.)	CCO	
Section 57	Dealing with access applications Entering into an agreement with an applicant for access to government information to extend the decision period.	MCSGR, CCO	
Section 57	Dealing with access applications Giving notice to an applicant for access to government information of any extension of the decision period and indicating the date on which the decision period will end.	MCSGR, CCO	
Section 64	Dealing with access applications Imposing a processing charge for dealing with an access application at a rate of \$30 per hour for each hour of processing time.	MCSGR, CCO	
Sections 65	Dealing with access applications	MCSGR,	

Government Information (Public Access) Act 2009

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

Government Information (Public Access) Act 2009

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

Government Information (Public Access) Act 2009

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Section 125	Reports to Parliament Preparing an annual report on the council's obligations under the Act, to be provided to the Minister and the Information Commissioner.	MCSGR, CCO	
Section 127	Fees Waiving, reducing or refunding any fee or charge payable or paid under the Act.	MCSGR, CCO	

Graffiti Control Act 2008

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

Heavy Vehicle National Law (NSW) 2013

Heavy Vehicle National Law (NSW) 2013			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation – all functions under the Heavy Vehicle National Law (NSW) 2013 Exercise of all functions of a road authority or road manager under the Heavy Vehicle National Law (NSW) 2013. Notes: Council can delegate these functions only if it is the relevant road manager for the purposes of the Heavy Vehicle National Law (NSW).	MW, DI	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.

Heritage Act 1977

Heritage Act 1977			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation - all functions under the Heritage Act 1977 Exercise of all functions of council under the Act that may be legally delegated.	MPPD, DCS	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.

Housing Act 2001

Housing Act 2001			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation – all functions under the Housing Act 2001 Exercise of all functions of council and public authority under the Housing Act 2001 that may be legally delegated.	CCO	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.

Independent Pricing and Regulatory Tribunal Act 1992

Independent Pricing and Regulatory Tribunal Act 1992			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Section 9	Arrangements with other entities Entering into an arrangement with the Tribunal, conditional upon the approval of the Minister.	DCS	

Land Acquisition (Just Terms Compensation) Act 1991

Land Acquisition (Just Terms Compensation) Act 1991			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation – all functions under the Land Acquisition (Just Terms Compensation) Act 1991 Exercise of all functions of council under the Act that may be legally delegated.	DI	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993. Specifically, council cannot delegate the function of deciding to compulsorily acquire land or other property: section 377(1)(h) of the Local Government Act 1993.

Land and Environment Court Act 1979

Land and Environment Court Act 1979			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Section 34	Conciliation conferences Participating in good faith in a conciliation conference where arranged by the Land and Environment Court in Class 1, 2 or 3 proceedings, including taking all reasonable steps to give effect to the terms of any decision which is acceptable to the delegate and the other party (or parties), including signing a s.34 agreement.	DCS	
Section 34A	Conciliation conference Where an agreement has not been reached at a s.34 conciliation conference, giving or refusing to give consent for the same Commissioner who presided over the s.34 a conciliation conference to dispose of the proceedings following a hearing or on the basis of what has occurred at the conciliation conference.,	DCS	

Library Act 1939

Library Act 1939			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation - all functions under the Library Act 1939 Exercise of all functions of council under the Act that may be legally delegated.	LB, DCS	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.

Library Regulation 2018

Library Regulation 2018			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation – all functions under the Library Regulation 2018 Exercise of all functions of council under the Library Act 1939 that may be legally delegated.	LB, DCS	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.

Liquor Act 2007

Liquor Act 2007			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation - all functions under the Liquor Act 2007 Exercise of all functions of council under the Act that may be legally delegated.	RAN, MOSR&U	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.

Liquor Regulation 2018

Liquor Regulation 2018			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation – all functions under the Liquor Regulation 2007 Exercise of all functions of council under the Act that may be legally delegated.	RAN, MOSR&U	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.

