

CABONNE COUNCIL
DELEGATIONS INDEX



DELEGATIONS INDEX

LOCAL GOVERNMENT ACT 1993 - SECT 378

Delegations by the general manager

378 Delegations by the general manager

- (1) The general manager may delegate any of the functions of the general manager, other than this power of delegation.*
- (2) The general manager may sub-delegate a function delegated to the general manager by the council to any person or body (including another employee of the council).*
- (3) Subsection (2) extends to a function sub-delegated to the general manager by the council under section 377 (2).*

Last updated 24 April 2017

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At its July 2016 meeting Council noting the resignation of the General Manager Andrew Lee Hopkins resolved that effective from 5pm on Friday 12th August 2016 Stephen John Harding as the Acting General Manager, be authorised to exercise or perform on behalf of the Council the powers, authorities, duties and functions as follows:

- The powers, functions and duties of Council other than those specified in s377(1) of the Local Government Act 1993, as being not permissible to delegate.

Included in this index are the delegations made by the General Manager, organised by main functions.

Each delegated function shows the positions to which the function has been delegated. In the case of a legislative function, the enabling source of the function has been indicated and/or a Council resolution if applicable.

GENERAL LIMITATIONS

Matters to be determined by the General Manager:

Determination of Development Applications

Refer to delegation EPB73A.

Search Warrants/Powers of Arrest

The power to apply for search warrants and associated powers of arrest under any Act of Parliament that so provides, rests with the General Manager.

Protocols for Media Requests

The General Manager is the only staff authorised to make any statement to the press or media in an official capacity. Authority may be granted by the General Manager to any informed staff member of the Council to do so in respect to matters on which information is sought by the press or others from Council.

Restricted Access Vehicles – Route approval – Sub-delegation of part functions to General Manager.

Refer to Delegation No: T17.

Regulation of traffic – Sub-delegation of part functions to General Manager.

Refer to Delegation No: T18.

Delegations under Weeds Act 1993

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The Noxious Weeds Act 1993 (s.68) stipulates that delegation of powers and duties by a local control authority (Council) must only be made using the delegation power in that Act.

INSTRUMENT OF DELEGATION

For the delegations contained in this delegations Index to be effected, an Instrument of Delegation must be signed by the General Manager and specify the full name and position of the person to whom the functions are being delegated. Delegations directly from Council e.g. to Mayor do not require such an instrument.

FUNCTION GROUPINGS

The delegated functions in this Delegations Index are grouped as follows:

General Manager:

1. [Economic Development \(ED\)](#)
2. [Promotion & Tourism \(PT\)](#)

Finance & Corporate Services:

3. [Governance \(G\)](#)
4. [Management & Corporate Services \(MCS\)](#)
5. [Finance \(F\)](#)
6. [Emergency Services \(ES\)](#)
7. [Community Services \(CS\)](#)

Environmental Services:

8. [Environmental Health \(EH\)](#)
9. [Environmental Planning & Building \(EPB\)](#)
10. [Waste Management \(WM\)](#)
11. [Animal Control \(A\)](#)

Engineering & Technical Services:

12. [Assets & Property \(AP\)](#)
13. [Transport Infrastructure \(T\)](#)
14. [Town Beautification, Parks & Gardens \(TB\)](#)
15. [Noxious Weeds \(NW\)](#)
16. [Water \(W\)](#)
17. [Sewerage \(S\)](#)

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POSITION CODES

The position codes used in this Delegations Index are as follows:

Mayor	Mayor
DMayor	Deputy Mayor
GM	General Manager
CMO	Communications & Media Officer
EDM	Economic Development Manager
P&T	Tourism & Community Development Coordinator
WBCEM	Wellington Blayney Cabonne (WBC) Strategic Alliance Executive Manager
GMPA	Executive Assistant to General Manager
DFCS	Director of Finance and Corporate Services
FM	Finance Manager
SAO	Senior Accounting Officer x 2 (Management & Project) <i>NOTE: Where "SAO" is shown without the bracketed part of Title it means both have delegation.</i>
SR	Senior Rates Officer
SA	Systems Administrator
AM	Administration Manager
AO	Administration Officer
CSM	Community Services Manager
HRC	Human Resources Coordinator

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RMC	Risk Management Coordinator
DFCSPA	Personal Assistant to Director of Finance & Corporate Services
S355 Cttee	Various s355 Committees (see Delegation G3)
DES	Director of Environmental Services
MBE	Manager of Building and Environment
HBS	Health and Building Surveyor
THBS	Trainee Health and Building Surveyor
DE	Development Engineer
Rgr	Ranger
STP	Senior Town Planner
TP	Town Planner
SESO	Senior Environmental Services Officer
DETS	Director of Engineering and Technical Services
CSO	Customer Service Officer (Engineering)
Ops Mgr R&B	Operations Manager – Roads & Bridges
EO	Engineering Operations Environmental Officer
Ops Mgr W&W	Operations Manager – Water & Waste
USC	Urban Services Coordinator

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PDC	Fleet, Plant & Depot Coordinator
POSt	Purchasing Officer
ST	Storeperson
WS	Workshop Superintendent
CC	Construction Coordinator
CO	Construction Overseer
MC	Maintenance Coordinator
MO	Maintenance Overseer
WSC	Water & Waste Water Services Coordinator
W&SO	Water & Waste Water Overseer
WSO	Water & Waste Water Operator Molong
SWSO	Senior Water & Waste Water Operator Molong
SO	Town Maintenance Officer / Small Towns Irrigation Operator Canowindra
STO	Town Maintenance Officer / Small Towns Irrigation Operator Eugowra
TMO	Town Maintenance Officer
TMOSTS	Town Maintenance Officer / Small Towns Sewer
ATC	Assets and Transport Coordinator
UAC	Urban Assets Coordinator
MTS	Manager Technical Services

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TO	Technical Officer (2 positions)
CWO	Chief Weeds Officer
WO	Weeds Inspector
QM	Quarry Manager
C	Carpenter
P	Plumber
NSW RFS	New South Wales Rural Fire Service

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GENERAL MANAGER

1. ECONOMIC DEVELOPMENT

Nil

2. PROMOTION AND TOURISM

	Delegation No: PT1	Position
Title:	Australia Day Awards Committee	
Details of Delegation:	<p>To exercise or perform on behalf of the Council the powers, authorities, duties and functions as follows:</p> <ul style="list-style-type: none">a) Assess and determine nominations for Citizen, Young Citizen and Community Group of the Year.b) In the absence of Community nominations for a particular locality or category, individual councillors may nominate suitable candidates for same allowing assessment and determination by the Committee.c) Assess and determine the Cabonne Youth Ambassador of the Year.	Australia Day Awards Committee
Enabling Source:	Committee Terms of Reference.	

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FINANCE & CORPORATE SERVICES

3. GOVERNANCE

	Delegation No: G1	Position
Title:	Functions and services	
Details of Delegation:	<p>To provide those functions of Council which are the particular responsibility of the position under Council's Position Descriptions and adopted Organisational Structure and, in relation to those functions:</p> <ul style="list-style-type: none"> a) to provide goods, services and facilities and carry out activities as are appropriate under Council's management plans and any relevant Service Level Agreement/s; and b) to implement the objectives, strategies and performance targets under Council's Management Plan and within the sums voted by Council; and c) to control and direct staff/contractors/service providers engaged on those functions. 	DFCS DES DETS
Enabling Source:	S24 and S406 <i>Local Government Act 1993</i>	
	<p>Delegation No: G2</p> <p>Extraordinary Meeting Local Government Act specifies the process for calling of an Extraordinary Meeting.</p>	DELETED

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	Delegation No: G3	Position
Title:	Care, Control & Management	
Details of Delegation:	<p>THAT Council appoint the following Local Committees under Section 355 of the Local Government Act and delegate to such Local Committees the care, control and management (subject to Council direction and the Regulations) of their respective work, property or undertaking provided that each of the Local Committees hereby appointed be only empowered to act on behalf of the Council by resolution carried by a majority of its members at a properly constituted meeting of such Committee at which a quorum is present, and to incur expenditure on Council's behalf only in accordance with existing Council resolutions:</p>	
	SECTION 355 COMMITTEES	WORK, PROPERTY OR UNDERTAKING
	Acacia Lodge Management Committee	Molong Community Housing
	Age of Fishes Museum Canowindra Committee	Age of Fishes Museum
	Amusu Theatre Inc	Amusu Theatre
	Canowindra Beautification Committee	Canowindra Court House & Beautification of Canowindra
	Canowindra Pre-School Kindergarten	Canowindra Pre-School Building
	Canowindra Sports Trust	Canowindra Sports Complex
	Cargo Community Centre Committee	Cargo Community Centre
	Cudal Community Children's Centre Committee	(Pre-School) Cudal Community Children's Centre
Cudal Homes for Aged Persons Committee	Boree Lodge	

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Cumnock & District Progress Association	Crossroads Building Obley St Cumnock and Lot 61 DP 664553 and Lot 1 DP 323485, 48 Obley Street, Cumnock
Cudal Memorial Pool Committee	Cudal Memorial Swimming Pool
Cumnock Community Centre Committee	Cumnock Community Centre
Cumnock Pool Committee	Cumnock Swimming Pool
Doctor for Cudal Committee	Doctors Residence – Cudal
Eugowra Community Children’s Centre and Preschool Committee	Eugowra Community Centre & Preschool
Eugowra Medical Centre Committee	Doctors Residence & Surgery - 47 Nanima St Eugowra
Eugowra Memorial Pool Committee	Eugowra Memorial Swimming Pool
Eugowra Promotion & Progress Association	Eugowra Historical Museum & Bushranger Centre
Eugowra Self Care Units Committee	Eugowra Self Care Units
Manildra Memorial Hall Committee	Manildra Memorial Hall
Manildra Memorial Pool Committee	Manildra Memorial Swimming Pool
Manildra Sports Council	Manildra Sports Complex
Molong & District Health Watch Committee	Molong Doctor’s Surgery
Molong Town Beautification Committee	Beautification Projects in & around Molong
Moorbel Hall Committee	Moorbel Hall Canowindra
Yeoval Memorial Hall Management	Yeoval Memorial Hall

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	Committee	
	Yeoval Pool Committee	Yeoval Swimming Pool
	Yeoval Progress Association	O'Halloran's Cottage and Buckinbah Park
Enabling Source:	S355 Local Government Act 1993	

	Delegation No: G4	Position
Title:	Public Officer – Local Government Act 1993	
Details of Delegation:	To exercise Council's functions of the Public Officer in accordance with s343 of the Local Government Act 1993	AM
Enabling Source:	S343 Local Government Act 1993	

	Delegation No: G5	Position
Title:	Legal Documents – acceptance of Service on behalf of Council	
Details of Delegation:	To accept service on behalf of council of legal documents including subpoenas, summonses, statements of claim and documents relating to appeals.	DFCS, AM (as Public Officer)
Enabling Source:		

	Delegation No: G6	Position
Title:	Legal Documents – Authority to Sign	

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Details of Delegation:	To sign Legal Documents not requiring the use of Council's Seal.	GM, DFCS, DES, DETS
Enabling Source:	Council resolution 99/11/14 refers	
	Delegation No: G7 Access to information - Freedom of Information Act 1989 Deleted see G7A and G7B. (FOI Act replaced with GIPA Act 1 July 2010)	DELETED
	Delegation No: G7A	Position
Title:	Access to information – Government Information (Public Access) Act 2009	
Details of Delegation:	To exercise Council's functions under the <i>Government Information (Public Access) Act 2009</i> , and as the officer authorised to:- <ul style="list-style-type: none"> a) To take responsibility, as a senior executive, for compliance with the Government Information (Public Access) Act and for leading a change management process to transition from FOI to the new Right to Information regime. b) To be responsible for responding to applications for an internal review under Part 5 of the Government Information (Public Access) Act. 	DFCS
Enabling Source:	Government Information (Public Access) Act 2009	

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	Delegation No: G7B	Position
Title:	Access to information – Government Information (Public Access) Act 2009	AM, AO, GMPA
Details of Delegation:	To exercise Council's functions under the <i>Government Information (Public Access) Act 2009</i> , and as the officer authorised to:- a) To be responsible for responding to formal access applications under Part 4 of the Government Information (Public Access) Act	
Enabling Source:	Government Information (Public Access) Act 2009	

	Delegation No: G7C	Position
Title:	Access to information – Government Information (Public Access) Act 2009 – Informal release of information	All staff
Details of Delegation:	To exercise Council's functions under the <i>Government Information (Public Access) Act 2009</i> , as an officer authorised to: 1. Informally release information identified as being held by Council and not subject to a 'formal' Access Application. Any such release will ensure there is not an overriding public interest against disclosure of the information and will generally be consistent with each staff member's duties and with Council's Policy and Guidelines for Access to Information Held By Council Policy and Guidelines For Informal Release Of Information By Staff. <u>Exemptions</u> 1. Any personal information covered under the Privacy And Personal Information Protection Act 1998; 2. Any information for which a formal access application is required under the Government Information (Public Access) Act 2009; 3. Any information deemed for which it is to be conclusively presumed that there is an	

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	<p>overriding public interest against disclosure and is therefore exempt under the provisions of the Government Information (Public Access) Act 2009 - s14 (and Schedule 1); and</p> <p>4. Exempt documents under interstate FOI legislation - corresponding laws under the provisions of the Government Information (Public Access) Regulation 2009 – s10.</p>	
Enabling Source:	S8(6) - Government Information (Public Access) Act 2009	

	Delegation No: G8	Position
Title:	Official Documents and Records – Attestation by Affidavit or Statutory Declaration as to Authenticity	
Details of Delegation:	To swear by Affidavit or make a statutory declaration as to the accuracy and authenticity of official documents and records held by the council in respect of legal proceedings brought against council in professional negligence, workers compensation or public liability matters.	DFCS, RMC, P&T, AM, FM, HRC, DES, CMO, EDM, MBE, STP, DETS, Ops Mgr R&B, MTS
Enabling Source:		

	Delegation No: G9	Position
Title:	Minutes	
Details of Delegation:	To supervise inspection of minutes of meetings of Council or committees.	DFCS AM, AO
Enabling Source:	Clause 272 Local Government (General) Regulation 2005.	

