
Minutes of an ordinary meeting of the Central Coast Council held in the Council Chamber at the Administration Centre, 19 King Edward Street, Ulverstone on Monday, 15 May 2023 commencing at 6.00pm.

Councillors attendance

Cr Cheryl Fuller (Mayor)
Cr Garry Carpenter
Cr Sophie Lehmann
Cr Philip Viney

Cr John Beswick (Deputy Mayor)
Cr Amanda Diprose
Cr Michael Smith
Cr Kate Wylie

Councillor apologies

Cr Casey Hiscutt

Employees attendance

General Manager (Ms Sandra Ayton)
Director Infrastructure Services (Mr Paul Breaden)
Director Community Services (Mr Daryl Connelly)
Director Corporate Services (Mrs Samantha Searle)
Executive Services Officer (Mr Ian Brunt)

Media attendance

The media was not represented.

Public attendance

Three members of the public attended during the course of the meeting.

Digital recording of Council meetings

At the commencement of the meeting, the Chairperson notified those present that the meeting will be digitally recorded and made publicly available through the Council's website.

Digital recordings will be conducted in accordance with Regulation 33 of the *Local Government (Meeting Procedures) Regulations 2015* and the Council's Digital Recording Policy (109/2022 – 20.04.2022).

Acknowledgement of Country

The Central Coast Council acknowledges and pays respect to the traditional owners of lutrawita (Tasmania), the palawa/pakana people.

We acknowledge the Punnilerpanner tribe of this Northern Country, and in doing so, we celebrate one of the world's oldest continuing cultures.

Prayer

The meeting opened in prayer.

CONFIRMATION OF MINUTES OF THE COUNCIL

129/2023 Confirmation of minutes

The Executive Services Officer reported as follows:

“The minutes of the ordinary meeting of the Council held on 17 April 2023 have already been circulated. The minutes are required to be confirmed for their accuracy.

The *Local Government (Meeting Procedures) Regulations 2015* provide that in confirming the minutes of a meeting, debate is allowed only in respect of the accuracy of the minutes.”

■ Cr Viney moved and Cr Wylie seconded, “That the minutes of the ordinary meeting of the Council held on 17 April 2023 be confirmed.”

Carried unanimously

COUNCIL WORKSHOPS

130/2023 Council workshops

The Executive Services Officer reported as follows:

“The following council workshops have been held since the last ordinary meeting of the Council:

- 24 April 2023 – Cradle Coast Authority; childcare review; Unsealed Roads Policy;

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- . 1 May 2023 – Penguin Makeover Committee; Dial Park Road traffic management; Driveway Policy;
 - . 8 May 2023 – Penguin Caravan Park; UTAS regional update; Land-use Planning Process Review; Annual Plan strategic actions; and
 - . 11 May 2023 – Future of Local Government Review.

This information is provided for the purpose of record only.”

- Cr Smith moved and Cr Beswick seconded, “That the Officer’s report be received.”

Carried unanimously

MAYOR’S COMMUNICATIONS

131/2023 Mayor’s communications

The Mayor reported as follows:

The Mayor formally acknowledged General Manager, Sandra Ayton’s 45 years of service at the Central Coast Council and presented a Certificate of Service to mark the milestone.

The General Manager gave an acceptance speech, thanking the Councillors, Council staff and Central Coast community for the opportunities provided and the support given over the past 45 years.

132/2023 Mayor’s diary

The Mayor reported as follows:

“I have attended the following events and functions on behalf of the Council:

- . Community Conversation with the Turners Beach community;
- . Rural Waste Management Consultative Group meeting;
- . Australian Local Government Women’s Association General Meeting;
- . Annual Tas Fire and SES National Medal Presentation;
- . Penguin History Group exhibition opening;
- . Coroneagh Park ANZAC Day service;
- . Dawn ANZAC Day service in Penguin;
- . ANZAC Day wreath laying service in Ulverstone;
- . ANZAC Day service at North Motton;
- . North West Flood Recovery Advisory Group Meeting;

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- . Central Connect leadership discussion;
 - . LGAT Planning Authority and Managing Growth professional development day;
 - . Northwest Candlelight Vigil;
 - . Central Coast U3A War on Waste;
 - . Ulverstone Bowls and Community Club Annual Dinner;
 - . Ulverstone Poultry Club Show;
 - . Radio interview;
 - . Penguin Uniting Church 120 Year celebratory service;
 - . Community Roundtable – homelessness within Central Coast; and
 - . Million Paws Walk opening.”