Local Court Act 2007

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

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

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

Local Government (General) Regulation 2021

Local Government (General) Regulation 2021			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Regulation 166	Tendering Deciding the tender method to be used.	MA&PP, DI, DCS	
Regulations 167 - 169	Making a tender submission Publishing advertisements inviting tenders.	MA&PP, DI, DCS	
Regulation 170	Making a tender submission Informing relevant persons of amendments to tender proposal documents issued by council.	MA&PP, DI, DCS	
Regulation 171 - 172	Tendering Shortening or extending a tender period and keeping a record of the circumstances of the shortening or extending of the time period and the council staff member handling the matter.	MA&PP, DI, DCS	

Local Government (General) Regulation 2021

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Regulation 174	Tendering Providing a secure tender box for the safe custody of tenders.	DI, DCS	
Regulation 176	Tender submissions Requesting or determining whether or not to consent to the variation of a tender submission. Keeping a record of the circumstances of variations to tenders and the council staff member handling the matter.	MA&PP, DI, DCS	
Regulation 177	Tendering Assessing tenders.	MA&PP, MCSGR, DI	
Regulation 179	Tendering Notifying acceptance of the successful tender.	MA&PP, DI, DCS	

Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021

Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation – all functions under the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021 Exercise of all functions of council under the Regulation that may be legally delegated.	MPPD, DCS	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Regulation 69	Certificates of completion Issuing a certificate of completion for a home or structure, or a written notice that states why such a certificate is not being issued	EHBS	

Local Government Act 1993

Local Government Act 1993 (NSW)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation - exercise of all functions under the Local Government Act 1993 Exercise of all functions of council under the Act that may be lawfully delegated.	ITO, MFT, DCS	Council cannot delegate the functions listed in section 377(1). Council can only directly delegate to the general manager or another "person or body" (e.g. a committee) but not Council employees: section 377(1). The general manager can sub-delegate to Council employees or other persons or bodies: section 378(2). Despite s377(1), council may delegate its functions relating to the granting of financial assistance if certain conditions are met: s377(1A)
Sections 332 and 333	Council's organisation structure Determining and re-determining an organisation structure, the positions to be included in that	MCSGR, SAC&ED, MHRWDS, MACLS, LB, MFT, RO 1, RO 2, MPPD, EHBS,	

Local Government Act 1993 (NSW)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	structure and the resources to be allocated to the employment of staff. Notes: Council must review, and may re-determine, the organisation structure within 12 months of any ordinary election of the council	MW, LO, B&PC, MW&W, WHS&RMC, MOSR&U, WO, DI	

Local Government and Other Authorities (Superannuation) Act 1927

Local Government and Other Authorities (Superannuation) Act 1927			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation – all functions under the Local Government and Other Authorities (Superannuation) Act 1927 Exercise of all functions of council under the Regulation that may be legally delegated.	DCS	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.

Major Events Act 2009

Major Events Act 2009			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Various, Sections 15, 20	General delegation – all functions under the Major Events Act 2009 Exercise of all functions of a government agency under the Major Events Act 2009 that may be legally delegated.	GM	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.

Road Transport Act 2013

Road Transport Act 2013 (NSW)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation Exercise of all the functions of council under the Act that may be legally delegated. Notes: Under section 142, the Council has functions under the Act as the 'appropriate roads authority' in relation to roads within its local government area	MA&PP, RAN, MOSR&U, DI	Council cannot sub-delegate the functions listed in section 377(1) of the Local Government Act 1993.

Ombudsman Act 1974

Ombudsman Act 1974			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation – all functions under the Ombudsman Act 1974 Exercise of all functions of council under the Act that may be legally delegated.	DCS	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.

Pesticides Act 1999

Pesticides Act 1999			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation Exercise of all functions given to council in its capacity as a public authority under the Pesticides Act 1999 that may be legally delegated.	MOSR&U, WO	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.

Procurement and Financial Delegation 2 - Authorise expenditure not exceeding \$249,999

Procurement and Financial			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
PFD 2 - Authorise expenditure not exceeding \$249,999	Authorise expenditure of money on works, services, facilities and goods for Council not exceeding \$249,999 (excluding GST) in accordance with approved budget limits, the requirements of the Local Government Act 1993 and Local Government (General) Regulations 2021, the Council's adopted Purchasing Policy and sign documents arising therefrom.	DI	

Procurement and Financial Delegation 3 - Authorise expenditure not exceeding \$50,000

Procurement and Financial			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
PFD 3 - Authorise expenditure not exceeding \$50,000	Authorise expenditure of money on works, services, facilities and goods for Council not exceeding \$50,000 (excluding GST) in accordance with approved budget limits, the requirements of the Local Government Act 1993 and Local Government (General) Regulations 2021, the Council's adopted Purchasing Policy and sign documents arising therefrom.	MHRWDS, MFT, MPPD	