	Delegation No: G10	Position
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Title:	Order – Issue an Order	
Details of Delegation:	To order a person to do or to refrain from doing a thing: <ol style="list-style-type: none"> 1. As specified in Table of Section 121B of the Environmental Planning Assessment Act 1979 2. As specified in Section 124 of the Local Government Act, in the circumstances specified in that table. 	<ol style="list-style-type: none"> 1. DES, MBE, DE 2. DES, DETS, DE
Enabling Source:	S121B Environmental Planning and Assessment Act 1979, s124 Local Government Act 1993	

	Delegation No: G11	Position
Title:	Entry to land and premises	
Details of Delegation:	<p>For the purposes of inspection, investigation, sampling and any other functions authorised by the following Acts and the Regulations made under them to enter any land and premises in accordance with the relevant legislation as an employee or officer authorised by this delegation in that behalf:</p> <ol style="list-style-type: none"> 1. <i>Companion Animals Act, 1998 (S18, S32, S36, S52 & S57)</i> 2. <i>Local Government Act 1993 (S191-S201)</i> 3. <i>Roads Act 1993 (S164-S174)</i> 4. <i>Public Health Act 2010 (S108)</i> 5. <i>Noxious Weeds Act 1993 (S43 and S44)</i> 6. <i>Food Act 2003 (S37 and S39)</i> 7. <i>Environmental Planning and Assessment Act 1979 (S118A, - S118J)</i> 	<ol style="list-style-type: none"> 1. DES, MBE, SESO, HBS, THBS, TP, STP, DE ,Rgr 2. DES, MBE, SESO, HBS, THBS, DE, TP, STP, Rgr, DETS, Ops Mgr R&B, Ops Mgr W&W, SWSO, CC, MC, CWO, WO, WSO, USC, TMO, TMOSTSC, P, SO, STO, TO, EO, MTS, WSC 3. DETS, Ops Mgr R&B, Ops Mgr W&W, DE, CC, MC, TO, MTS 4. DES, MBE, SESO, HBS,

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	<p>8. <i>Swimming Pools Act, 1992 (S27, S28, S29)</i></p> <p>9. <i>Rural Fires Act, 1997 (S69 - inspecting and forming an opinion regarding service of notice under S66 and compliance therewith and s70 to establish fire breaks under a Hazard Reduction Program)</i></p> <p>10. <i>Protection of the Environment Operations Act, 1997(S196-S202)</i></p>	<p>THBS, TP, STP, DE, Rgr</p> <p>5. DETS, CWO, WO</p> <p>6. DES, MBE, SESO, HBS, THBS, TP, STP, Rgr</p> <p>7. DES, MBE, SESO, HBS, THBS, TP, STP, DE, Rgr</p> <p>8. DES, MBE, SESO, HBS, THBS, TP, STP, DE, Rgr</p> <p>9. DES, MBE</p> <p>10. DES, MBE, SESO, HBS, THBS, TP, STP, DE, Rgr</p>
Enabling Source:	The Acts as listed above.	

	Delegation No: G12	Position
Title:	Entering land to carry out work	
Details of Delegation:	<p>To enter land and carry out work in accordance with the following Acts as a person authorised by this delegation for that purpose:</p> <ol style="list-style-type: none"> 1. Public Health Act 2010 (S108) 2. Rural Fires Act, 1997 (fire hazard reduction work in default of compliance with S66 notice or to establish fire breaks under hazard reduction program). 	<ol style="list-style-type: none"> 1. DES, MBE, HBS, THBS 2. NSW RFS

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Enabling Source:	S108 Public Health Act 2010, Rural Fires Act 1997.	
	Delegation No: G13	Position
Title:	Power to demand information or other items	
Details of Delegation:	<p>To demand in accordance with the following Acts as an officer duly appointed and authorised for that purpose, the name and address of a person who is reasonably suspected of having committed an offence under those Acts or such other items and information authorised by the legislation:-</p> <ol style="list-style-type: none"> 1. Companion Animals Act, 1998 (S90) 2. Local Government Act 1993 (S680) 3. Roads Act 1993 (S229) 4. Food Act, 2003 (S37) 5. Public Health Act, 2010 (S112). 6. Rural Fires Act, 1997 7. Waste Avoidance and Recovery Act 2001 8. Protection of the Environment Operations (POEO) Act 1979 and Regulations excluding search warrants (S199) 	<ol style="list-style-type: none"> 1. DES, MBE, SESO, HBS, THBS, TP, STP, DE, Rgr 2. DFCS, DETS, DES, MBE, SESO, HBS, THBS, TP, STP, DE, Rgr 3. DETS, DE 4. DES, MBE, SESO, HBS, THBS, TP, STP, Rgr 5. DES, MBE, THBS, HBS 6. DFCS 7. DES, MBE, SESO, HBS, THBS, TP, STP, DE, Rgr 8. DES, MBE, SESO, HBS, THBS, TP, STP, DE, Rgr
Enabling Source:	The Acts as listed above.	

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	Delegation No: G14	Position
Title:	Penalty notices - power to issue	
Details of Delegation:	<p>To issue penalty notices in accordance with the following legislation as an officer duly authorised and appointed by this delegation for that purpose:</p> <ol style="list-style-type: none"> 1) Companion Animals Act, 1998 (S92) 2) Protection of the Environment Operations Act 1997 (S224) 3) Protection of the Environment Operations Act (Penalties/Notices) Regulation - Schedule 1 4) Environmental Planning Assessment Act 1979 (S127A) 5) Roads Act 1993 S243 and Clause 74 of the Roads (General) Regulation 6) Road Transport (General) Act 1999 (Part 3) 7) <i>Local Government Act 1993 (S679)</i> for prescribed offences relating to the types of activities in respect of which the delegate is empowered to grant approvals and issue orders 8) Noxious Weeds Act, 1993 (S63) 9) Swimming Pools Act, 1992 (S35) 10) Rural Fires Act, 1997. (S131) 11) Impounding Act 1993 (S36) 12) Food Act 2003 (S120) 	<ol style="list-style-type: none"> 1. DES, MBE, SESO, HBS, STP, TP, Rgr 2. DES, MBE, SESO, HBS, STP, TP, DE, Rgr 3. To GM 99/7/44, DES, MBE, SESO, HBS, STP, TP, DE, Rgr 4. DES, MBE, SESO, HBS, STP, TP, DE, Rgr 5. DETS, DE 6. DETS, DE 7. DES, MBE, SESO, HBS, STP, TP, DE, Rgr 8. DETS, CWO 9. DES, MBE, SESO, HBS, STP, TP, Rgr 10. DFCS, DES 11. DES, MBE, SESO, HBS, STP, TP, DE, Rgr 12. DES, MBE, SESO, HBS, STP, TP, Rgr

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Enabling Source:	The Acts as listed above.	
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	Delegation No: G15	Position
Title:	Appointment of Authorised Officers - Various Acts	
Details of Delegation:	<p>To exercise all powers, authorities, duties and functions of an authorised officer under the following Acts and Regulations made thereunder as the officer duly appointed for those purposes:-</p> <ol style="list-style-type: none"> 1. Inspector under S27 of the <i>Swimming Pools Act, 1992</i>. 2. Inspector under S114 of the <i>Food Act, 2003</i>. 3. Environmental Health Officer under S123 and S127 of the <i>Public Health Act, 2010</i>. 4. Authorised Officer under S6 of the <i>Recreation Vehicles Act, 1983</i> 5. Authorised Officer under S5 and S6 of <i>Companion Animals Act, 1998</i> 6. Authorised Officer under <i>Impounding Act 1993 (S5)</i> 7. Impounding Officer under S42 of the <i>Impounding Act, 1993</i> 8. Authorised Officer under S75 of the Road Transport (<i>Safety & Traffic Management Act 1999</i>). 9. Authorised officer under S251 of the <i>Roads Act 1993</i> 10. Authorised Person under S66, 67, 68, 70 and 133 of the <i>Rural Fires Act, 1997</i>. 11. Authorised Officer under the <i>Protection of the Environment Operations Act 1997 (S187)</i> 12. Authorised person under the <i>Waste Avoidance and Recovery Act 2001</i> 	<ol style="list-style-type: none"> 1. DES, MBE, SESO, HBS, THBS, TP, STP, Rgr 2. DES, MBE, SESO, HBS, TP, STP, Rgr 3. DES, MBE, SESO 4. DES, MBE, SESO, HBS, TP, STP, DE, Rgr 5. DES, MBE, SESO, HBS, TP, STP, DE, Rgr 6. DES, MBE, SESO, HBS, TP, STP, DE, Rgr 7. DES, MBE, SESO, HBS, THBS, TP, STP, DE, Rgr 8. DETS, Ops Mgr R&B, DE, MTS 9. DETS, Ops Mgr R&B, DE 10. DES, MBE

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		<p>11. To GM 99/7/44, DES, MBE, SESO, HBS, THBS, TP, STP, DE, Rgr</p> <p>12. DES, MBE, SESO, HBS, THBS, TP, STP, DE, Rgr</p>
Enabling Source:	The Acts as listed above.	

	Delegation No: G16	Position
Title:	Infringement notices - SEINS Scheme	

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Details of Delegation:	<p>To serve infringement notices as an authorised officer under the Self Enforcing Infringement Notices Scheme (SEINS) for offences under the:</p> <ol style="list-style-type: none"> 1. <i>Local Government Act 1993</i>, and other offences covered under the Scheme that fall within the delegations of the position. 2. Companion Animals Act 1998 3. Companion Animals Regulation 1999 4. Protection Of Environmental Operations Act (POEO) 1997 5. Environmental Protection & Assessment Act 1979 6. Environmental Planning and Assessment (Fire Safety) Regulation 7. Swimming Pool Act 8. Rural Fires Act 	<ol style="list-style-type: none"> 1. DES, MBE, SESO, HBS, TP, STP, DE, Rgr 2. DES, MBE, SESO, HBS, TP, STP, DE, Rgr 3. DES, MBE, SESO, HBS, TP, STP, DE, Rgr 4. DES, MBE, SESO, HBS, TP, STP, DE, Rgr 5. DES, MBE, SESO, HBS, TP, STP, DE, Rgr 6. DES, MBE, SESO, HBS, TP, STP, Rgr 7. DES, MBE, SESO, HBS, TP, STP, Rgr 8. DFCS, DES, MBE
Limitation:	Specific SEINS training must have been undertaken	
Enabling Source:	The Acts as listed above	
	Delegation No: G17	Position
Title:	SEINS Scheme - waiving of penalties	

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Details of Delegation:	To determine appeals for waiving of penalties under the Scheme.	DES, MBE
Enabling Source:		

	Delegation No: G18	Position
Title:	Identification Cards	
Details of Delegation:	To issue Identification Cards in accordance with s189 of the Protection of the Environment Operation Act 1997.	To GM 99/7/44
Enabling Source:	Protection of the Environment Operation Act 1997	

	Delegation No: G19	Position
Title:	Appearances in Court	
Details of Delegation:	To represent Council in proceedings, mediation, preliminary conferences and appeals in Court.	DFCS, DES, DETS, DE
Enabling Source:	Various Acts.	

	Delegation No: G20	Position
Title:	Authority to lay information	

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Details of Delegation:	To lay information in accordance with Section 684 of the Local Government Act 1993 in any proceedings for an offence under the Act and offences under any other Act in respect of which council is empowered to institute proceedings.	DFCS, AM, DES, MBE, SESO, HBS, TP, STP, DE, Rgr, DETS
Enabling Source:		

	Delegation No: G21	Position
Title:	Prosecution of offences and civil proceedings	
Details of Delegation:	<p>To prosecute offences under the following Acts and the regulations made under them as an officer duly authorised and appointed by this delegation under S687 and S691 of the <i>Local Government Act 1993</i>, to represent the Council and institute and carry on any proceedings in a Local Court or the Land and Environment Court which the Council is authorised to institute and carry on under the relevant Acts:</p> <ol style="list-style-type: none"> 1. <i>Companion Animals Act, 1998</i> – all offences under that Act and Regulations. 2. <i>Impounding Act, 1993</i> – all offences under Part 5 of that Act and the Justices (Short Descriptions of Impounding Offences) Regulation, 1994. 3. <i>Local Government Act 1993</i>, - in relation to the following offences under Chapter 16:- <ol style="list-style-type: none"> a. S626 – carrying out without approval an activity under Parts A, C, D, E, F of Section 68. b. S627 – failure to comply with an approval to the carrying out of an activity under Parts A, C, D, E, F of Section 68. c. S628 – failure to comply with an order in terms of Order Nos 1 to 30 in the Table to S124 and orders under S125 to abate a public nuisance. d. all offences under Part 2 (Public Places), Part 5 (Parking), and Sections 660, 662, 663, 665 and 667 of Part 8 of Chapter 16. 	This delegation to remain with GM who will sub-delegate based on case by case basis

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	<ol style="list-style-type: none"> 4. <i>Local Government Act 1993</i>, in relation to restraining breaches (S673). 5. <i>Local Government Act 1993</i>, in relation to claims for compensation (S730, S128, S198). 6. <i>Roads Act, 1993</i> – all offences under that Act in relation to matters under Council's control as roads authority including S239, S240, S241, S243 and Schedule 2 of the Roads (General) Regulations (Clauses 6(3) to 21; 41 to 44(2) and 71) . 7. <i>Noxious Weeds Act, 1993</i> in relation to offences under Group 2 of Part 3. 8. <i>Environmental Planning and Assessment Act, 1979</i> in relation to offences against the Act or Regulations (S125, S126, S127) and restraining breaches (S123). 9. <i>Strata Titles (Leasehold Act, 1986)</i> – (S51, S57AA) 10. <i>Community Land Management Act, 1989</i> – (S107) 11. <i>Swimming Pools Act 1992</i>- restraining breaches of the Act (S30 – proceedings for offences (S35)) 12. <i>Food Act, 2003</i> – offences (S104) obstruction (S99) 13. Tree Preservation Order – breaches of the Order. 14. Protection of Environment Operations Act 1997 in relation to offences under the Act, restraining breach under same and for recovery of damages. 	
Enabling Source:	The Acts as listed above.	