Cr Wylie reported as follows:

“I have attended the following events and functions on behalf of the Council:

- . Forth ANZAC Day wreath laying service.”

Cr Hiscutt reported as follows:

“I have attended the following events and functions on behalf of the Council:

- . Penguin ANZAC Day wreath laying service.”

Cr Lehmann reported as follows:

“I have attended the following events and functions on behalf of the Council:

- . ANZAC Day Memorial Garden Opening at Due South.”

Cr Smith reported as follows:

“I have attended the following events and functions on behalf of the Council:

- . Ulverstone ANZAC Day dawn service.”

The Executive Services Officer reported as follows.”

■ Cr Viney moved and Cr Wylie seconded, “That the Mayor’s and Councillors’ reports be received.”

Carried unanimously

133/2023 Declarations of interest

The Mayor reported as follows:

“Councillors are requested to indicate whether they have, or are likely to have, a pecuniary (or conflict of) interest in any item on the agenda.”

The Executive Services Officer reported as follows:

“The *Local Government Act 1993* provides that a councillor must not participate at any meeting of a council in any discussion, nor vote on any matter, in respect of which the councillor has an interest or is aware or ought to be aware that a close associate has an interest.

Councillors are invited at this time to declare any interest they have on matters to be discussed at this meeting. If a declaration is impractical at this time, it is to be noted that a councillor must declare any interest in a matter before any discussion on that matter commences.

All interests declared will be recorded in the minutes at the commencement of the matter to which they relate.”

No interests were declared at this time.

COUNCILLOR REPORTS

134/2023 Councillor reports

The Executive Services Officer reported as follows:

“Councillors who have been appointed by the Council to community and other organisations are invited at this time to report on actions or provide information arising out of meetings of those organisations.

Any matters for decision by the Council which might arise out of these reports should be placed on a subsequent agenda and made the subject of a considered resolution.”

Cr Smith reported on the Ulverstone Municipal Band, acknowledging their contribution in commemorating ANZAC Day.

Cr Wylie reported on the Central Coast Chamber of Commerce and Industry and the progression of their Business Wall of Fame initiative in Ulverstone and Penguin.

Cr Diprose reported on the Reconciliation Action Plan Working Group and their work for the upcoming National Reconciliation Week.

Cr Diprose reported on the Central Coast Youth Leaders Council and their plans for an event to be held later this year in support of Headspace National Youth Mental Health Foundation. Also noted was the success of their Night Skate event, held as part of Youth Week Tasmania.

Cr Lehmann reported on Slipstream Circus and their upcoming showcase event to be held in July 2023.

APPLICATIONS FOR LEAVE OF ABSENCE

135/2023 Leave of absence

The Executive Services Officer reported as follows:

“The *Local Government Act 1993* provides that the office of a councillor becomes vacant if the councillor is absent without leave from three consecutive ordinary meetings of the council.

The Act also provides that applications by councillors for leave of absence may be discussed in a meeting or part of a meeting that is closed to the public.

There are no applications for consideration at this meeting.”

DEPUTATIONS

136/2023 Deputations

The Executive Services Officer reported as follows:

“No requests for deputations to address the meeting or to make statements or deliver reports have been made.”

PETITIONS

137/2023 Petitions

The Executive Services Officer reported as follows:

“No petitions under the provisions of the *Local Government Act 1993* have been presented.”

COUNCILLORS' QUESTIONS

138/2023 Councillors' questions without notice

The Executive Services Officer reported as follows:

“The *Local Government (Meeting Procedures) Regulations 2015* provide as follows:

- '29 (1) A councillor at a meeting may ask a question without notice –
 - (a) of the chairperson; or
 - (b) through the chairperson, of –
 - (i) another councillor; or
 - (ii) the general manager.
- (2) In putting a question without notice at a meeting, a councillor must not –
 - (a) offer an argument or opinion; or
 - (b) draw any inferences or make any imputations –
except so far as may be necessary to explain the question.
- (3) The chairperson of a meeting must not permit any debate of a question without notice or its answer.
- (4) The chairperson, councillor or general manager who is asked a question without notice at a meeting may decline to answer the question.
- (5) The chairperson of a meeting may refuse to accept a question without notice if it does not relate to the activities of the council.
- (6) Questions without notice, and any answers to those questions, are not required to be recorded in the minutes of the meeting.