PFD 4 - Authorise expenditure not exceeding \$10,000

Financial Delegations			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
PFD 4 - Authorise expenditure not exceeding \$10,000	Authorise expenditure of money on works, services, facilities and goods for Council not exceeding \$10,000 (excluding GST) in accordance with approved budget limits, the requirements of the Local Government Act, 1993 & Regulations, the council's adopted Purchasing Policy and sign documents arising therefrom.	EA&M, AEA&M	

Procurement and Financial Delegation 5 - Authorise expenditure not exceeding \$5,000

Procurement and Financial			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
PFD 5 - Authorise expenditure not exceeding \$5,000	Authorise expenditure of money on works, services, facilities and goods for Council not exceeding \$5,000 (excluding GST) in accordance with approved budget limits, the requirements of the Local Government Act 1993 and Local Government (General) Regulations 2021, the Council's adopted Purchasing Policy and sign documents arising therefrom.	SP, LB, B&PC, BC	

Pipelines Act 1967

Pipelines Act 1967			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation – all functions under the Pipelines Act 1967 Exercise of all functions of a public authority under the Pipelines Act 1967 that may legally be delegated, and all functions of an owner under the Act that may legally be delegated, but the latter only in relation to lands owned by or vested in the Council, or lands and Crown lands owned by or vested in the Council on behalf of the Crown.	DI	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.

Privacy and Personal Information Protection Act 1998

Privacy and Personal Information Protection Act 1998			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation – all functions under the Privacy and Personal Information Protection Act 1998 Exercise of all functions of a “public sector agency” and “investigative agency” under the Act that may be legally delegated. Notes: A council is a “public sector agency” per para (f) of the definition of public sector agency in s.3 of the Act. A council is also, therefore, an “investigative agency” per para (b) of its definition in s.3.	EA&M, SAC&ED, MHRWDS, WHS&RMC, DCS	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.

Protection of the Environment Operations (Clean Air) Regulation 2022

Protection of the Environment Operations (Clean Air) Regulation 2022			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Regulation 18	Authorising burning Granting, revoking and amending an approval for the burning of dead and dry vegetation in the council's local government area (This function may only be exercised by the councils specified in Schedule 1, Part 2)	DI, MOSR&U	

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

Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2019			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation – all functions under the Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2019 Exercise of all functions of council under the Regulation that may be legally delegated.	MPPD, EHBS, DCS	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.

Protection of the Environment Operations Act 1997

Protection of the Environment Operations Act 1997 (NSW)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation - all functions under the Protection of the Environment Operations Act 1997 Exercise of all functions of council under the Act that may be legally delegated.	MPPD, EHBS, MW&W, MOSR&U, DCS	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Section 91	Issuing clean-up and prevention notices Issuing clean-up notices.	RAN, MOSR&U	
Section 91A	Issuing clean-up and prevention notices Issuing supplementary clean-up notices.	RAN, MOSR&U	
Section 92	Issuing clean-up and prevention notices Taking such clean-up action as it considers necessary if it reasonably suspects that a pollution incident has occurred or is occurring.	RAN, MOSR&U	

Protection of the Environment Operations Act 1997 (NSW)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	(Clean-up action can be taken by council through its employees, agents or contractors: section 92.)		
Section 96	Issuing clean-up and prevention notices Issuing prevention notices.	RAN, MOSR&U	
Section 96A	Issuing clean-up and prevention notices Issuing supplementary prevention notices.	RAN, MOSR&U	
Section 98	Issuing clean-up and prevention notices Taking action to cause a prevention notice to be complied with if the person to whom it is issued does not comply. (Action can be taken by council through its employees, agents or contractors: section 98.)	RAN, MOSR&U	
Section 104	Issuing clean-up and prevention notices	RAN, MOSR&U	

Protection of the Environment Operations Act 1997 (NSW)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Issuing compliance cost notices.		
Section 105	Issuing clean-up and prevention notices Bringing court proceedings to recover unpaid amounts specified in compliance cost notices as a debt.	RAN, MOSR&U	
Section 106	Issuing clean-up and prevention notices Applying to the Registrar-General for registration of a compliance cost notice in relation to any land owned by the person to whom the notice was issued	RAN, MOSR&U	
Section 110	Issuing clean-up and prevention notices Revoking or varying notices.	RAN, MOSR&U	
Sections 192 and 212A	Investigations Requiring a person, by written notice, to furnish information or records in relation to any matter regarding the council's responsibilities or functions under the POEO and revoking or varying such a notice.	RAN, MOSR&U	
Section 200	Investigations	RAN, MOSR&U	

Protection of the Environment Operations Act 1997 (NSW)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Requiring the owner or occupier of premises to provide an authorised officer with reasonable assistance and facilities while entering or searching the premises.		