	Delegation No: G22	Position
Title:	Public interest Disclosures Regulation 2011 Reports	
Details of Delegation:	Preparation of annual and six monthly reports and ensuring that the required information is collected from 1 January 2012.	DFCS
Enabling Source:	s6CA and s31 Public Interest Disclosures Act 1994, c14 Public Interest Disclosures Regulation 2011	

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	Delegation No: G23	Position:
Title:	Acting General Manager	
Details of Delegation:	The functions of General Manager pursuant to s335 of the Local Government Act 1993; and the functions and authorities of Council delegated to Stephen John Harding as Acting General Manager, pursuant to s377 of the Local Government Act in the absence of the General Manager from the Molong office.	From Stephen John Harding to Heather Jean Nicholls
Enabling Source:	Letter dated 16 August 2016 (Doc Id 789388)	

	Delegation No: G24	Position
Title:	Public interest Disclosures Act 1994 – receiving disclosures	
Details of Delegation:	The following positions are the only ones within Cabonne Council which can receive a public interest disclosure. They are responsible for carrying out the functions assigned to the respective positions in Council's Public Interest Disclosures (Internal Reporting) Policy. <ol style="list-style-type: none"> 1. General Manager 2. Mayor 3. Disclosures Coordinator 4. Disclosures Officer 	<ol style="list-style-type: none"> 1. GM 2. Mayor 3. DFCS 4. DETS, DES, HRC
Enabling Source:	s6D (1) Public Interest Disclosures Act 1994; Mayor's delegation resolved each September Council meeting.	

	Delegation No: G25	Position
Title:	Plumbing and Drainage Act 2011 – Delegation of plumbing regulator's functions to Council	

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Details of Delegation:	The functions delegated to Council by the plumbing regulator.	GM
Enabling Source:	Plumbing and Drainage Act 2011 – s21 Instrument of Delegation by Acting Commissioner for Fair Trading Dated 8 November 2012 (Ref: FTMIN12/1325) Doc ID 434023 refers. December 2012 Council meeting 12/12/26-5	

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4. MANAGEMENT AND CORPORATE SERVICES

	Delegation No: MCS1	Position
Title:	EEO Management Plan implementation	
Details of Delegation:	To implement those requirements of Council's Equal Employment Management Plan which are the responsibility of the Department.	DFCS, DETS, DES, HRC
Enabling Source:		

	Delegation No: MCS2	Position
Title:	Sign Correspondence	
Details of Delegation:	To sign Council Correspondence in accordance with Cabonne Council's Policy on Sign-off of Council Correspondence.	DES, DETS, DFCS, Ops Mgr R&B, Ops Mgr W&W, CWO, MBE, STP, CMO, EDM, FM, AM, CSM, HRC, P&T, RMC, MTS
Enabling Source:		

	Delegation No: MCS3	Position
Title:	Records – Authorised Officer	
Details of Delegation:	To act as Council's authorised officer responsible for the Records Management program for Cabonne Council in accordance with the State Records Act 1998.	DFCS

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Enabling Source:	s12 State Records Act 1998. Council resolution 00/05/18 refers	
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	Delegation No: MCS4	Position
Title:	Salary progression	
Details of Delegation:	To approve salary and incremental progression for staff in any operational area of Council in accordance with the award and Council's progression policy.	DFCS, DETS, DES
Enabling Source:		

	Delegation No: MCS5	Position
Title:	Interview expenses	
Details of Delegation:	To approve reimbursement of expenses incurred by an applicant for a position attending an interview, in accordance with the Council's policy.	DFCS, DETS, DES, HRC
Enabling Source:		

	Delegation No: MCS6	Position
Title:	Opening and Scheduling of Tenders - Appropriate Person	
Details of Delegation:	To carry out the functions of appropriate person in accordance with the requirements of Clause 164 and 175 of the Local Government (General) Regulation 2005 as the person designated for that purpose.	DFCS, Ops Mgr W&W, AM, DETS, Ops Mgr R&B, FM, DES, MTS

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Limitation:	Persons involved in assessing the tender being opened can not be involved in this process.	
Enabling Source:	CI175 Local Government (General) Regulation 2005	

	Delegation No: MCS7	Position
Title:	Opening and Scheduling of Tenders - Designated Person	
Details of Delegation:	To be present at the opening of tenders as a designated person for that purpose under Clause 175 of the Local Government (General) Regulation, 2005.	AM, AO, FM, SAO, DETS, DES, CSM, DFCSPA, Ops Mgr W&W, Ops Mgr R&B, STP, CSO, MTS, DETSPA
Limitation:	Persons involved in assessing the tender being opened can not be involved in this process.	
Enabling Source:	CI175 Local Government (General) Regulation 2005	

	Delegation No: MCS8	Position:
Title:	Christmas/New Year Shutdown	GM
	To grant special leave to salaried staff in future years through delegation to the General Manager to determine on an annual basis subject to this matter being considered as a negotiated off-set should Council undertake Enterprise Bargaining negotiations in the future.	

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Enabling Source:	Council resolution 02/11/44-10	
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5. FINANCE

	Delegation No: F1	Position
Title:	Financial Management	
Details of Delegation:	To carry out on behalf of the General Manager the functions as specified in Clause 209 of the Local Government (General) Regulation 2005.	DFCS, FM
Enabling Source:	Local Government (General) Regulation 2005	

	Delegation No: F2	Position
Title:	Expenditure – Incidental Expenses	
Details of Delegation:	To incur expenditure up to the sum of \$3,000 for incidental expenses within approved votes of Council.	Mayor, (DMayor in Mayor's absence)
Enabling Source:	Increased to \$3,000 from \$1,000 in 2014. Council resolution: each September meeting.	

	Delegation No: F3	Position
Title:	Accounting Records and Practices (Responsible Accounting Officer)	
Details of Delegation:	To take full responsibility for keeping Council's accounting records in accordance with Section 412 of the <i>Local Government Act 1993</i> and to take all reasonable measures to comply with the requirements of Clause 206 and Clause 207 of the Local Government (General) Regulation 2005.	FM

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Enabling Source:	CI206 and CI207 Local Government (Financial Management) Regulation 2005, S412 Local Government Act 1993	
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	Delegation No: F4	Position
Title:	Rates and Charges	
Details of Delegation:	To maintain a record of rates and issue certificates as to rates and charges under S603 of Local Government Act 1993.	DFCS, FM, SR, SAO (Management)
Enabling Source:	S603 Local Government Act 1993	

	Delegation No: F5	Position
Title:	Cheques - authority to sign	
Details of Delegation:	To sign cheques as signatory and/or counter signatory.	GM, DFCS, FM, AM, HRC, SAO, GMPA
Limitation:	Any combination of FM and SAOs (Management and Project) are not to sign and countersign unless extenuating circumstances.	
Enabling Source:		

	Delegation No: F5A	Position
Title:	Electronic Funds Transfer - Authorise payments	

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Details of Delegation:	Certify electronic funds transfers on Council's bank accounts.	DFCS, FM, SAO, AM, HRC, GMPA, DFCSA, SR
Limitation:	Any combination of FM and SAOs (Management and Project) are not to authorise and counter authorise unless extenuating circumstances.	
Enabling Source:		

	Delegation No: F6	Position
Title:	Extension of time to pay	
Details of Delegation:	To approve application for extension of time to pay accounts if a substantial case is made out.	DFCS, FM
Enabling Source:		

	Delegation No: F7	Position
Title:	Recovery Action	
Details of Delegation:	To take action at any time for the recovery of monies due to Council.	DFCS, FM
Enabling Source:		

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	Delegation No: F8	Position
Title:	Shortfall – Cashier – Write-off	
Details of Delegation:	To authorise reimbursement to cashiers for cash shortfalls up to \$100 upon written application and investigation by the Supervising Director.	DFCS
Enabling Source:	Council resolution 01/09/100-7	

	Delegation No: F9	Position
Title:	Acquisition of services, goods or materials	
Details of Delegation:	To give orders in writing for the supply of services, goods and materials in accordance with Clause 211 of the Local Government (General) Regulation 2005.	<p>Unlimited GM, DFCS</p> <p>Limit of \$100,000: DETS, DES FM, Ops Mgr R&B, AM</p> <p>Limit of \$50,000: Ops Mgr W&W, PDC, MC, CC, WSC, USC, MTS</p> <p>Limit of \$35,000 (Waste Contractors): SESO</p> <p>Limit of \$25,000: UAC</p> <p>Limit of \$20,000: MBE, CSM, CMO, EDM, HRC, RMC,CO, MO,</p>

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		<p>W&SO, POST</p> <p>Limit of \$10,000: CWO, ST, P&T, QM, SESO, WS</p> <p>Limit of \$5,000: SAO, WBCEM, ATC</p> <p>Limit of \$1,000: P, C, WSO, SO, STO, SWSO</p> <p>Limit of \$500: SA</p>
Limitation:	Orders can only be given in accordance with approved budgets, approved votes, relevant statutory requirements and within Council's policies.	
Enabling Source:	Local Government (General) Regulation 2005	

	Delegation No: F10	Position
Title:	Debt recovery and writing off debts	

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Details of Delegation:	<p>To write off debts and make recovery arrangements for debt as follows:</p> <ol style="list-style-type: none"> 1. to approve agreements for periodic payment of rates and charges under S564 of the <i>Local Government Act 1993</i>, 2. to approve requests for rates and charges due by pensioners to accrue against a property in cases of extreme hardship 3. to institute proceedings under S695 of the <i>Local Government Act 1993</i>, for recovery in a local or district court of rates, charges, fees or other moneys due to Council and where applicable to secure debts other than rates as a charge against the land. 4. to write off rates, charges (including accrued interest) and other debts up to a value as determined by Council in accordance with Clause 213 of the Local Government (General) Regulation 2005. 	DFCS
Enabling Source:	<p>S 564, 695 Local Government Act 1993, Clause 213 Local Government (General) Regulation 2005</p> <p>Council resolution set a limit of \$500 - 08/10/19</p>	

	Delegation No: F11	Position
Title:	Stores – Dispose of Obsolete Stores	
Details of Delegation:	To dispose of obsolete stores and materials up to the value of \$500.	DETS, Ops Mgr R&B
Enabling Source:		

	Delegation No: F12	
Title:	Plant and Motor Vehicles – Dispose and replace	

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Details of Delegation:	To dispose of and replace plant and motor vehicles.	DETS, Ops Mgr R&B
Enabling Source:		

	Delegation No: F13	Position
Title:	Loans – Four Towns Sewer Scheme	
Details of Delegation:	<ol style="list-style-type: none"> 1. To negotiate interest free loans to not for profit organisations for connection to the Four Towns Sewer Scheme. 2. To negotiate an interest free loan for a period of up to 36 months for all residents of Council's Small Town Sewerage Scheme who want to connect. 3. To approve loans, with interest to be applied and an administration fee to be charged for residents to connect their grey water for the Small Town Sewerage Scheme. 	<ol style="list-style-type: none"> 1. DFCS, FM 2. DFCS, FM 3. DFCS, FM
Enabling Source:	<ol style="list-style-type: none"> 1. May 2009 Council meeting - 09/05/08 refers 2. December 2012 Council meeting - 12/12/26 refers 3. October 2014 Council meeting – 14/10/22 refers 	

	Delegation No: F14	Position:
Title:	Purchasing Officer	
Details of Delegation:	<p>The functions of "Purchasing Officer" within Council's electronic Purchase Orders system to:</p> <ol style="list-style-type: none"> 1. assign Purchase Requisitions to another suitably delegated officer within the directorate of the nominated authorising officer or the Director of Finance & 	DETS, FM

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	<p>Corporate Services and/or the General Manager; or in the absence of such position holders</p> <p>2. approve orders* for the supply of services, goods and materials in accordance with Clause 211 of the Local Government (General) Regulation 2005 exceeding the delegated financial limit of the Purchasing Officers' own positions following verbal confirmation^ by the absent nominated authorising officer.</p>	
Procedure:	<p>The Purchase Requisition shall retain the position title of the initial authorising officer. Details of the verbal approval (date and time) are to be recorded in the "Line Items" screen in the "Notes" field.</p> <p>A monthly report is to be generated of all orders authorised by the Purchasing Officer for review by the Director of Finance & Corporate Services.</p>	
Limitation:	<p>Orders can only be given in accordance with approved budgets, approved votes, relevant statutory requirements and within Council's policies.</p>	
Enabling Source:	<p>Local Government (General) Regulation 2005</p>	

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6. EMERGENCY SERVICES

	Delegation No: ES1	Position
Title:	Local Emergency Management Committee	
Details of Delegation:	To exercise the functions of the principal executive officer of the Local Emergency Management Committee as the Local Emergency Management Officer appointed under the State Emergency Management Plan.	DETS
Enabling Source:	Paragraph 422 of the State Emergency Management Plan	

	Delegation No: ES2	Position
Title:	Emergency Management	
Details of Delegation:	To make Council resources available at the request of the Local Emergency Operations Controller for works in an emergency including work on the boundary of an adjoining local government area. Following a request, resources may also be made available to another local government area provided the General Manager is made aware of such action as soon as is practical.	DETS
Enabling Source:		

	Delegation No: ES3	Position
Title:	Local Emergency Management Officer and Deputy Local Emergency Management Officer	

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Details of Delegation:	<ol style="list-style-type: none"> 1. To act as Council's appointed Local Emergency Management Officer and chairperson of the Local Emergency Management Committee in accordance with the provisions of the State Emergency & Rescue Management Act 1989. 2. To act as Council's appointed Deputy Local Emergency Management Officer and alternate chairperson of the Local Emergency Management Committee in accordance with the provisions of the State Emergency & Rescue Management Act 1989. 	<ol style="list-style-type: none"> 1. DETS 2. Ops Mgr R&B, MC
Enabling Source:	s28 of the State Emergency and Rescue Management Act 1989 and paragraph 222 of the State Emergency Management Plan	