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- (7) The chairperson may require a councillor to put a question without notice in writing.'

If a question gives rise to a proposed matter for discussion and that matter is not listed on the agenda, Councillors are reminded of the following requirements of the Regulations:

- '8 (5) Subject to subregulation (6), a matter may only be discussed at a meeting if it is specifically listed on the agenda of that meeting.
- (6) A council by absolute majority at an ordinary council meeting, ..., may decide to deal with a matter that is not on the agenda if –
- (a) the general manager has reported the reason it was not possible to include the matter on the agenda; and
 - (b) the general manager has reported that the matter is urgent; and
 - (c) in a case where the matter requires the advice of a qualified person, the general manager has certified under section 65 of the Act that the advice has been obtained and taken into account in providing general advice to the council.'

Councillors who have questions without notice are requested at this time to give an indication of what their questions are about so that the questions can be allocated to their appropriate Departmental Business section of the agenda."

139/2023 Councillors' questions on notice

The Executive Services Officer reported as follows:

"The *Local Government (Meeting Procedures) Regulations 2015* provide as follows:

- '30 (1) A councillor, at least 7 days before an ordinary council meeting or a council committee meeting, may give written notice to the general manager of a question in respect of which the councillor seeks an answer at that meeting.
- (2) An answer to a question on notice must be in writing.'

It is to be noted that any question on notice and the written answer to the question will be recorded in the minutes of the meeting as provided by the Regulations.

Any questions on notice are to be allocated to their appropriate Departmental Business section of the agenda.

No questions on notice have been received.”

PUBLIC QUESTION TIME

140/2023 Public question time

The Mayor reported as follows:

“At 6.40pm or as soon as practicable thereafter, a period of not more than 30 minutes is to be set aside for public question time during which any member of the public may ask questions relating to the activities of the Council.

Public question time will be conducted in accordance with the *Local Government (Meeting Procedures) Regulations 2015* and the supporting procedures adopted by the Council in its Meeting Procedures – Public question time (133/2014 – 19.05.2014). Some of these procedures include:

- No more than two questions may be asked by a member of the public.
- The meeting procedures do not allow for statements or debate, only questions.
- A questioner is to identify themselves before asking a question and direct their question/s to the Chairperson, who may invite another Councillor or Council employee to respond.
- To assist with the accurate recording of the minutes, a form has been provided for the questioner to record their question/s, name and contact details.
- If an item on the agenda has not been dealt with prior to public question time, questions about that item will not be taken for the reason that a response could compromise the Council’s subsequent consideration of that item.
- If it is not possible for an answer to be provided to a question at the meeting, then a written answer will be provided subsequent to the meeting.
- The Chairperson may refuse to accept a question. If the Chairperson refuses to accept a question, the Chairperson is to give reason for doing so.
- Protection of parliamentary privilege does not apply to local government and any statements in the Council Chambers, or any document produced, are subject to the laws of defamation.
- Public questions and their responses at the meeting will be recorded in the minutes, and via digital recording, which will be publicly available.”

141/2023 Public questions taken on notice

The Executive Services Officer reports as follows:

“No public questions were taken on notice from the 17 April 2023 meeting.”

DEPARTMENTAL BUSINESS

GENERAL MANAGEMENT

142/2023 Minutes and notes of committees of the Council and other organisations

The General Manager reported as follows:

“The following (non-confidential) minutes and notes of committees of the Council and other organisations on which the Council has representation have been received:

- . Ulverstone Municipal Band – meeting held 15 March 2023;
- . Central Coast Council Audit Panel – meeting held 24 March 2023;
- . Central Coast Chamber of Commerce and Industry – meeting held 5 April 2023; and
- . Central Coast Community Safety Partnership Committee – meeting held 26 April 2023.

Copies of the minutes and notes have been circulated to all Councillors.”

■ Cr Wylie moved and Cr Lehmann seconded, “That the (non-confidential) minutes and notes of committees of the Council be received.”

Carried unanimously

143/2023 Delegation by the Council of its functions and powers – review of the Schedule of Delegations – Council to the General Manager (104/2023 – 19.04.2021)

The General Manager reported as follows:

“The Executive Services Officer prepared the following report:

‘PURPOSE

This report provides for the review and update of the functions and powers delegated by the Council to the General Manager, currently formalised in the Schedule of Delegations – Council to the General Manager – April 2021 (Minute Ref: 104/2021).