Public Health Act 2010

Public Health Act 2010 (NSW)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Section 44	Improvement notices and prohibition orders Taking the action required under an improvement notice issued to the occupier of premises at which there is a regulated system or a public swimming pool or spa pool or premises at which a person carries out skin penetration procedures where the occupier of those premises fails to comply with the improvement notice.	MPPD, EHBS, DCS	
Section 45	Improvement notices and prohibition notices Serving a prohibition order on the occupier of premises at which there is a regulated system or a public swimming pool or spa pool or premises at which a person carries out skin penetration procedures where the occupier of those premises has failed to comply with an improvement notice.	MPPD, EHBS, DCS	
Section 49	Prohibition order Determining the amount of compensation payable by the council to a person to whom a prohibition order	MPPD, EHBS,	

Public Health Act 2010 (NSW)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	was issued by the council where the order was not made in good faith or there were no grounds for the order and the person suffered a loss as a result of the order,	DCS	
Section 126	Appointment of authorised officers Appointing a member of council staff to be an authorised officer, either generally or in relation to any particular function exercisable by authorised officers under this Act or the Local Government Act 1993 relating to public health.	MPPD, EHBS, DCS	

Public Interest Disclosures Act 2022

Public Interest Disclosures Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation – all functions under the Public Interests Disclosures Act 1994 Exercise of all functions of council under the Act that may be legally delegated.	MCSGR, CCO	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.

Public Spaces (Unattended Property) Act 2021

Public Spaces (Unattended Property) Act 2021			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Various - Dealing with unattended property	Various – Dealing with unattended property	RAN, MOSR&U	Council cannot delegate the functions listed in s.377(1) of the Local Government Act 1993.

Public Spaces (Unattended Property) Regulation 2022

Public Spaces (Unattended Property) Regulation 2022			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation – all functions under the Public Spaces (Unattended Property) Regulation 2022 Exercise of all functions of council under the Regulation that may be legally delegated.	RAN, MOSR&U	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.

Public Works and Procurement Act 1912

Public Works and Procurement Act 1912			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation – all functions under the Public Works and Procurement Act 1912 Exercise of all functions of council under the Act that may be legally delegated.	DI	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.

Public Works and Procurement Regulation 2019

Public Works and Procurement Regulation 2019			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation – all functions under the Public Works and Procurement Regulation 2019 Exercise of all functions of council under the Act that may be legally delegated.	DI	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.

NSW Real Property Act 1900

Real Property Act 1900			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation – all functions under the Real Property Act 1900 Exercise of all functions of council under the Act that may be legally delegated.	CCO	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.

Restricted Premises Act 1943

Restricted Premises Act 1943			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation – all functions under the Restricted Premises Act 1943 Exercise of all functions of a local council under the Restricted Premises Act 1943 that may legally be delegated.	MPPD, EHBS, DCS	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.

Road Transport (General) Act 2005

Road Transport (General) Act 2005			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation – all functions under the Road Transport (General) Act 2005 Exercise of all functions of council under the Act that may be legally delegated.	DI, MOSR&U	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.

Road Transport (Safety and Traffic Management) Act 1999

Road Transport (Safety and Traffic Management) Act 1999			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Section 75	Appointing authorised officers Appointing authorised officers for the purpose of the removing dangers and obstructions to traffic on a road or road related area within council's local government area.	DI, MW	

Roads Act 1993

Roads Act 1993 (NSW)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation - all functions under the Roads Act 1993 Exercise of all functions of council under the Act that may be legally delegated. Notes: All of the functions of council under the Act in its capacity as a “roads authority” do not need to be delegated. Under section 253, “employees”, “agents” and “independent contractors” of a roads authority have express power to carry out any of its functions. Council is the roads authority for all public roads in its area other than any freeway or Crown road and any public road for which some other public authority is declared by the regulations to be the roads authority.	MA&PP, MW, DI	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Section 88	Tree Felling Removing or lopping any tree or other vegetation that is on or overhanging a public road if, in its opinion, it is necessary to do so for the purpose of carrying out road work or	DI, MOSR&U	