	Delegation No: ES4	Position
Title:	Permit to light fires	
Details of Delegation:	To grant permits to light fires under S89, 91, 92 and 93 of the <i>Rural Fires Act 1997</i> and to revoke, suspend or vary such permits.	NSW RFS
Enabling Source:	S89, 91, 92, 93 Rural Fires Act 1997	

	Delegation No: ES5	Position
Title:	Notification of issue/cancellation/suspension of fire permits	
Details of Delegation:	To provide notification, under Section 94 of the Rural Fires Act 1997, of the issue of a Fire Permit or cancellation or suspension of a permit to the officer in charge of the fire station that is nearest to the land, or to such persons or bodies as are prescribed by the Regulations.	NSW RFS

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Enabling Source:	S94 Rural Fires Act 1997	
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	Delegation No: ES6	Position
Title:	Bush Fire Danger Period	
Details of Delegation:	To declare or revoke a bush fire danger period in accordance with S82 of the Rural Fires Act 1997.	NSW RFS
Enabling Source:	S82 Rural Fires Act 1997	

	Delegation No: ES7	Position:
Title:	To consider objection to a Notice – Rural Fires Act	
Details of Delegation:	To consider objections made by a person to whom the Notice has been issued and to make a determination on the representations according under Section 67 of the Rural Fires Act 1997.	NSW RFS
Enabling Source:	S67 Rural Fires Act 1997	

	Delegation No: ES8	Position:
Title:	Notice to Clear Land	

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Details of Delegation:	To serve Notices to clear land under the Rural Fires Act	NSW RFS
Enabling Source:		

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7. COMMUNITY SERVICES

	Delegation No: CS1	Position
Title:	Street Stall	
Details of Delegation:	To approve the holding of street stalls and selling of raffle tickets.	DFCS
Enabling Source:		

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ENVIRONMENTAL SERVICES**

8. ENVIRONMENTAL HEALTH

	Delegation No: EH1	Position
Title:	Lodging an Objection – Liquor Act 1982	
Details of Delegation:	Authorised under S44 of the Liquor Act 1982 to lodge objections on behalf of the Council to the grant of an application for a licence under the Liquor Act 1982, or for any variation of a Licence under that Act.	DES, MBE
Enabling Source:	S44 Liquor Act 1982	

	Delegation No: EH2	Position
Title:	Graffiti Removal	
Details of Delegation:	To enter into Agreements under Section 67A of the Local Government Act for the removal of graffiti from private property.	DETS, DES, MBE
Enabling Source:	S67A Local Government Act 1993. Council resolution 01/08/37-13 refers.	

	Delegation No: EH3	Position
Title:	Order - food	
Details of Delegation:	To give an order to put premises, vehicles or articles used for the manufacture, preparation, storage, sale, transportation or other handling or use of food into a clean or sanitary condition.	DES, MBE, HBS, SESO

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Enabling Source:	S124 Local Government Act 1993, Order 20	
	Delegation No: EH4	Position
Title:	Order - human waste storage facility	
Details of Delegation:	To give an order not to use or permit the use of a human waste storage facility on premises after a specified date.	DES, HBS, THBS, MBE
Enabling Source:	S124 Local Government Act 1993, Order 25	
	Delegation No: EH5	Position
Title:	Directions to take clean up action	
Details of Delegation:	To issue a direction to take clean up action under Part 4.2 – Clean Up Notices, of the Protection of Environment Operations Act 1997.	DES, MBE
Enabling Source:	Part 4.2 Protection of Environment Operations Act 1997	
	Delegation No: EH6	Position:
Title:	Direction to take preventative action	
Details of Delegation:	To issue a direction to take preventative action under Part 4.3 – Prevention Notices of the Protection of Environment Operations Act 1997.	DES, MBE

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Enabling Source:	Part 4.3 Protection of Environment Operations Act 1997	
	Delegation No: EH7	Position:
Title:	Requirement to pay reasonable expenses	
Details of Delegation:	To require a person to pay all or any reasonable costs and expenses incurred in connection with a clean up action under Part 4.5 – compliance Cost, of the Protection of Environment Operations Act 1997.	DES, MBE, DE
Enabling Source:	Part 4.5 Protection of the Environment Operations Act 1997	
	Delegation No: EH8	Position:
Title:	Revoke or vary a Notice	
Details of Delegation:	To revoke or vary a notice issued under S110 Part 4.6 Miscellaneous, of the Protection of Environment Operations (POEO) Act 1997.	DES, MBE
Enabling Source:	S110 Part 4.6 Protection of the Environment Operations Act 1997	
	Delegation No: EH10	Position:
Title:	Issue of Notices – Public Health Act	

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Details of Delegation:	To issue notices under the Public Health Act 2010 (S41).	DES, MBE
Enabling Source:	S41 Public Health Act	

	Delegation No: EH11	Position
Title:	Withdraw Penalty Notices – Protection of the Environment Operations	
Details of Delegation:	To withdraw penalty Notices in accordance with the Protection of the Environment Operations Act 1997 (S228)	DES, MBE
Enabling Source:	S228 Protection of the Environment Operations Act 1997	

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9. ENVIRONMENTAL PLANNING AND BUILDING

	Delegation No: EPB1	Position
Title:	Consultation - Draft Local Environmental Plans	
Details of Delegation:	To consult with such public authorities, bodies or other persons as will or may be affected by an environmental study or a draft local environmental plan in accordance with Section 62 of the <i>Environmental Planning and Assessment Act, 1979</i> .	DES, STP, TP
Enabling source:	S.62 Environmental Planning and Assessment Act, 1979.	

	Delegation No: EPB2	Position
Title:	Consultation - Draft Local Environmental Plans - Submission to Department	
Details of Delegation:	To submit a copy of a draft local environmental plan, when prepared, to the secretary, together with a statement specifying the names of authorities, bodies and other persons the council has consulted with in accordance with Section 64 of the <i>Environmental Planning and Assessment Act, 1979</i> .	DES, STP, TP
Enabling source:	S.64 Environmental Planning and Assessment Act, 1979.	

	Delegation No: EPB3	Position
Title:	Certificates - draft Local Environmental Plans	DELETED

	Delegation No: EPB4	Position
Title:	Reports to Minister - draft Local Environmental Plans	DELETED

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	Delegation No: EPB5	Position
Title:	Development Control Plans	
Details of Delegation:	<p>To make a development control plan in accordance with S72 of the Environmental Planning and Assessment Act 1979.</p> <p>Limitation: Development Control Plans must be reported to Council prior to public exhibition, approval, amendment or repeal.</p>	DES, MBE, STP
Enabling Source:	Environmental Planning and Assessment Act 1979.	

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	Delegation No: EPB6	Position
Title:	Applications – Refunds and Fee concessions	
Details of Delegation:	To authorise refunds relating to land use applications and to determine fee concessions.	DES, MBE, STP
Enabling Source:		

	Delegation No: EPB7	Position
Title:	Approvals - buildings, temporary structures or moveable dwellings	
Details of Delegation:	To determine application for approval to: <ol style="list-style-type: none"> 1. Install and manufactured home, moveable dwelling or associated structure on land. 2. Install a temporary structure on land. 3. Use a building or temporary structure as a place of public entertainment or permit its use as a place of public entertainment. 	DES, MBE, HBS, THBS, DE
Enabling Source:	S68 Part A Local Government Act 1993	

	Delegation No: EPB8	Position
Title:	Approvals - community land	

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Details of Delegation:	<p>To determine applications for approval to engage in the following activities on community land:</p> <ol style="list-style-type: none"> 1. Engage in a trade or business. 2. Direct or procure a theatrical, musical or other entertainment for the public. 3. Construct a temporary enclosure for the purpose of entertainment. 4. For fee or reward, play a musical instrument or sing. 5. Set up, operate or use a loudspeaker or sound amplifying device. 6. Deliver a public address or hold a religious service or public meeting. 	DES, MBE, HBS, THBS, SESO
Enabling Source:	S68 Part D Local Government Act 1993	

	Delegation No: EPB9	Position
Title:	Approvals – Community Title	
Details of Delegation:	To exercise Council’s powers and functions under the Community Land Management Act 1989, including applications for approval.	DES, MBE
Enabling Source:		

	Delegation No: EPB10	Position
Title:	Approvals - Public roads	

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Details of Delegation:	<p>To determine applications for approval to:</p> <ol style="list-style-type: none"> 1. Swing or hoist goods across or over any part of a public road by means of a lift, hoist or tackle projecting over the footway. 2. Expose or allow to be exposed (whether for sale or otherwise) any article in or on so as to overhang any part of the road or outside a shop window or doorway abutting the road, or hang an article beneath an awning over the road. 	DES, MBE, HBS, DE
Enabling Source:	S68 Part E Local Government Act 1993	

	Delegation No: EPB11	Position
Title:	Approvals - other activities	
Details of Delegation:	<p>To determine applications for approval to:</p> <ol style="list-style-type: none"> 1. Operate a public car park. 2. Operate a caravan park or camping ground. 3. Operate a manufactured home estate. 4. Install a domestic oil or solid fuel heating appliance, other than a portable appliance. 5. Install or operate amusement devices (within the meaning of the Construction Safety Act 1912). 7. Use a standing vehicle or any article for the purpose of selling any article in a public place. 8. Operate an undertaker's business. 9. Operate a mortuary. 10. Prescribed activities. 	DES, MBE, HBS, SESO

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Enabling Source:	S68 Part F Local Government Act 1993	
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	Delegation No: EPB12	Position
Title:	Refunds - fees on withdrawn, rejected or amended applications - fee concessions	
Details of Delegation:	To approve refunds relating to applications in accordance with the provisions of S88(3) of <i>Local Government Act 1993</i> and any policy adopted by Council for calculation of such refunds and to determine fee concessions on amended applications.	DES, MBE
Enabling Source:	S88(3) Local Government Act 1993	

	Delegation No: EPB13	Position
Title:	Approvals - illegible applications and additional information	
Details of Delegation:	To reject unclear or illegible applications for approval under the <i>Local Government Act 1993</i> and to request additional information.	DES, MBE
Enabling Source:	S85 and S86 Local Government Act 1993	

	Delegation No: EPB14	Position
Title:	Approvals - deferred commencement	
Details of Delegation:	To grant approvals with deferred commencement.	DES, MBE, HBS

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Enabling Source:	S95 Local Government Act 1993	
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	Delegation No: EPB15	Position
Title:	Approvals - staged	
Details of Delegation:	To grant staged approvals.	DES, MBE, HBS
Enabling Source:	S96 Local Government Act 1993	

	Delegation No: EPB16	Position
Title:	Approvals - amendment	
Details of Delegation:	To amend approvals in accordance with legislation and Council policy other than approvals which have been determined by Council.	DES
Enabling Source:	S106 Local Government Act 1993	

	Delegation No: EPB17	Position
Title:	Approvals - extension and renewal	
Details of Delegation:	To determine applications for extensions and renewals of approvals.	DES, MBE

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Enabling Source:	S107 Local Government Act 1993	
	Delegation No: EPB18	Position
Title:	Approvals - revocation and modification	
Details of Delegation:	To revoke or modify an approval.	DES
Enabling Source:	S108 & 109 Local Government Act 1993	

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	Delegation No: EPB19	Position
Title:	Objections to Regulations or Local Approval Policies	
Details of Delegation:	<p>To determine objections lodged pursuant to S82 of the Local Government Act 1993 in respect of Regulations and Local Policies and subject to the concurrence of the Director-General, the authority to direct that:</p> <p style="margin-left: 40px;">(a) Such provisions of any regulations or a local policy adopted by Council under Part 3 of the Act relating to that activity as are specified in the direction;</p> <p style="margin-left: 80px;">i. are not to apply; or</p> <p style="margin-left: 80px;">ii. are to apply with such modifications as are specified in the directions, in respect of the carrying out of that activity; or</p> <p style="margin-left: 40px;">(b) Such requirements as are specified in the directions are to apply to the carrying out of that activity or give directions under both (i) and (ii).</p>	DES
Enabling Source:	S82 Local Government Act 1993	

	Delegation No: EPB21	Position
Title:	Development applications - rejection of illegible applications	
Details of Delegation:	To reject any unclear or illegible development applications in accordance with Clause 51 of the Environmental Planning and Assessment Regulation 2000.	DES, MBE
Enabling Source:	CI51 Environmental Planning and Assessment Regulation 2000	

	Delegation No: EPB22	Position

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Title:	Development applications - additional information	
Details of Delegation:	To require an applicant to give additional information about a proposed development in accordance with Clauses 53 & 54 of the Environmental Planning and Assessment Regulation, 2000.	DES, MBE, HBS, THBS, STP, TP, DE
Enabling Source:	Environmental Planning and Assessment Regulation, 2000	

	Delegation No: EPB23	Position
Title:	Development applications – requiring concurrence	
Details of Delegation:	<p>In accordance with Part 6 Division 2 of the Environmental Planning & Assessment Regulation 2000, carry out the following functions:</p> <ol style="list-style-type: none"> 1. To forward to the relevant concurrence authority a copy of the application for development requiring concurrence. 2. To forward to the concurrence authority a copy of all submissions received in response to public exhibition or public notification of a development application under 79 & 79A of the Act. 3. To determine applications with regard to the authorities concurrence or refusal. To take into consideration any conditions proposed by the concurrence authority in the determination of the application. 	DES
Enabling Source:	Environmental Planning and Assessment Regulation, 2000	

	Delegation No: EPB24	Position
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Title:	Development applications - determination	
Details of Delegation:	To determine development applications in accordance with the requirements of Section 80 and other relevant provisions of the <i>Environmental Planning and Assessment Act, 1979</i> and applicable planning instruments	DES, MBE, HBS
Enabling Source:	Environmental Planning and Assessment Act, 1979	