BACKGROUND

Delegating authority to the General Manager on its behalf enables the Council to carry out its functions and powers and improves corporate governance, as summarised below:

- Delegations do not take away the powers of the Council – they permit the General Manager and staff to manage the day-to-day business of the Council, enabling the Council to focus on strategic and policy development and higher-level decision making.
- Delegations enable the more efficient and adaptive operation of the Council and allow for greater consistency in operational decision making – matters subject to delegation are generally technical in nature, rather than political or strategic.
- Delegations ensure more efficient management of community business, reducing administrative procedures and timeframes and enabling more direct engagement.
- Good governance in the local government sector relies on a strong relationship between the Council and the General Manager – delegations promote trust and improve reliability.

The last review and update of the Schedule of Delegations – Council to the General Manager was approved by the Council at its meeting on 19 April 2021 (a copy of the schedule is appended to this report).

DISCUSSION

In accordance with section 22 of the *Local Government Act 1993* (the Act), the Council may delegate its functions and powers to the General Manager to ensure that operational requirements and strategic objectives are met. Section 64 of the Act then permits the General Manager to sub-delegate functions and powers to positions held by appropriately qualified and experienced staff.

This process of delegating directly to the General Manager, who then holds the authority (unless specified within a particular Act) to sub-delegate where appropriate, is the considered best practice within the Tasmanian local government sector.

In accordance with the requirement of the Council's Delegations Policy (52/2023 – 20.02.2023) to review delegations biennially, the Schedule of

Delegations – Council to General Manager – April 2021 has been reviewed and updated.

These updates ensure compliance with any new or changed legislation. Together with any new or changed provisions, the review identified additional provisions that have not historically been delegated – their inclusion formalises a number of Council functions that are routinely undertaken and provides a clear record of all the General Manager's delegated powers and functions, now in full alignment with the Council's delegations management software.

A copy of the updated Schedule of Delegations – Council to the General Manager – May 2023 is appended to this report.

It is noted that the *Local Government (Highways) Act 1982* has a specific clause for the delegation of powers and requires a majority of two thirds of members to pass the resolution.

The new and changed provisions in the updated schedule are shown below:

Act/legislation	2021	2023
<i>Land Use Planning and Approvals Act 1993</i> S.65B(5)	No provision	<p>Delegation added:</p> <p>Notice of intention to issue enforcement notice The planning authority must notify in writing an owner of land, in relation to which a notice of intention to issue an enforcement notice is served under subsection (1) if the person on whom the notice is served is not the owner of the land.</p>
<i>Land Use Planning and Approvals Act 1993</i> S.65I(2)	No provision	<p>Delegation added:</p> <p>Authorised officers A general manager of a council may authorise a person to be, for the purposes of this Act, an authorised officer in respect of the municipal area of the council.</p>

<i>Place Names Act 2020</i> S. 11(2)	No provision	Delegation added: Naming of roads, streets, &c. As a responsible authority the council has a responsibility to name, alter or revoke a name of a place.
<i>Place Names Act 2020</i> S. 11(3)	No provision	Delegation added: Naming of roads, streets, &c. The responsible authority for a place referred to in section 4(1)(c) must ensure that any naming action, performed in respect of the place, complies with – (a) the relevant provisions of the guidelines; and (b) this Act and any other applicable Act; and (c) the relevant procedures of the responsible authority.
<i>Place Names Act 2020</i> S. 11(4)	No provision	Delegation added: Naming of roads, streets, &c. As soon as practicable after performing a naming action in respect of a place, the responsible authority for the place is to submit details of the action to the Registrar for recording in the register.

<i>Strata Titles Act 1998</i> S. 31AA	No provision	Delegation added: Requirement for staged development scheme Where an application for a certificate of approval is made wholly or partly in respect of vacant land, the council may refuse the application on the ground that an application for a staged development scheme under section 38 should be made.
<i>Vehicle & Traffic Act 1999</i> S. 56C (2) (3) (4) (5)	Certain activities prohibited on public streets (i.e. selling goods, or a business, calling, or employment)	Delegation added: Permits for this section may be issued by the general manager of the council in which the public street is located (the "relevant council") and any person may apply in writing for such a permit.

The three new provisions shown below were not recommended for inclusion in the updated schedule. However, should the Council decide to delegate these provisions to the General Manager, the suggested motion provided in this report allows for their inclusion in the schedule, which will be formally signed following the release of the Council meeting minutes.