Roads Act 1993 (NSW)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	removing a traffic hazard.		
Sections 125 and 126	Footway restaurant approvals Granting approval for the use part of a public road for restaurant purposes. Includes the erecting by council itself or the authorising of the erection and maintenance of structures in, on or over any part of the road the subject of the approval. Note: Approvals for a 'classified road' under the Act require the agreement of Transport for NSW.	MA&PP, DI, MOSR&U	
Section 138	Works and structures Granting consent to an application under s.138 of the Roads Act 1993 for a person to carry out an activity or works in, on or over a public road for which the Council is the appropriate roads authority.	MA&PP, DI	

Rural Fires Act 1997

Rural Fires Act 1997 (NSW)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Section 12A	Rural fire district service agreements Entering into a rural fire district service agreement with the Commissioner of the NSW Rural Fire Service.	DI	
Section 12A	Rural fire district service agreements Exercising the functions and carry out the obligations in accordance with a rural fire district service agreement.	DI	
Section 62	Bush fire management plans and draft bush fire management plans Making a bush fire management plan or draft bush fire management plan available for public inspection at the council's office.	DI	
Section 62W	Construction and maintenance of fire trails Constructing (to extent not already constructed) and maintaining existing designated fire trails and	DI	

Rural Fires Act 1997 (NSW)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	registered fire trails on land for which the council is responsible for Note: 62ZF Fire trail includes a former fire trail that has fallen into disuse, been wholly or partially blocked, damaged or destroyed.		
Section 62ZK	Application for termination Applying to the Commissioner in writing for the termination of the registration of a fire trail.	DI	
Section 63	Bush fire prevention Taking steps prevent bushfires starting on and spreading from any land or roads owned, controlled or managed by council.	DI	
Section 74	Bush fire prevention Reporting to the Commissioner less than 1 month after the end of the financial year on its activities to reduce bush fire hazards on its managed land during the previous financial year.	DI	

Rural Fires Act 1997 (NSW)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Section 74	Bush fire prevention Reporting to the Commissioner less than a week after the end of each month on activities done to reduce bush fire hazards in the preceding month; and reasons why planned activities weren't carried out.	DI	
Section 74C	Bush fire prevention Referring bushfire hazard complaints to the Commissioner of the NSW Rural Fire Service.	DI	
Section 83	Declaration of local bush fire danger period Consulting with and making recommendations to the Commissioner of the NSW Rural Fire Service regarding a proposal to declare a local bush fire danger period.	DI	
Section 100F	Bush fire prevention Issuing bush fire hazard reduction certificates.	DI	
Section 100G	Bush fire prevention Certifying certain matters before carrying out bush fire hazard reduction work on land.	DI	

State Emergency and Rescue Management Act 1989

State Emergency and Rescue Management Act 1989			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation - all functions under the State Emergency and Rescue Management Act 1989 Exercise of all functions of council under the Act that may be legally delegated.	DI	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.

State Environmental Planning Policy (Biodiversity and Conservation) 2021

State Environmental Planning Policy (Biodiversity and Conservation) 2021			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation – all functions under the State Environmental Planning Policy (Biodiversity and Conservation) 2021 Exercise of all functions of a public authority under the State Environmental Planning Policy (Biodiversity and Conservation) 2021 that may legally be delegated, to the extent that the State Environmental Planning Policy (Biodiversity and Conservation) 2021 applies to the Council or to the Council's area of operations.	RAN	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993. Part 9 Division 9.3 & Part 9 Division 9.2

State Records Act 1998

State Records Act 1998			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation - all functions under the State Records Act 1998 Exercise of all functions of council under the Act that may be legally delegated.	MCSGR, MHRWDS	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.

Strata Schemes Development Act 2015

Strata Schemes Development Act 2015			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation – all functions under the Strata Schemes Development Act 2015 Exercise of all functions of council under the Act that may be legally delegated.	MPPD, DCS	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.

Strata Schemes Management Act 2015

Strata Schemes Management Act 2015			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation – all functions under the Strata Schemes Management Act 2015 Exercise of all functions of council under the Act that may be legally delegated.	CCO	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.

Surveying and Spatial Information Act 2002

Surveying and Spatial Information Act 2002			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation – all functions under the Surveying and Spatial Information Act 2002 Exercise of all functions of a public authority under the Surveying and Spatial Information Act 2002 that may legally be delegated.	DI	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.