	Delegation No: EPB25	Position
Title:	Development applications for local development - determination	
Details of Delegation:	In relation to development defined in Section 76A of the <i>Environmental Planning and Assessment Act, 1979</i> , to determine applications for development in accordance with the requirements of Section 80 of that Act and applicable planning instruments, and to impose conditions under Section 80 (3) & (5) and Section 80A of the Environmental Planning and Assessment Act and Part 4 of the Act and Division 8 of Part 6 of the Environmental Planning & Assessment Regulation 2000	DES, MBE, HBS
Enabling Source:	S76A Environmental Planning and Assessment Act, 1979	

	Delegation No: EPB26	Position
Title:	Review of determination of a development application	

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Details of Delegation:	In accordance with the requirements of Section 82A of the <i>Environmental Planning and Assessment Act, 1979</i> to review a determination of a development application by a subordinate or less senior delegate other than a determination of a designated development, an integrated development or a determination of an application for a complying development certificate.	DES, MBE
Enabling Source:		

	Delegation No: EPB27	Position
Title:	Complying development certificates (Section 85)	
Details of Delegation:	<p>In accordance with the requirements of Section 76A and Division 3, of Part 4 and Section 94D of the <i>Environmental Planning and Assessment Act, 1979</i> and Part 7 of the Environmental Planning and Assessment Regulation 2000, to carry out the following functions:-</p> <p>(1) to determine applications for complying development which is defined as complying development by reference to fixed development standards in an environmental planning instrument or a development control plan; and</p> <p>(2) to issue a complying development certificate unconditionally or subject to conditions prescribed in Part 7 of the Environmental Planning and Assessment Regulation 2000 or required by an environmental planning instrument or a development control plan; or</p> <p>(3) to refuse to issue a certificate</p>	DES, MBE, HBS
Enabling Source:	S76A and Division 3, of Part 4 and S94D Environmental Planning and Assessment Act, 1979; Part 7 of the Environmental Planning and Assessment Regulation 2000	

	Delegation No: EPB28	Position
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Title:	Development Applications for Integrated local development - determination	
Details of Delegation:	<p>In accordance with the requirements of Division 5 of Part 4 of the <i>Environmental Planning and Assessment Act, 1979</i> and Division 3 of Part 6 of the Environmental Planning and Assessment Regulation, to carry out the following functions in relation to development that is integrated development:</p> <p>(1) to forward to relevant approval bodies copies of applications for local development, any additional information required by those bodies and to obtain from them the general terms of any approval proposed to be granted by those bodies; and</p> <p>(2) to forward to each relevant approval body copies of all submissions received in response to public exhibition or public notification of a development application under Section 79 and 79A of the Act; and</p> <p>to determine applications for integrated local development consistent with the nominated general terms and conditions of any approval, if any, proposed to be granted by approval bodies and to impose on consents granted any of the conditions authorised under Section 80(3) & (5) and Section 80A of the Environmental Planning & Assessment Act and Part 4 of the Environmental Planning & Assessment Regulation 2000.</p>	DES, MBE
Enabling Source:	Division 5 of Part 4 of the Environmental Planning and Assessment Act, 1979; Division 3 of Part 6 of the Environmental Planning and Assessment Regulation 2000	

	Delegation No: EPB29	Position
Title:	Certificate of development (Part 4A)	

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Details of Delegation:	<p>Subject to the requirements of Part 4A of the <i>Environmental Planning and Assessment Act, 1979</i>, to issue the following certificates defined in Section 109C of that Part:-</p> <ol style="list-style-type: none"> 1) Compliance Certificates 2) Construction Certificates 3) Occupation Certificates 4) Subdivision Certificates 	<ol style="list-style-type: none"> 1. DES, MBE, HBS, DETS, DE 2. DES, MBE, HBS, DETS, DE 3. DES, MBE, HBS, DE 4. DES, MBE, HBS, STP, TP, DETS
Enabling Source:	S109C and Part 4A Environmental Planning and Assessment Act, 1979	

	Delegation No: EPB30	Position
Title:	Development applications - notice of determination	
Details of Delegation:	To give notice to applicants of the determination of development applications as required under Section 81 of the <i>Environmental Planning and Assessment Act, 1979</i> and Division 10 of Part 6 of the <i>Environmental Planning & Assessment Regulation 2000</i>	DES, MBE
Enabling Source:	Environmental Planning and Assessment Act, 1979	

	Delegation No: EPB31	Position
Title:	Development applications - extension of consent	

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Details of Delegation:	To grant extensions of development consent by a further year in accordance with the requirements of Section 95A of the <i>Environmental Planning and Assessment Act, 1979</i> .	DES, MBE
Enabling Source:	Environmental Planning and Assessment Act, 1979	

	Delegation No: EPB32	Position
Title:	Development applications - modification of consent	DES
Details of Delegation:	To modify development consents in accordance with the requirements of Section 96 of the Environmental Planning and Assessment Act, 1979.	
Enabling Source:	Environmental Planning and Assessment Act, 1979.	

	Delegation No: EPB33	Position
Title:	Development applications - refunds and fee concessions	
Details of Delegation:	To approve refunds relating to development applications and Section 96 modifications in accordance with Part 15 <i>Environmental Planning and Assessment Regulation 2000</i> and Council's Policy and to determine fee concessions.	DES, MBE
Enabling Source:	Environmental Planning and Assessment Regulation 2000	

	Delegation No: EPB34	Position
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Delegation:	Discretion as to State Environmental Planning Policies	
Details of Delegation:	To exercise the discretion vested in Council by the State Environmental Planning Policies made under the Environmental Planning & Assessment Act 1979.	DES, MBE
Enabling Source:		

	Delegation No: EPB35	Position
Title:	Approvals - exemption from fencing of swimming pools	
Details of Delegation:	To determine applications for exemption from barrier requirements under S22 of the <i>Swimming Pools Act, 1992</i> .	DES, MBE, HBS
Enabling Source:	S22 Swimming Pools Act, 1992.	

	Delegation No: EPB36	Position
Title:	Approval - Footway restaurants	
Details of Delegation:	To grant approval to a person to use part of a footway for the purpose of a restaurant adjacent to the footway & to authorise erection & maintenance of structures in, on or over any part of the footway.	DES, MBE, DETS
Limitation:	Delegation to be exercised in accordance with Council's policy.	
Enabling Source:	S125 and S126 Roads Act 1993	

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	Delegation No: EPB37	Position
Title:	Order - repairs/alterations to buildings	
Details of Delegation:	To give an order to repair or make structural alterations to a building.	DES, MBE
Enabling Source:	S124 Local Government Act 1993, Order 3	

	Delegation No: EPB38	Position
Title:	Order - bring building into compliance with requirements of the Act.	
Details of Delegation:	<p>To give an order to take such action as is necessary to bring into compliance with relevant standards or requirements set or made by or under the <i>Local Government Act 1993</i>:</p> <ul style="list-style-type: none"> a) a camping ground, caravan park or manufactured home estate b) a moveable dwelling or manufactured home c) a building or a temporary structure used as a place of public entertainment d) a place of shared accommodation e) a hairdressers shop or beauty salon f) a mortuary g) Repealed h) a water meter, water supply, or sewerage system on premises. 	DES, MBE, HBS, SESO
Enabling Source:	S124 Local Government Act 1993, Order 5	

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	Delegation No: EPB39	Position
Title:	Order - fence land	
Details of Delegation:	To give an order to fence land.	DES, MBE
Enabling Source:	S124 Local Government Act 1993, Order 7	

	Delegation No: EPB40	Position
Title:	Order - identify premises	
Details of Delegation:	To give an order to identify premises with such numbers or other identification in such manner as is specified in the order.	DES
Enabling Source:	S124 Local Government Act 1993, Order 8	

	Delegation No: EPB41	Position
Title:	Order - fence, empty, fill in or cover up a hole or waterhole	
Details of Delegation:	To give an order to fence, empty, fill in or cover up a hole or waterhole in the manner specified in the order.	DES, MBE, SESO, DE
Enabling Source:	S124 Local Government Act 1993, Order 9	

	Delegation No: EPB42	Position

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Title:	Order - stack or cover articles, to erect fences or plant trees	
Details of Delegation:	To give an order to remove or stack articles or matter, to cover articles or matter, to erect fences or screens or to plant trees.	DES, MBE
Enabling Source:	S124 Local Government Act 1993, Order 10	

	Delegation No: EPB43	Position
Title:	Order - Environmental damage	
Details of Delegation:	To give an order to do or to refrain from doing such things as are specified in the order to prevent environmental damage, to repair environmental damage or to prevent further environmental damage.	DES, MBE, SESO, DE
Enabling Source:	S124 Local Government Act 1993, Order 11	

	Delegation No: EPB44	Position
Title:	Order - control flow of surface water	
Details of Delegation:	To give an order to do such things as are necessary to control the flow of surface water across land.	DES, MBE
Enabling Source:	S124 Local Government Act 1993, Order 12	

	Delegation No: EPB45	Position
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Title:	Order - cease an activity	
Details of Delegation:	To give an order not to conduct, or to cease conducting, an activity on premises (whether or not the activity is approved under the <i>Local Government Act 1993</i>).	DES, MBE
Enabling Source:	S124 Local Government Act 1993, Order 15	

	Delegation No: EPB46	Position
Title:	Order - cease use of premises or evacuate premises	
Details of Delegation:	To give an order to cease the use of premises or to evacuate premises.	DES, MBE
Enabling Source:	S124 Local Government Act 1993, Order 16	

	Delegation No: EPB47	Position
Title:	Order - leave, or not enter, premises	
Details of Delegation:	To give an order to leave premises or not to enter premises.	DES, MBE
Enabling Source:	S124 Local Government Act 1993, Order 17	

	Delegation No: EPB48	Position
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Title:	Order - use of tennis courts	
Details of Delegation:	To give an order to use or not to use a tennis court as specified.	DES
Enabling Source:	S124 Local Government Act 1993, Order 19	

	Delegation No: EPB49	Position
Title:	Order - do or refrain from doing an activity in order to ensure that land is safe	
Details of Delegation:	To give an order to do or refrain from doing such things as are specified in the order to ensure that land is, or premises are, placed or kept in a safe or healthy condition.	DES, MBE
Enabling Source:	S124 Local Government Act 1993, Order 21	

	Delegation No: EPB50	Position
Title:	Order – to connect to Council’s Water Supply	
Details of Delegation:	To give an order to connect premises to Council’s water supply by a specified date.	DES, MBE
Enabling Source:	S124 Local Government Act 1993, Order 23	

	Delegation No: EPB51	Position
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Title:	Order - connection to sewerage system	
Details of Delegation:	To give an order to connect premises with a sewerage system by a specified date.	DES, MBE
Enabling Source:	S124 Local Government Act 1993, Order 24	

	Delegation No: EPB52	Position
Title:	Order - remove an object or matter from a public place	
Details of Delegation:	To give an order to remove an object or matter from a public place or prevent any object or matter being deposited there.	DES, MBE, DETS, DE
Enabling Source:	S124 Local Government Act 1993, Order 27	

	Delegation No: EPB53	Position
Title:	Order - prevention of damage to a public place	
Details of Delegation:	To give an order to take whatever steps are necessary to prevent damage to a public place and to repair damage to a public place.	DES, DETS, DE
Enabling Source:	S124 Local Government Act 1993, Order 28	

	Delegation No: EPB54	Position
Title:	Order - alter or repair work or structure on a public place	

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Details of Delegation:	To give an order to alter or repair a work or structure on, over or under a public place.	DES, MBE, DETS, DE
Enabling Source:	S124 Local Government Act 1993, Order 29	

	Delegation No: EPB55	Position
Title:	Order - comply with an approval	
Details of Delegation:	To give an order to comply with an approval.	DES, MBE
Enabling Source:	S124 Local Government Act 1993, Order 30	

	Delegation No: EPB56	Position
Title:	Order - to abate a public nuisance	
Details of Delegation:	To give an order to abate a public nuisance.	DES, MBE
Enabling Source:	S125 Local Government Act 1993 Council resolution 01/07/10	

	Delegation No: EPB57	Position
Title:	Order - notice of intention	

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Details of Delegation:	To give notice to the person to whom an order is proposed to be given of Council's intention to give the order.	DES, MBE
Enabling Source:	S132 Local Government Act 1993, and S121H of the Environmental Planning Assessment Act 1979	

	Delegation No: EPB58	Position
Title:	Order - no need to give notice	
Details of Delegation:	To give an order in the circumstances provided in S129 of the Local Government Act 1993 and Section 121D of the Environmental Planning Assessment Act 1979 in an emergency without the necessity to give notice of intention.	DES MBE (in absence of DES)
Enabling Source:	S129 Local Government Act 1993 and S121D of the Environmental Planning Assessment Act 1979	

	Delegation No: EPB59	Position
Title:	Order - modification	
Details of Delegation:	To modify an order given to a person if the person agrees to that modification including modification of the specified time period.	DES, MBE
Enabling Source:	S152 Local Government Act 1993	

	Delegation No: EPB60	Position:
Title:	Order – Proposed Order	

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Details of Delegation:	<p>In accordance with Sections 121J, 121K & 121ZF of the Environmental Planning Assessment Act 1979 and Sections 133 & 134 of the Local Government Act, to hear and consider representations made concerning a proposed order and determine whether:</p> <ul style="list-style-type: none"> - To give an order in accordance with the proposed order; or - To give an order in accordance with modifications made to the proposed order; or - Not to give an order 	DES, MBE
Enabling Source:	S121J, S121K & S121ZF of the Environmental Planning Assessment Act 1979 and S133 & S134 of the Local Government Act 1993	

	Delegation No: EPB61	Position:
Title:	Order – Revocation	
Details of Delegation:	To revoke an order at any time under Section 121ZG of the Environmental Planning & Assessment Act 1979 or Section 153 of the Local Government Act 1993.	DES
Enabling Source:	S121ZG of the Environmental Planning & Assessment Act 1979, S153 of the Local Government Act 1993.	