Act/legislation	Powers and functions	Conditions and limitations
<i>Land Use Planning and Approvals Act 1993</i> S. 30C(4)	<p>Terms of reference in relation to draft amendment of the SPPs</p> <p>A planning authority or another person may request the Minister to consider preparing terms of reference in relation to a draft amendment of the SPPs.</p>	Nil
<i>Land Use Planning and Approvals Act 1993</i> S.35	<p>Draft LPS to be provided to Commission</p> <p>A planning authority may prepare and submit to the Commission a draft LPS that applies to the municipal area of the planning authority.</p>	Nil
<i>Traffic Act 1925</i> S 41CA	<p>Declaration of road for use by personal mobility devices</p> <p>The road authority for a speed-limited road may, by notice published in the Gazette, declare that road to be a road on which a PMD user may travel, subject to such terms and conditions as are specified in the notice. If a road authority makes a declaration under subsection (2), that road authority is to publish a copy of that declaration on a website of the road authority and is to ensure that a copy of the declaration remains on the website while the declaration remains in force.</p>	<p>Delegation given by Council</p> <p>For s 41CA road authority has the same meaning as in section 41C. Under s 41C road authority means a person, body corporate or body politic responsible for designing, constructing, maintaining or managing roads.</p>

CONSULTATION

This is a governance matter for which consultation is not required.

RESOURCE, FINANCIAL AND RISK IMPACTS

By formally delegating appropriate powers to the General Manager, the Council reduces legal and financial risk.

CORPORATE COMPLIANCE

The Central Coast Strategic Plan 2014–2024 includes the following strategies and key actions:

Council Sustainability and Governance

- Improve corporate governance
- Improve service provision
- Improve the Council's financial capacity to sustainably meet community expectations

CONCLUSION

It is recommended that all delegations made in accordance with section 22 of the *Local Government Act 1993* and as listed in the Schedule of Delegations – Council to the General Manager – May 2023 (a copy being appended to and forming part of the minutes) be approved.'

The report is supported."

The Executive Services Officer reports as follows:

"A copy of the updated Schedule of Delegations – Council to the General Manager – May 2023 has been circulated to all Councillors."

■ Cr Carpenter moved and Cr Beswick seconded, "That the Council, in accordance with section 22 of the *Local Government Act 1993*:

- 1 Delegate its functions and powers as listed in the Schedule of Delegations – Council to the General Manager – May 2023 (a copy being appended to and forming part of the minutes) to the General Manager;
- 2 Authorise the General Manager under section 64 of the *Local Government Act 1993* to delegate any of the above delegated functions and powers to an employee of Council with the appropriate qualifications, skills and experience (subject to any conditions or limitations; or unless otherwise specified by a particular Act); and

- 3 As of 18 April 2023, revoke its previous delegations to the General Manager under the Schedule of Delegations – Council to the General Manager – April 2021 (a copy being appended to and forming part of the minutes)."

Carried unanimously

144/2023 Common seal

The General Manager reported as follows:

"A Schedule of Documents for Affixing of the Common Seal for the period 18 April 2023 to 15 May 2023 is submitted for the authority of the Council to be given. Use of the common seal must first be authorised by a resolution of the Council.

The Schedule also includes for information advice of final plans of subdivision sealed in accordance with approved delegation and responsibilities."

The Executive Services Officer reported as follows:

"A copy of the Schedule has been circulated to all Councillors."

■ Cr Beswick moved and Cr Viney seconded, "That the common seal (a copy of the Schedule of Documents for Affixing of the Common Seal being appended to and forming part of the minutes) be affixed subject to compliance with all conditions of approval in respect of each document, and that the advice of final plans of subdivision sealed in accordance with approved delegation and responsibilities be received."

Carried unanimously

145/2023 Contracts and agreements

The General Manager reported as follows:

"A Schedule of Contracts and Agreements (other than those approved under the common seal) entered into for the period 18 April 2023 to 15 May 2023 is submitted to the Council for information. The information is reported in accordance with approved delegations and responsibilities."

The Executive Services Officer reported as follows:

"A copy of the Schedule has been circulated to all Councillors."

- Cr Carpenter moved and Cr Wylie seconded, “That the Schedule of Contracts and Agreements (a copy being appended to and forming part of the minutes) be received.”