Swimming Pools Act 1992

Swimming Pools Act 1992 (NSW)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation - all functions under the Swimming Pools Act 1992 Exercise of all functions of council under the Act that may be legally delegated.	MPPD, EHBS, DCS	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.

Swimming Pools Regulation 2018

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

Swimming Pools Regulation 2018 (NSW)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Regulation 20	Notice of refusal to issue certificate of compliance Notifying the owner of a premises of the council's decision to refuse to issue a certificate of compliance for a swimming pool after an inspection carried out under Section 22F of the Swimming Pools Act 1992. Note: The notice must contain the prescribed information under this Section.	CCO	
Regulation 21	Certificates of non-compliance Issuing a certificate of non-compliance to the owner in respect of a swimming pool if the pool has been inspected under Section 22C of the Act and they are satisfied that the requirements have not been met. Note: The certificate of non-compliance must contain the prescribed information under this Section.	CCO	
Regulation 21	Certificates of non-compliance Issuing a certificate of non-compliance within 7 days of the date of inspection.	CCO	

Swimming Pools Regulation 2018 (NSW)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Note: This requirement applies whether or not a notice under Regulation 18B has been provided		

Tattoo Industry Act 2012

Tattoo Industry Act 2012			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Section 36	General delegation – all functions under s.36 of the Tattoo Industry Act 2012 Exercise of all functions of a “relevant agency” under the s.36 of the Tattoo Industry Act 2012 that may legally be delegated.	MPPD, EHBS, DCS	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Section 36	Exchange of information Entering into an arrangement with the Commissioner for the purposes of sharing or exchanging any information that is held by the Commissioner or the Council and, to this effect, requesting and receiving information held by the Commissioner and disclosing information to the Commissioner. Notes: Council has this function by virtue of being a “relevant agency” for the purposes of s.36 of the Tattoo Industry Act 2012.	MPPD, EHBS, DCS	

Taxation Administration Act 1996

Taxation Administration Act 1996			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation – all functions under the Taxation Administration Act 1994 Exercise of all functions of council under the Act that may be legally delegated.	DI	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.

Transport Administration Act 1988

Transport Administration Act 1988			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation – all functions under the Transport Administration Act 1988 Exercise of all functions of council under the Act that may be legally delegated.	DI	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.

Trees (Disputes Between Neighbours) Act 2006

Trees (Disputes Between Neighbours) Act 2006 (NSW)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation – all functions under the Trees (Disputes Between Neighbours) Act 2006 Exercise of all functions of council under the Act that may be legally delegated.	CCO	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Sections 13 and 14G	Appearing in Court proceedings for tree disputes Appearing before the court in proceedings in relation to a tree where consent to interfere with the tree would be required from council under the Environmental Planning and Assessment Act 1979.	CCO, MOSR&U	
Section 17A	Enforcing Court orders in relation to a tree Applying to the Registrar-General for the registration as a charge on the title to the land of a court order for the payment of costs to council for carrying out work under the Act. Includes associated functions such as certifying that the amount owed to council has been paid, cancelling the charge, requiring a person to cover the costs of registering the charge	CCO	

Trees (Disputes Between Neighbours) Act 2006 (NSW)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	incurred by council and bringing proceedings to recover those costs.		

Valuation of Land Act 1916

Valuation of Land Act 1916			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation – all functions under the Valuation of Land Act 1916 Exercise of all functions of council under the Act that may be legally delegated.	MFT, RO 1, RO 2, DCS	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.

NSW Water Management Act 2000

Water Management Act 2000			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation – all functions under the Water Management Act 2000 Exercise of all functions of council under the Act that may be legally delegated, including in the council's capacity as a "landholder" where relevant. Notes: For the purpose of this act, the council is a landholder where it is owner of the land or the lawful occupier of land and in respect of land that comprises a public road vested in, or under the control or management of the council or land which comprises the site of a work that is, or is proposed to be, constructed for the local council.	MW&W, DI	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.