	Delegation No: EPB62	Position:
Title:	Order – Failure to Comply	
Details of Delegation:	To do all such things as are necessary or convenient to give effect to the terms of an order, including the carrying out of any work required by the order in accordance with Section 121 ZJ of the Environmental Planning Assessment Act 1979 and/or Section 678 of the Local Government Act 1993.	DES, MBE

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Enabling Source:	S121 ZJ Environmental Planning Assessment Act 1979, and/or S678 of the Local Government Act 1993.	
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	Delegation No: EPB63	Position
Title:	Orders 1-17. Section 121B Environmental Planning and Assessment Act	
Details of Delegation:	To give or modify orders made under provisions of the <i>Environmental Planning and Assessment Act, 1979</i> .	DES, MBE
Enabling Source:	S121B, S121H, S121J, S121K, S121F of the Environmental Planning and Assessment Act 1979	

	Delegation No: EPB64	Position
Title:	Issue Orders – Roads Act	
Details of Delegation:	<p>To give any order of direction in accordance with the requirements of Part 7 of the Roads Act 1993 to protect a public road and traffic and to carry out the following associated functions:</p> <ul style="list-style-type: none"> - Give any notice of intention to give an order or direction in accordance with the Act; and - Hear and consider representations and to make a determination about giving an order or direction, and - Modify an order or direction if the person to whom an order is given agrees to that modification 	DETS
Enabling Source:	Part 7 of the Roads Act 1993	

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	Delegation No: EPB65	Position
Title:	Notices and directions - other acts	
Details of Delegation:	To issue notices and directions under the following Acts and the regulations made under them: 1) <i>Public Health Act 2010</i> (S41). 2) <i>Swimming Pools Act, 1992</i> (S23 notices requiring compliance).	1) DES, MBE 2) DES, MBE
Enabling Source:	S41 Public Health Act 2010, S23 Swimming Pools Act, 1992	

	Delegation No: EPB66	Position
Title:	Zoning certificates, Environmental Planning and Assessment Act 1979 - Section 149 Certificates	
Details of Delegation:	To sign and issue certificates in accordance with the provisions of S149 of the <i>Environmental Planning and Assessment Act 1979</i> .	DES, MBE, STP
Enabling Source:	S149 Environmental Planning and Assessment Act 1979	

	Delegation No: EPB67	Position
Title:	Certificates - swimming pools compliance	
Details of Delegation:	To determine applications and issue Certificates of Compliance for Swimming Pools under S24 of the <i>Swimming Pools Act, 1992</i> .	DES, MBE

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Enabling Source:	S24 Swimming Pools Act, 1992.	
	Delegation No: EPB68	Position:
Title:	Certificates – Building Certificates	
Details of Delegation:	To exercise the powers, authorities, duties and functions of the Council under Section 149A to 149E of the Environmental Planning Assessment Act 1979	DES, MBE
Enabling Source:	S149A, S149B, S149C, S149D S149E of the Environmental Planning Assessment Act 1979	
	Delegation No: EPB69	Position:
Title:	Certificates – Relating to Notices/Orders	
Details of Delegation:	To give certificates under Section S121ZP of the Environmental Planning Assessment Act 1979 as to outstanding notices of intention to give orders, orders in forces and any action proposed by council in relation to such notices or orders.	DES, MBE
Enabling Source:	S121ZP Environmental Planning Assessment Act 1979	
	Delegation No: EPB70	Position:
Title:	Certificates – Outstanding Notices	

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Details of Delegation:	In accordance with Section 735A of the Local Government Act, to issue a certificate as to whether there are any outstanding notices, order, directions or demands in respect of any land within the Council's area.	DES, MBE
Enabling Source:	S735A of the Local Government Act 1993	

	Delegation No: EPB71	Position:
Title:	Removal of Trees	
Details of Delegation:	To administer and enforce Council's Tree Preservation Order/Vegetation Management Order as it relates to private property and to determine applications for the removal of trees/vegetation within privately owned property and on land where development or building is proposed.	DES, MBE
Enabling Source:		

	Delegation No: EPB72	Position:
Title:	Heritage - Approval Function from Heritage Office to NSW Councils	
Details of Delegation:	<ol style="list-style-type: none"> 1. For items listed on the State Heritage Register, to determine whether public notice of an application under s.60 of the Heritage Act 1977 should be given under s.61 of that Act. 2. For items listed on the State Heritage Register, to approve, under s.63 of the Heritage Act 1977, an application made under s.60 and all incidental powers, functions and duties thereto. 	DES, MBE
Conditions and Limitations:	For conditions refer to http://www.gazette.nsw.gov.au/pdfs/2002/1st_February.pdf - pg 709	

CABONNE COUNCIL DELEGATIONS INDEX

	<p>Limitations re 1. above</p> <ul style="list-style-type: none"> a) Where the council determines that public notice should be given under s.61, the council must forward the application to the Heritage Council within 5 days of receiving it. b) A local council must not exercise this function where the item is of significance to the Aboriginal people, as defined on the State Heritage Inventory. <p>Limitations re 2. above</p> <ul style="list-style-type: none"> a) A local council must not exercise this function where the local council has determined that public notice should be given under s.61. b) Where the council knows, or has reasonable cause to suspect, that the proposed activity will or is likely to result in a relic being discovered, exposed, damaged or destroyed, the application must be referred to the Heritage Office for assessment regarding archaeological matters. Council must comply with the recommendations of the Heritage Office made in its assessment prepared pursuant to the referral. (see condition 6, Schedule B). c) A local council must not exercise this function where the item is of significance to Aboriginal people, as identified on the State Heritage Inventory. 	
Enabling Source:	Council resolution 09/09/24 refers (implied by non exemption).	

	Delegation No: EPB73	Position
Title:	Environmental Services Committee	DELETED
	Abolished at September 2014 Council meeting.	

	Delegation No: EPB73A	Position:
Title:	Determination of Development Applications	

CABONNE COUNCIL DELEGATIONS INDEX

Details of Delegation:	<ol style="list-style-type: none"> 1. To determine by way of approval or conditional approval: <ol style="list-style-type: none"> a) SEPP 1 applications that satisfy the Department of Planning and Infrastructure's (DoPI's) delegation guidelines; b) development applications where issues raised by way of objection have been addressed; and c) development applications relating to council owned or managed land where council does not hold a commercial interest in the development. 2. Assess and determine development applications deferred due to the lack of a committee quorum at an Environmental Services & Sustainability Committee meeting. Deleted 23 September 2014 	GM
Conditions and Limitations:	Re 1. Where 3 or more objections are received relating to a DA and those issues remain unresolved at the planning assessment /report stage, the DA is to be referred to the Environmental Services and Sustainability Committee Council for determination.	
Enabling Source:	Council resolution October 2011 refers.	

	Delegation No: EPB74	Position
Title:	Cabonne Local Government Area Joint Regional Planning Panel	

CABONNE COUNCIL DELEGATIONS INDEX

Details of Delegation:	<p>To determine the following types of applications:-</p> <ul style="list-style-type: none"> • Major development application submitted to the Cabonne Local Government Area Joint Regional Planning Panel, where no objections have been received. • Designated development with a capital investment value up to \$5 million. • Applications within certain precincts where detailed planning has occurred, and the Department of Planning has endorsed such delegation. 	GM
Enabling Source:	Instrument of delegation approved by the Minister for Planning on 27 September 2010 posed	

	Delegation No: EPB75	
Title:	Development applications – approval when of a minor nature where there is minimal or no environmental impact or variation	DELETED

	Delegation No: EPB76	Position
Title:	Plumbing and Drainage Act 2011 – Functions delegated to Council staff	
Details of Delegation:	<p>These functions are to be undertaken by an officer or employee of council holding the necessary skills, knowledge or experience to exercise the functions:</p> <ol style="list-style-type: none"> 1. To monitor compliance with the Plumbing and Drainage Act (s19 (a)). 2. To ensure that any plumbing and drainage work carried out does not threaten public health or safety (s19 (b)) 3. To undertake any other functions conferred or imposed on the plumbing regulator by the Plumbing and Drainage Act (s19 (c)) other than: 	HBS THBS

CABONNE COUNCIL DELEGATIONS INDEX

	<ul style="list-style-type: none"> • Receiving notices of work and other documentation required to be submitted to the plumbing regulator concerning proposed alternative solutions (s9 (3) of Plumbing and Drainage Act and clause 10 of the Plumbing and Drainage Regulation), • Authorising fittings for use in plumbing and drainage work (s20), and • Initiating criminal or other proceedings as provided for in Part 5 of the Plumbing. 	
Conditions and Limitations:	<p>Re 1. This function is to be exercised in accordance with the requirements of the Plumbing and Drainage Act, Plumbing and Drainage Regulation 2012 (Plumbing and Drainage Regulation) and guidelines (if any) issued by the plumbing regulator.</p> <p>Re 2. This function is to be exercised in accordance with the requirements of the Plumbing and Drainage Act, Plumbing and Drainage Regulation and guidelines (if any) issued by the plumbing regulator.</p> <p>Re 3. The exercise of any function by the council as a delegate of the plumbing regulator under the Plumbing and Drainage Act is to be in accordance with the requirements of the Plumbing and Drainage Act, Plumbing and Drainage Regulation and guidelines (if any) issued by the plumbing regulator.</p>	
Enabling Source:	Local Government Act 1993	

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10. WASTE MANAGEMENT

	Delegation No: WM1	Position
Title:	Approvals - management of waste	
Details of Delegation:	<p>To determine applications for approval to:</p> <ol style="list-style-type: none"> 1. For a fee or reward, transport waste over or under a public place. 2. Place waste in a public place 3. Place a waste storage container in a public place. 4. Dispose of waste into a sewer. 5. Install, construct or alter a waste treatment device or a human waste storage facility or a drain connected to any such device or facility. 6. Operate a system of sewer management 	DES, MBE, HBS, SESO
Enabling Source:	S68 Table Part C Local Government Act 1993	

	Delegation No: WM2	Position
Title:	Order - handling and storage of waste on premises	
Details of Delegation:	<p>To give an order to store, treat, process, collect, remove, dispose of or destroy waste which is on land or premises in the manner specified in the order, provided that it is not inconsistent with regulations made under the Protection of the Environment Operations Act 1997.</p>	DES, MBE
Enabling Source:	S124 Local Government Act 1993, Order 22	

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DELEGATIONS INDEX**

	Delegation No: WM3	Position:
Title:	Application to Environmental Protection Authority – Asbestos Waste	DELETED

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11. ANIMAL CONTROL

	Delegation No: A1	Position
Title:	Order - keeping of birds or animals	
Details of Delegation:	To give an order not to keep birds or animals on premises, other than of such kinds, in such numbers or in such manner as specified in the order.	DES, MBE, SESO
Enabling Source:	S124 <i>Local Government Act 1993</i> , Order 18	
	Delegation No: A2	Position:
Title:	Order – nuisance dog, nuisance cat	
Details of Delegation:	To give an order in accordance with the requirements of Section 21 and Section 31 of the Companion Animals Act 1998, declaring an animal to be a nuisance.	DES, MBE, SESO
Enabling Source:	S21 and S31 of the Companion Animals Act 1998	
	Delegation No: A3	Position:
Title:	Impounding powers	

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Details of Delegation:	<p>To exercise the following functions and powers of Council under the <i>Impounding Act, 1993</i> as an impounding officer duly authorised by this delegation in that behalf:-</p> <ol style="list-style-type: none"> 1) impound and deal with animals and articles that have been abandoned or left unattended or are trespassing in public places. 2) exercise the functions, powers and duties of poundkeeper at Council's Pounds as an employee duly authorised by this delegation under S28 of the Impounding Act. 3) release impounded articles and animals that have been claimed by their owners. 4) dispose of impounded animals and articles not claimed. 5) destroy animals in accordance with S41 of the Impounding Act as a person authorised by this delegation for that purpose. 	DES, MBE, Rgr, SESO
Enabling Source:	Impounding Act, 1993	

	Delegation No: A4	Position:
Title:	Declaration of a dog to be dangerous	
Details of Delegation:	To declare a dog to be dangerous, to issue notices and to carry out all associated functions under Part 5 Division 1 of the <i>Companion Animals Act 1998</i> ,	DES, MBE, SESO
Enabling Source:	Companion Animals Acts 1998	

**CABONNE COUNCIL
DELEGATIONS INDEX**

ENGINEERING AND TECHNICAL SERVICES

12. ASSETS AND PROPERTY

Nil

13. TRANSPORT INFRASTRUCTURE

	Delegation No: T1	Position
Title:	Approvals - Road works and structures	
Details of Delegation:	To give consent and to revoke consent to the carrying out on roads of any of the activities under S138 of the <i>Roads Act 1993</i> , including erection of structures, carrying out works and digging up or disturbing the surface.	DETS, Ops Mgr R&B, DE, MTS
Enabling Source:	S138 Roads Act 1993	

	Delegation No: T2	Position
Title:	Approval – Road boundaries	
Details of Delegation:	To approve survey plans that identify the boundaries of a public road prior to their lodgement at Land & Property Information.	DETS, MTS
Enabling Source:	S21 Roads Act 1993	

	Delegation No: T3	Position
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CABONNE COUNCIL DELEGATIONS INDEX

Title:	Approval – Road events on public roads	
Details of Delegation:	To grant a permit to a person to conduct a road event on a public road under s144 of the Roads Act 1993.	DES, DETS, Ops Mgr R&B
Enabling Source:	S144 Roads Act 1993	

	Delegation No: T4	Position
Title:	Approvals – gates on public roads	
Details of Delegation:	To approve applications for the erection of public gates on public roads and by-passes around public gates and to issue and revoke permits for those purposes.	DETS Ops Mgr R&B, MTS
Enabling Source:	S128 & 130 Roads Act, 1993	

	Delegation No: T5	Position
Title:	Closure of Temporary Public Roads	
Details of Delegation:	To close a temporary public road if, and only if, the road does not give access to an isolated road by notice in the Government Gazette under S39 of the Roads Act 1993.	DETS, Ops Mgr R&B, Ops Mgr W&W, MTS
Enabling Source:	S39 Roads Act 1993	

	Delegation No: T6	Position
Title:	Authorise work on a Public Road	

CABONNE COUNCIL DELEGATIONS INDEX

Details of Delegation:	Carry out work on any public road for which Council is the roads authority and on any other land under Council's control, under Section 71 of the Roads Act 1993.	DETS, Ops Mgr R&B, Ops Mgr W&W, MTS
Enabling Source:	S71 Roads Act 1993.	