Carried unanimously

146/2023 Correspondence addressed to the Mayor and Councillors

The General Manager reported as follows:

“A Schedule of Correspondence addressed to the Mayor and Councillors for the period 18 April 2023 to 15 May 2023 and which was addressed to the ‘Mayor and Councillors’ is appended. Reporting of this correspondence is required in accordance with Council policy.

Where a matter requires a Council decision based on a professionally developed report the matter will be referred to the Council. Matters other than those requiring a report will be administered on the same basis as other correspondence received by the Council and managed as part of the day-to-day operations.”

The Executive Services Officer reported as follows:

“A copy of the Schedule has been circulated to all Councillors.”

- Cr Viney moved and Cr Diprose seconded, “That the Schedule of Correspondence addressed to the Mayor and Councillors (a copy being appended to and forming part of the minutes) be received.”

Carried unanimously

COMMUNITY SERVICES

147/2023 Development application determinations

The Director Community Services reported as follows:

“A Schedule of Development Application Determinations made during the month of April 2023 is submitted to the Council for information. The information is reported in accordance with approved delegations and responsibilities.”

The Executive Services Officer reported as follows:

“A copy of the Schedule has been circulated to all Councillors.”

■ Cr Beswick moved and Cr Lehmann seconded, “That the Schedule of Development Application Determinations (a copy being appended to and forming part of the minutes) be received.”

Carried unanimously

148/2023 Council acting as a planning authority

The Mayor reported as follows:

“The *Local Government (Meeting Procedures) Regulations 2015* provide that if a council intends to act at a meeting as a planning authority under the *Land Use Planning and Approvals Act 1993*, the chairperson is to advise the meeting accordingly.

The General Manager has submitted the following report:

‘If any such actions arise out of Agenda Items 10.8 and 10.9, they are to be dealt with by the Council acting as a planning authority under the *Land Use Planning and Approvals Act 1993*.’”

The Executive Services Officer reported as follows:

“Councillors are reminded that the *Local Government (Meeting Procedures) Regulations 2015* provide that the general manager is to ensure that the reasons for a decision by a council acting as a planning authority are recorded in the minutes.”

■ Cr Viney moved and Cr Wylie seconded, “That the Mayor’s report be received.”

Carried unanimously

149/2023 Domestic Animal Breeding, Boarding or Training – retrospective application for intensification of use – animal boarding and training facilities – Reliance on C9.0 Attenuation Code at 19 Wynwood Road, Sprent -- Application No. DA2022252

The Mayor reported that the applicant had withdrawn the development application (DA2022252) associated with Minute Item 149/2023 and as such, this matter was not considered at the meeting. The Town Planner's report on this matter is available in the meeting agenda (Agenda Item 10.8).

150/2023 Storage – portion of site used to store caravans – Discretionary use and Reliance on C2.0 Parking and Sustainable Transport Code at 225 Westella Drive, Turners Beach – Application No. DA2022331

The Director Community Services reported as follows:

“The Town Planner has prepared the following report:

<i>‘DEVELOPMENT APPLICATION NO.:’</i>	DA2022331
<i>PROPOSAL:</i>	Storage – portion of site used to store caravans – Discretionary use and Reliance on C2.0 Parking and Sustainable Transport Code
<i>APPLICANT:</i>	George Walker 6ty° Pty Ltd
<i>LOCATION:</i>	225 Westella Drive, Turners Beach
<i>ZONE:</i>	Rural
<i>PLANNING INSTRUMENT:</i>	<i>Tasmanian Planning Scheme – Central Coast</i> (the Planning Scheme)
<i>ADVERTISED:</i>	29 March 2023
<i>REPRESENTATIONS EXPIRY DATE:</i>	18 April 2023
<i>REPRESENTATIONS RECEIVED:</i>	Six
<i>42-DAY EXPIRY DATE:</i>	4 May 2023 (extension of time granted until 15 May 2023)
<i>DECISION DUE:</i>	15 May 2023

PURPOSE

The purpose of this report is to consider an application for Storage – portion of the site used to store caravans at 225 Westella Drive, Turners Beach.

Accompanying the report are the following documents:

- . Annexure 1 – location plan;
- . Annexure 2 – application documentation;
- . Annexure 3 – representation; and
- . Annexure 4 – photographs.