Work Health and Safety Act 2011

Work Health and Safety Act 2011 (NSW)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation – all functions under the Work Health and Safety Act 2011 Exercise of all functions of a person conducting a business or undertaking under the Act that may be legally delegated.	MHRWDS, WHS&RMC	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.
Section 38	Duty to notify of notifiable incidents Ensuring that the regulator is notified immediately after becoming aware that a notifiable incident arising out of the conduct of the business or undertaking has occurred, and keeping a record of each notifiable incident for at least 5 years from the day that notice of the incident is given to the regulator.	MHRWDS	
Section 47	Duty to consult workers Consulting, so far as is reasonably practicable and in accordance with Division 2 of Part 5 of the Act and the Regulations, with workers who carry out work for	MHRWDS	

Work Health and Safety Act 2011 (NSW)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	the business or undertaking who are, or are likely to be, directly affected by a matter relating to work health or safety.		
Section 51	Determination of work groups Facilitating the determination of one or more work groups of workers if a request is made under s.50 of the Act.	MHRWDS	
Sections 52 & 56	Negotiations for agreement for work group Negotiating and agreeing with the workers who will form a work group or their representatives, including taking all reasonable steps to commence such negotiations within 14 days after a request is made under s.50 of the Act, and including in respect of work groups for multiple businesses.	MHRWDS	
Sections 53 and 57	Notice to workers Notifying workers of an outcome of negotiations to determine a work group (including with respect to work groups for multiple businesses), any work groups determined by agreement, and the outcome of negotiations for the variation of an agreement concerning the determination of	MHRWDS	

Work Health and Safety Act 2011 (NSW)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	a work group.		
Section 61	Procedure for election of health and safety representatives Providing any facilities, resources and assistance that are reasonably necessary or prescribed by the regulations to enable elections to be conducted under s.61 of the Act.	MHRWDS	
Section 70	General obligations of person conducting business or undertaking Carrying out all functions necessary to comply with the general obligations of the Council (as a person conducting a business or undertaking) under s.70 of the Act, including (but not limited to) consulting on work health and safety matters with any health and safety representative for a work group and allowing the representative access to information relating to hazards at the workplace and the health and safety of the workers in the work group, subject to s.71 of the Act.	MHRWDS	
Section 71	Exceptions from obligations under s.70(1)	MHRWDS	

Work Health and Safety Act 2011 (NSW)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Refusing on reasonable grounds to grant access to the workplace to a person assisting a health and safety representative for a work group.		
Section 72	Obligation to train health and safety representatives Allowing a health and safety representative, if requested by the representative, to attend a course of training in work health and safety in accordance with s.72(1) of the Act, including allowing the representative time off work to attend the course of training and paying the course fees and any other reasonable cost.	MHRWDS	Council cannot delegate the function of the voting of money for expenditure on its works, services or operations: s.377(1)(g) of the Local Government Act 1993.
Section 72	Obligation to train health and safety representatives Asking the regulator to appoint an inspector to decide the matter if agreement cannot be reached between the Council and the health and safety representative within 3 months after a request to undertake training is made by the representative, and paying the costs decided by the inspector.	MHRWDS	Council cannot delegate the function of the voting of money for expenditure on its works, services or operations: s.377(1)(g) of the Local Government Act 1993.

Work Health and Safety Act 2011 (NSW)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Section 74	List of health and safety representatives Ensuring that a list of each health and safety representative and deputy representative (if any) for each work group of workers carrying out work for the Council is prepared, kept up to date, and displayed in accordance with the Act, and providing a copy of the list to the regulator as soon as practicable after it is prepared.	MHRWDS	
Section 75	Health and safety committees Establishing a health and safety committee (either upon request or at own initiative).	MHRWDS	
Section 76	Constitution of committee Agreeing, subject to s.76(2)-4) of the Act, with Council workers upon the constitution of the health and safety committee.	MHRWDS	

Work Health and Safety Act 2011 (NSW)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Section 89	Request to regulator to appoint inspector to assist Asking the regulator to appoint an inspector to attend the workplace to assist in resolving an issue arising in relation to the cessation of work by a Council worker.	MHRWDS	
Section 100	Request for review of provisional improvement notice Asking the regulator to appoint an inspector to review a provisional improvement notice within 7 days after the notice is issued to a council worker.	MHRWDS	

Work Health and Safety Regulation 2017

Work Health and Safety Regulation 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation – all functions under the Work Health and Safety Regulation 2017 Exercise of all functions of a person conducting a business or undertaking under the Regulation that may be legally delegated.	GM, MHRWDS	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.

Workplace Surveillance Act 2005

Workplace Surveillance Act 2005			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Various	General delegation – all functions under the Workplace Surveillance Act 2005 Exercise of all functions of a council in its capacity as an “employer” under the Act that may legally be delegated.	CCO, MHRWDS, MW&W	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.