	Delegation No: T7	Position
Title:	Authorise work on Private Road	
Details of Delegation:	Direct the owner of a private road (other than a classified road) to carry out such work as, in the opinion of the Council, is necessary to prevent the road from becoming unsafe or unsightly in accordance with Section 86 of the Roads Act 1993.	DES, DETS, Ops Mgr R&B, MTS
Enabling Source:	S86 Roads Act 1993	

	Delegation No: T8	Position
Title:	Utility Services located in conduits	
Details of Delegation:	In accordance with Section 97 of the Roads Act 1993 to direct any person who is entitled to place utility services in, on, or over the road to pay to the roads authority such proportion as may be prescribed by the regulations of the costs incurred.	DETS
Enabling Source:	S97 Roads Act 1993	

	Delegation No: T9	Position
Title:	Alteration to work located in, on or over public roads	

CABONNE COUNCIL DELEGATIONS INDEX

Details of Delegation:	To direct a person having control of any work or structure that is situated in, on or over a public road to alter the work or structure or the location of the work or structure in accordance with Section 98 of the Roads Act 1993.	DETS, Ops Mgr R&B, Ops Mgr W&W, MTS
Enabling Source:	S98 Roads Act 1993	

	Delegation No: T10	Position
Title:	Regulate Traffic	
Details of Delegation:	To regulate traffic on a public road in accordance with Section 115 of the Roads Act 1993.	DETS, Ops Mgr R&B, Ops Mgr W&W, MTS
Enabling Source:	S115 of the Roads Act 1993	

	Delegation No: T11	Position
Title:	Order - regulation of traffic on public roads	
Details of Delegation:	To publish or issue orders to temporarily regulate traffic on public roads in terms of S122 of the <i>Roads Act, 1993</i> .	DETS, Ops Mgr R&B, Ops Mgr W&W
Enabling Source:	S122 Roads Act, 1993	

	Delegation No: T12	Position
Title:	Directions - protection of public roadworks on roads	

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Details of Delegation:	<p>To give directions under the <i>Roads Act 1993</i> in respect of the following:-</p> <ol style="list-style-type: none"> 1) to fill in an excavation (S93); 2) to remove sand, soil or other matter (S95); 3) to alter a fence or to provide and repair floodgates (S96); 4) to require maintenance or repair of water supply or drainage works (S99); 5) to restore a road (S101); 6) to fence or light dangerous premises or land (S103). 	DETS, OpsMgr, AssetMgr
Enabling Source:	S93, S95, S96, S101, S103 Roads Act 1993	

	Delegation No: T13	Position
Title:	Directions - roads, removal of obstructions and encroachments	
Details of Delegation:	To give a direction to a person to remove an obstruction or encroachment from a public road.	DES, MBE, DETS
Enabling Source:	S107 Roads Act 1993	

	Delegation No: T14	Position
Title:	Directions - enforcement of excess weight limits on public roads	
Details of Delegation:	To give directions to drivers of motor vehicles and to exercise all powers, authorities, duties and functions of an authorised officer under Division 2 of Part 14 of the <i>Roads Act, 1993</i> to enforce excess weight limits on public roads.	DETS

CABONNE COUNCIL DELEGATIONS INDEX

Enabling Source:	Division 2 of Part 14 Roads Act, 1993	
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	Delegation No: T15	Position
Title:	Traffic - removal of dangers and obstructions	
Details of Delegation:	To remove any vehicle, thing or container from a public street to facilitate the flow of traffic as an officer authorised for that purpose by this delegation in accordance with S25 of the <i>Road Transport (Safety & Traffic Management) Act, 1999</i>	DETS, Ops Mgr R&B, MTS
Enabling Source:	S25 Road Transport (Safety & Traffic Management) Act, 1999	

	Delegation No: T16	Position
Title:	Public Roads - contravention of road widening orders	
Details of Delegation:	To take action under S26 of the <i>Roads Act, 1993</i> against persons who construct, replace or repaint a building or work on land subject to a road widening order.	DETS
Enabling Source:	S26 of the Roads Act, 1993	

	Delegation No: T17	Position
Title:	Restricted Access Vehicles – Route approval	

CABONNE COUNCIL DELEGATIONS INDEX

Details of Delegation:	<p>The authority under the Road Transport (Mass, Loading and Access) Regulation 2005, pursuant to the delegation to Council by the Roads Minister, to make determination on applications subject to:</p> <ol style="list-style-type: none"> 1. An application where the assessment finds the route is suitable/has acceptable levels of risk is determined by a report to a general meeting of Council. 2. An application where the assessment finds the route is unsuitable/has unacceptable levels of risk. 	<ol style="list-style-type: none"> 1. Council 2. GM
Enabling Source:	Minister's delegation under S11 of the Road Transport (General) Act, 2005 Road Transport (Mass, Loading and Access) Regulation 2005	Doc ID 479739 refers

	Delegation No: T18	Position
Title:	Regulation of traffic	
Details of Delegation:	Authorisation of prescribed traffic control devices under Division 1 of Part 4 (Traffic Control Devices) of the Road Transport (Safety and Traffic Management) Act 1999.	GM
Enabling Source:	The Transport Administration Act 1998, section 50.	
Limitation:	Approval by the Traffic Committee is required first.	

	Delegation No: T19	Position
Title:	Road Manager	

CABONNE COUNCIL DELEGATIONS INDEX

Details of Delegation:	The powers, functions and duties of Council as a Road Manager under the Heavy Vehicle National Law (NSW) 2013	GM
Enabling Source:	The Heavy Vehicle National Law (NSW) 2013. Council resolution 14/05/11.	

14. TOWN BEAUTIFICATION, PARKS AND GARDENS

	Delegation No: TB1	Position
Title:	Removal of persons from community land	
Details of Delegation:	To remove a person committing an offence against the <i>Local Government Act 1993</i> , on community land for which purpose the delegate is authorised by this delegation under S681 of the Act.	DES, MBE, DETS, Ops Mgr R&B, MTS
Enabling Source:	S681 Local Government Act 1993	

	Delegation No: TB2	Position
Title:	Confiscation of recreational equipment	
Details of Delegation:	To confiscate skating and other recreational equipment under S681A of the <i>Local Government Act 1993</i> ,	DES, Rgr, DETS
Enabling Source:	S681A Local Government Act 1993	

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15. NOXIOUS WEEDS

	Delegation No: NW1	Position
Title:	Weeds Control Notices	
Details of Delegation:	To issue Weed Control notices under s18 of the <i>Noxious Weeds Act 1993</i> (S18 notices to control noxious weeds).	DETS, CWO
Enabling Source:	S18 Noxious Weeds Act 1993	

	Delegation No: NW1A	Position
Title:	Noxious weeds - Appointment of Inspectors	
Details of Delegation:	Power to appoint inspectors under the Noxious Weeds Act for the local control authority (Cabonne Council)	GM, DFCS
Enabling Source:	S41 Noxious Weeds Act, 1993	

	Delegation No: NW2	Position
Title:	Noxious weeds - functions	
Details of Delegation:	To exercise, as an inspector duly appointed in that behalf by this delegation in accordance with S41, the noxious weeds functions specified in S39 and S40 of the <i>Noxious Weeds Act, 1993</i> .	CWO
Enabling Source:	S39, S40 and S41 Noxious Weeds Act, 1993	

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	Delegation No: NW3	Position
Title:	Noxious weeds – Initiate Prosecutions	
Details of Delegation:	<p>To initiate Prosecutions under the following sections of the Noxious Weeds Act 1993:</p> <ol style="list-style-type: none"> 1. s12 – Failure to Control Noxious Weeds <ol style="list-style-type: none"> a) Subsection (1) –to initiate prosecutions under this provision. b) Subsection (2) –to issue a notice under this provision c) Subsection (4) –to initiate prosecutions under this provision 2. s 15 - Failure to Notify Presence of Notifiable Noxious weeds - to initiate prosecutions under this section 3. Section 16A - Failure of Other Persons to Notify Presence of Notifiable Noxious Weeds - to initiate prosecutions under this section 4. s19 – Failure to Comply with a Weed Notice 5. s28 – Sale or Removal from Land of Notifiable Weeds material 6. s29 – Sale of Turf etc from Land infested with Noxious Weeds 7. s30 – Scattering of Notifiable Weeds Material 8. s32 – Use of Agricultural Machines that are Carrying Notifiable Weeds 9. s54 – Obstructing an Inspector etc 10. s55 – Impersonation of an Inspector <p>S12, S15, S16A, S19, S28, S29, S30, S32, S54, S55 Noxious Weeds Act 1993</p>	<ol style="list-style-type: none"> 1.a) GM, DFCS 1.b) DETS and CWO 1.c) GM, DFCS 2. GM, DFCS 3. GM, DFCS 4. GM, DFCS 5.GM, DFCS 6.GM,DFCS 7.GM,DFCS 8.GM, DFCS 9.GM, DFCS 10.GM, DFCS
Enabling Source:	Council’s Noxious Weeds Statement Policy refers.	

	Delegation No: NW4A	Position
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Title:	Noxious Weeds – Prior notice of weed control notice	
Details of Delegation:	<ol style="list-style-type: none"> 1. Authority to issue a notice of a proposed weed control notice 2. Subsection (2)(c) and (d) - the duty to consider submissions from occupiers regarding a proposed weed control notice 3. Subsection (3) - the duty to give oral or written notice of an emergency weed control notice 	<ol style="list-style-type: none"> 4. DETS and CWO 5. CWO 6. CWO
Enabling Source:	S18A Noxious Weeds Act 1993 Council's Noxious Weeds Statement Policy refers.	

	Delegation No: NW4B	Position
Title:	Noxious Weeds – Noxious Weeds Control (by Council as LCA) After Weed Control Notice Not Complied With	
Details of Delegation:	s20(1) - To authorise such work	GM, DETS
Enabling Source:	S20 Noxious Weeds Act 1993 – S20(1) Council's Noxious Weeds Statement Policy refers.	

	Delegation No: NW5	Position
Title:	Noxious Weeds – Noxious Weeds Control (by Council as LCA) After Weed Control Notice Not Complied With	

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Details of Delegation:	To carry out such work under s20 and s 20(2) of the Noxious Weeds Act 1993	CWO and WO
Enabling Source:	S20 Noxious Weeds Act 1993 - S20(2) Council's Noxious Weeds Statement Policy refers.	

	Delegation No: NW6	Position
Title:	Noxious Weeds – Notices to Occupiers	
Details of Delegation:	To issue notices to occupiers prior to action under s20 of the Noxious Weeds Act – s20(3)	DETS and CWO
Enabling Source:	S20 Noxious Weeds Act – s20(3) Council's Noxious Weeds Statement Policy refers.	

	Delegation No: NW6A	Position
Title:	Noxious weeds – Expenses	
Details of Delegation:	To take action for recovery expenses in accordance with this section	GM, DFCS and CWO
Enabling Source:	S26 of the Noxious Weeds Act 1993 Council's Noxious Weeds Statement Policy refers.	

	Delegation No: NW7	Position
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Title:	Noxious weeds - Temporary Restrictions During Weed Control	
Details of Delegation:	<ol style="list-style-type: none"> 1. To impose temporary restrictions under s36A of the Noxious Weeds Act 1993 2. Subsection (2) –to require an occupier to remove livestock and to keep livestock out of land for purposes of work carried out under Section 20 3. Subsection (3) to subsection (5) inclusive - to impose temporary restrictions during noxious weed control 	<ol style="list-style-type: none"> 1. DETS, CWO 2. CWO 3. CWO
Enabling Source:	S36A of the Noxious Weeds Act 1993 Council's Noxious Weeds Statement Policy refers.	

	Delegation No: NW7A	Position
Title:	Noxious weeds – Record Keeping Obligations	
Details of Delegation:	<p>Subsection (1) –to monitor presence of noxious weeds and to keep records</p> <p>Subsection (2) –to report to the Director General on the presence and distribution of noxious weeds</p>	GM, DFCS
Enabling Source:	S37 Noxious Weeds Act 1993 Council's Noxious Weeds Statement Policy refers.	

	Delegation No: NW8	Position
Title:	Noxious weeds – Notice of Entry	

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Details of Delegation:	To give occupiers notice prior to Entry in accordance with s45 of the Noxious Weeds Act 1993	CWO, WO
Enabling Source:	S45 Noxious Weeds Act 1993 Council's Noxious Weeds Statement Policy refers.	

	Delegation No: NW8A	Position
Title:	Noxious weeds – Use of Force	
Details of Delegation:	To authorise use of force to gain entry to premises	GM, DFCS
Enabling Source:	S46 Noxious Weeds Act 1993 Council's Noxious Weeds Statement Policy refers.	

	Delegation No: NW9	Position
Title:	Noxious weeds – Use of Force	
Details of Delegation:	To notify an Occupier of the use of force under s47 of the Noxious Weeds Act 1993	GM, DFCS
Enabling Source:	S47 Noxious Weeds Act 1993 Council's Noxious Weeds Statement Policy refers.	

	Delegation No: NW9A	Position
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Title:	Noxious weeds – Compensation	
Details of Delegation:	To authorise payment of compensation	GM, DFCS
Enabling Source:	S49 Noxious Weeds Act 1993 Council's Noxious Weeds Statement Policy refers.	

	Delegation No: NW9B	Position
Title:	Noxious weeds – Certificates of Authority	
Details of Delegation:	To issue Certificates of Authority for Inspectors under the <i>Noxious Weeds Act 1993</i>	GM and DFCS
Enabling Source:	S50 of the Noxious Weeds Act 1993 Note that within this section, (S50(2)(f)), requires that the General Manager must also sign the Certificate of Authority. Council's Noxious Weeds Statement Policy refers.	