BACKGROUND

Development description –

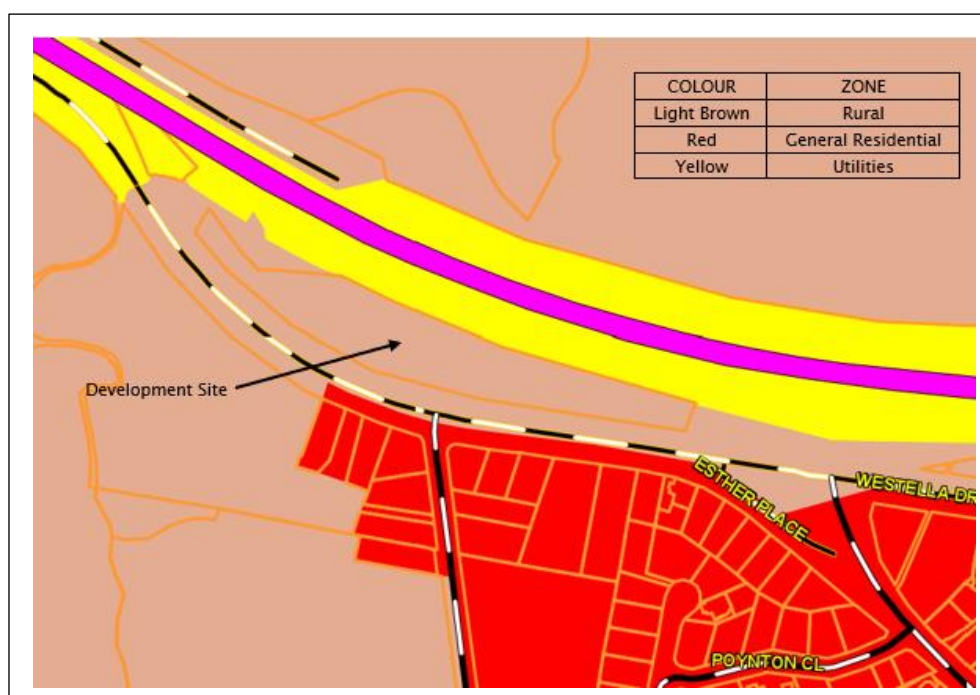
Application has been made to use a portion of the site known as 225 Westella Drive for the storage of caravans. The area proposed for Storage use would be 2,072m² and is positioned off centre, to the east of the site. The Site Plan shows the proposal would accommodate the storage of 29 caravans.

The application states that the existing access off Westella Drive would be utilised for the proposed Storage Use and that the existing shed on the site would not be associated with the Storage Use on the site, but would remain for the approved Resource Development Use on the site.

Original documentation presented with the application indicated a 2.1m high black chain mesh security fence around the area proposed for Storage. This included the existing shed. A revised Site Plan did not include the 2.1m high security fence but did indicate some tree planting along the 29 caravan storage spaces.

Site description and surrounding area –

The 1.342ha Rural Zoned property is land that was surplus when the Bass Highway upgrade occurred. It is situated within a mixed zone area, being an area of Rural, General Residential and Utility Zones. Rural zoned land occupies land to the north of Bass Highway and land to the southwest of Westella Drive. General Residential zoned land occupies land to the south and southeast of Westella Drive. Utilities zone accommodates the Bass Highway. Refer to image below.



The site has an existing shed for Resource Development use which the application states is for small scale dry land grazing.

History -

When the Council adopted the Local Provisions Schedule in the *Tasmanian Planning Scheme*, the development site was zoned from Rural Resource to Rural.

DA2021144 was approved 19 July 2021 under the *Central Coast Interim Planning Scheme 2013*, for Resource Development – shed and Storage – shed. The Permit granted was conditional that storage was to be associated with resource development use of land. This Permit was appealed by the applicant to the Resource Management Planning and Appeals Tribunal, but subsequently withdrawn.

Exemption was provided for the existing shed on the site for Resource Development in December 2021 under the Planning Scheme. This shed was exempt under Clause 4.3.9 of the Planning Scheme. The exemption was accepted by the Council, after obtaining legal advice, providing there is a bona fide existing or a proposed agriculture use on the land and that the shed would be a subservient component of the proposed agricultural use.