	Delegation No: NW10	Position
Title:	Noxious weeds – Certificates as to Weed Control Notices	
Details of Delegation:	To issue Certificates in accordance with s64 of the Noxious Weeds Act 1993	GM, DFCS, DETS and CWO
Enabling Source:	S64 of the Noxious Weeds Act 1993 Council's Noxious Weeds Statement Policy refers.	

CABONNE COUNCIL DELEGATIONS INDEX

16. WATER

	Delegation No: W1	Position
Title:	Approval – Water supply, Sewerage and Storm Water Drainage Work	
Details of Delegation:	<p>To determine application for approval to:</p> <ol style="list-style-type: none"> 1. Carry out water supply work 2. Draw water from a council water supply or a standpipe or sell water so drawn 3. Install, alter, disconnect or remove a meter connected to a service standpipe 4. Carry out sewer work 5. Carry our stormwater drainage work 6. Connect a private drain or sewer with a public drain or sewer under the control of council or with a drain or sewer which connects with such a public drain or sewer 	DES, MBE, DETS
Enabling Source:		

17. SEWERAGE

Nil

CABONNE COUNCIL DELEGATIONS INDEX

Document History

Reason for October 2009 Update

Amend Administration Assistant (To AM) with Administration Officer

Add delegation

Delegation No: F13 - Loans – Four Towns Sewer Scheme – resolved at May 2009 Council - 09/05/08 refers.

Reason for November 2009 Update

Add delegation

Delegation No: F10 - Debt Recovery and Writing off Debts – Amount of \$500 resolved at October Council - 08/10/19 refers.

Reason for December 2009 Update

Add delegation

Delegation No: G7A and G7B – Access to Information – Government Information (Public Access) Act – appointment of Director of Finance & Corporate Services and Administration Manager to certain responsibilities under the Act. Need to delegate reported to November Council meeting.

Reason for 9th December 2009 Update

Add delegation

Delegation No: F12 - Plant and Motor Vehicles – Dispose and replace - Replace PM with Ops Mgr.

Replace PC with PDC in all references.

Delete all references to CorpSM.

Delegation No: F9 - Acquisition of services, goods or materials

Increase limit of PDC from \$20K to \$50K, Increase limit of DM from \$20K to \$100K.

Delegation No: EPB73 - Environmental Services Committee

Update with 21 September 2009 resolution wording.

Delegation No: G3 - Care, Control & Management

Update with 21 September 2009 resolution wording.

Delegation No: G2 - Extraordinary Meeting

Update with 21 September 2009 resolution number.

Delegation No: F2 - Expenditure – Incidental Expenses

Update with 21 September 2009 resolution wording.

CABONNE COUNCIL DELEGATIONS INDEX

Delegation No: WM3 - Application to Environmental Protection Authority – Asbestos Waste

Update with 21 September 2009 resolution number.

Reason for 23rd March 2010 Update

Add delegation

Communications & Media Officer (CMO) created with following **Delegations: G8, MCS2 and F9** with limit of \$20,000.

Reason for 1 November 2010 Update:

Add delegation

Administration Officer – added Delegation **G7B** – Access to Information – Government Information (Public Access) Act – appointment of Administration Officer to certain responsibilities under the Act.

Remove Delegation

G7 - Access to information - Freedom of Information Act 1989 – FOI Act related with GIPA Act (no outstanding FOI claims pending) – see Delegations G7A and G7B.

Reason for 17 November 2010 Update:

Remove Delegation

Delegation No: G2 - Extraordinary Meeting

Local Government Act specifies the process for calling of an Extraordinary Meeting.

Reason for 1 December 2010 Update:

Delegation No: G3 - Amend list of 355 committees to include Eugowra Medical Centre and Manildra AMUSU Theatre.

Reason for 16 December 2010 Update:

Delegation No: EPB73 – Update Committee name and Council meeting date and resolution number.

Delegation No: EPB 74 – Added delegation re Cabonne Local Government Area Joint Regional Planning Panel.

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Reason for 11 January 2011 Update:

Delegation No: G3 – Updated list to December amendment and added Moorbel Hall as resolved at April 2010 Council meeting (10/04/30); and Crossroads Building Committee Cumnock reinstated (previously omitted in error).

Reason for 25 January 2011 Update:

Delegation No: EPB75: - Added delegation re development application approval when of a minor nature where there is minimal or no environmental impact or variation.

Delegation No: PT1 - Added delegation re Australia Day Awards Committee.

Reason for 9 February 2011 Update:

Delegation No: G7C - Access to information – Government Information (Public Access) Act 2009 – Informal release of information - added delegation which provides authority for staff to informally release information.

Reason for 13 February 2012 Update:

Delegation No: G22 - Public interest Disclosures Regulation 2011 – added delegation re preparation of reports and ensuring that the required information is collected.

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Reason for 11 July 2012 Update: major review

Function Groupings updated to reflect Economic Development and Promotion and Tourism as reporting directly to the General Manager.

Delegation No: F14 – Purchasing Officer – added delegation re Purchasing Officer functions within Council’s electronic Purchase Orders system.

Reference to WBCPO replaced with WBCEM throughout.

Reference to ESO replaced with SESO throughout.

Reference to RMC replaced with RTAC throughout. F9 Amended to \$10K.

References to “See Annexure 15.1” amended to reference to relevant Council policy.

References to “See Annexure 9.1” amended to reference to relevant Council policy.

Reference to special delegation to protect the Garra Anglican Church from demolition deleted as Item listed in 2003 as having conservation value and included in 2012 draft LEP.

Reference to special delegation to speak as Council’s authorised Officer for the purposes of discussing the possible contravention of the POEO Act at the Cargo landfill on 1st September 1999 - deleted.

Reference to special delegation to enter into an agreement to waive payment of an amount of \$120 p.a. for a period of 20 years where that person enters into a written agreement to pay a lump sum towards the capital cost of the Eugowra or Canowindra Special Sewer – deleted.

Reference to special delegation to determine, in consultation with the local Councillors for Eugowra and Canowindra, applications for finance for sewerage connections received between monthly Council meetings and that these applications be reported back to the next month’s Council meeting - deleted.

Special delegation re Acting General Manager relocated to Governance section – **Delegation No: G23.**

EVENT/PERSON SPECIFIC DELEGATIONS section deleted – no longer required.

Delegation No: EPB3 - Certificates - draft Local Environmental Plans – deleted. Advice from NSW Department of Planning & Infrastructure received that no delegations relating to LEPs is held by Council. Doc Id 323140 refers.

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Delegation No: EPB4 - Reports to Minister - draft Local Environmental Plans – deleted. Advice from NSW Department of Planning & Infrastructure received that no delegations relating to LEPs is held by Council. Doc Id 323140 refers.

Ops Mgr – Operations Manager changed to allow for new DETS structure. Ops Mgr R&B created for Operations Manager - Roads and Bridges; Ops Mgr US&U created for Operations Manager - Urban Services and Utilities. Ops Mgr amended to Ops Mgr R&B, Ops Mgr US&U added to: F9 \$50k, T5, T6, T9, T10, T11 and MCS 2.

Delegation No: G24 - Public interest Disclosures Act 1994 – receiving disclosures – added.

Delegation No: WM3 - Application to Environmental Protection Authority – Asbestos Waste – deleted.

Delegation No: F5 - Cheques - authority to sign – removed Mayor and Deputy to countersign.

Refer to StO deleted. POST – Purchasing Officer/Storeperson added.

Reference to PS - Plant Superintendent deleted as position is now PDC - Plant & Depot Coordinator

Reference to SS - Services Supervisor deleted as position is now W&SO – Water & Sewer Overseer.

Reference to WaterO - Water Operator deleted as position is now WSO - Water Services Operator Molong.

Reference to TWO -Treatment Work Operator (and Assist TWO) deleted as position is now WSO - Water Services Operator Molong.

Reference to TMG Town - Maintenance Ganger Molong deleted as position is now Town Maintenance Officer.

Reference to WI – Weeds Inspector deleted as position is now WO – Weeds Officer.

Delegation No: EPB75 - Development applications – approval when of a minor nature where there is minimal or no environmental impact or variation deleted as found to not comply with LG Act.

Reason for 24 September 2012 Update

Noxious Weeds delegations redone due to changes in Noxious Weeds Act 1993. Council resolution 12/09/19 refers.

Reason for 29 October 2012 Update

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Created position of **Trainee Health and Building Surveyor – THBS** and assigned delegations.

Reason for 12 February 2013 Update

Delegation No: G23 - Acting General Manager – updated Delegation to Director of Finance & Corporate Services as acting General Manager in absence of General Manager from the Molong Council Office based on letter dated 22 October 2012.

Delegation No: F13 - Loans – Four Towns Sewer Scheme – updated to include all eligible residents.

Delegation No: G25 - Plumbing and Drainage Act 2011 – Delegation of plumbing regulator’s functions to Council – added.

Delegation No: EPB76 - Plumbing and Drainage Act 2011 – Sub-delegation of plumbing regulator’s functions to Council staff – added.

Reason for 28 May 2013 Update

Delegation No: F9 - Acquisition of services, goods or materials – Urban Services Coordinator added as USC and Workshop Superintendent (x 2) as WS (previously omitted in error last Director of Engineering & Technical Services’ restructure)

Reason for 16 July 2013 Update (June Council meeting)

Delegation No: T17 - Restricted Access Vehicles – Route approval – Sub-delegation of part functions to General Manager.

Delegation No: T18 - Regulation of traffic – Sub-delegation of part functions to General Manager.

Reason for 3 September 2013 Update

SESO added to delegations A1 to A4.

Reason for 7 January 2014 Update

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Corrected numbering error at ES3 in “position” column; added DETS to F11 and F12; and added GMPA to F5A.

Reason for 23 April 2014 Update

Added SAO (Management) to delegation F4.

Reason for 27 May 2014 Update

Delegation No: T19 - Road Manager - The powers, functions and duties of Council as a Road Manager under the Heavy Vehicle National Law (NSW) 2013 – added

Reason for 16 June 2014 Update

GMPA added to delegation G7B; and DFCSPA added to MCS7. All references to AA removed (from MCS7, G9)

Reason for 22 July 2014 Update

Positions added: Water & Sewer Engineer (WSE), Technical Officer (TO), Environmental Officer (EO), and Senior Water & Sewer Operator - Molong (SWSO).

Additionally, positions added to delegations: Ops Mgr U&SU, WSE, USC, WSO, SO, STO, TO, EO and SWSO added to G11/2; Ops Mgr U&SU and TO added to G11/3; Ops Mgr U&SU added to MCS6; Ops Mgr U&SU added to MCS7; and WSE (\$20k) and SWSO (\$1k) added to F9.

Reason for 19 August 2014 Update

Delegations for Senior Environmental Services Officer revised - removed the following delegations: EPB7, EPB15, EPB27, and EPB29/1, 3, 4. Added the following delegation: G15/3.

Reason for 2 September 2014 Update

Positions added: Customer Service Officer (Engineering) (CSO);

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Additionally, positions added to delegations: DETS, DM, Ops Mgr R&B, FM, DES added to MCS6 and DM, Ops Mgr R&B, STP, WSE, CSO added to MCS7.

Reason for 23 September 2014 Update

ES1 and ES3 updated- reference to Act changed to reference to Management Plan

F2 updated - \$ limit increased to \$3k.

Delegation No: EPB73 - Environmental Services Committee, deleted. Committee abolished at September 2014 Council meeting

Delegation No: EPB73A - Determination of Development Applications, point 2 deleted and Conditions and Limitations updated to refer to Council rather than committee. Refers to Environmental Services Committee

Reason for 10 November 2014 Update

Delegation No: F13 - Loans – Four Towns Sewer Scheme – 3. added re loans to connect grey water.

Reason for 10 February 2015 Update

Position changed – Operations Manager – Water and Waste (Ops Mgr W&W) and Operations Manager – Urban Services (Ops Mgr US) replace Operations Manager – Urban Services & Utilities (Ops Mgr US&U).

Reason for 19 March 2015 Update

Positions added: Manager Technical Services (MTS); Delegations added – G8, G11/2, 3, G15/8, MCS2, MCS6, MCS7, F9 (\$50,000), T1, T2, T4, T5, T6, T7, T9, T10, T15, TB1

Reason for 5 June 2015 Update

Position retitled: Roads & Traffic Assets Coordinator (RTAC) position now Assets and Transport Coordinator (ATC). References amended. Delegation F9 retained unchanged.

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Reason for 1 September 2015 Update

Positions retitled: Human Resources Officer (HR) position now Human Resources (HRC). Risk Management Officer (RMO) position now Risk Management Coordinator (RMC). References amended. Delegations retained unchanged.

Also includes update to s355 Committee section. Cumnock and District Progress Association additional property at Lot 61 DP 664553 and Lot 1 DP 323485, 48 Obley Street, Cumnock. [15/07/14 refers]

Reason for 7 September 2015 Update

Position retitled: IT Support Officer (IT) position now Systems Administrator (SA). References amended. Delegation retained unchanged.

Reason for 8 August 2016 Update

Review on change of general manager to acting pending proposed merger legal action outcome. Changes include:

Change of title for P&T, GMPA, EO, PDC, POST, WSC, W&SO, WSO, SO, STO, and WO;

Deletion of Ops Mgr US, Asset Mgr, AS, WSE and DM;

Change to WS – deleting “x 2 (*Molong and Cudal*)”;

Addition of new title Town Maintenance Officer/Small Towns Sewer (TMOSTS);

Added delegations to existing titles as follows: DETSPA – MCS7, MC – ES 3/2, WSC –G11/2, HBS – G13/5; and

Update references to Public Health Act 1991 to Public Health Act 2010.

Reason for 12 August 2016 Update

Page 2 was updated to reflect the resignation of the general manager and authorisation of the acting general manager.

Reason for 19 September 2016 Update

Added delegation to the existing title HBS – EPB35.

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Reason for 24 April 2017 Update

Correction of impact on delegation G23, Acting General Manager in the absence of the (Acting) General Manager from the Molong Office to be the Director of Environmental Services (based on letter Doc Id 789388).