DISCUSSION

The following table is the Town Planner’s assessment against the Planning Scheme provisions:

20.0 Rural Zone

20.1 Zone Purpose

The purpose of the Rural Zone is:

- 20.1.1 To provide for a range of use or development in a rural location:
- (a) where agricultural use is limited or marginal due to topographical, environmental or other site or regional characteristics;
 - (b) that requires a rural location for operational reasons;
 - (c) is compatible with agricultural use if occurring on agricultural land;
 - (d) minimises adverse impacts on surrounding uses.
- 20.1.2 To minimise conversion of agricultural land for non-agricultural use.
- 20.1.3 To ensure that use or development is of a scale and intensity that is appropriate for a rural location and does not compromise the function of surrounding settlements.

Planner's comment

Proposal includes documentation from a suitably qualified person from RM Consulting Group Pty Ltd who states that the proposed caravan storage use proposed would have little to no impact on the defined agricultural use areas of the site.

20.0 Rural Zone

CLAUSE	COMMENT	
20.3 Use Standards		
20.3.1 Discretionary uses	Not Applicable	Assessment
20.3.1–(A1) A use listed as Discretionary, excluding Residential, is for an alteration or extension to an existing use, if: (a) the gross floor area does not increase by more than 30% from that existing at the effective date; and (b) the development area does not increase by more than 30% from that existing at the effective date.	<div><input type="checkbox"/></div>	Non-compliant. Storage use is Discretionary. Refer to the “Issues” section of this report.

20.3.1–(A2) No acceptable solution.	<input type="checkbox"/>	Non-compliant. Storage use is Discretionary. Refer to the “Issues” section of this report.
20.3.1–(A3) No acceptable solution.	<input type="checkbox"/>	Non-compliant. Storage use is Discretionary. Refer to the “Issues” section of this report.
20.3.1–(A4) No acceptable solution.	<input type="checkbox"/>	Non-compliant. Storage use is Discretionary. Refer to the “Issues” section of this report.
20.4 Development Standards for Buildings and Works		
20.4.1 Building height	Not Applicable	Assessment
20.4.1–(A1) Building height must be not more than 12m.	<input checked="" type="checkbox"/>	No building is proposed.
20.4.2 Setbacks	Not Applicable	Assessment
20.4.2–(A1) Buildings must have a setback from all boundaries of: (a) not less than 5m; or (b) if the setback of an existing building is within 5m, not less than the existing building.	<input checked="" type="checkbox"/>	No building is proposed.
20.4.2–(A2) Buildings for a sensitive use must be separated from an Agriculture Zone a distance of: (a) not less than 200m; or (b) if an existing building for a sensitive use on the site is within 200m of that boundary, not less than the existing building.	<input checked="" type="checkbox"/>	No building is proposed.

20.4.3 Access for new dwellings	Not Applicable	Assessment
20.4.3 –(A1) New dwellings must be located on lots that have frontage with access to a road maintained by a road authority.	<input checked="" type="checkbox"/>	No dwelling is proposed.
20.5 Development Standards for Subdivision		
20.5.1 lot design	Not Applicable	Assessment
20.5.1–(A1) Each lot, or a lot proposed in a plan of subdivision, must: <ul style="list-style-type: none"> (a) be required for public use by the Crown, a council or a State authority; (b) be required for the provision of Utilities or irrigation infrastructure; (c) be for the consolidation of a lot with another lot provided each lot is within the same zone; or (d) be not less than 40ha with a frontage of no less than 25m and existing buildings are consistent with the setback and separation distance required by clause 20.4.2 A1 and A2. 	<input checked="" type="checkbox"/>	No subdivision is proposed.
20.5.1–(A2) Each lot, or a lot proposed in a plan of subdivision, must be provided with a vehicular access from the boundary of the lot to a road in accordance with the requirements of the road authority.	<input checked="" type="checkbox"/>	No subdivision is proposed.

CODES

CODES	NOT APPLICABLE	APPLICABLE
C1.0 Signs Code	<input checked="" type="checkbox"/>	
C2.0 Parking and Sustainable Transport Code	<input type="checkbox"/>	Refer to the Table below.
C3.0 Road and Railway Assets Code	<input checked="" type="checkbox"/>	
C4.0 Electricity Transmission Infrastructure Protection Code	<input checked="" type="checkbox"/>	
C5.0 Telecommunications Code	<input checked="" type="checkbox"/>	
C6.0 Local Historic Heritage Code	<input checked="" type="checkbox"/>	
C7.0 Natural Assets Code	<input checked="" type="checkbox"/>	
C8.0 Scenic Protection Code	<input checked="" type="checkbox"/>	
C9.0 Attenuation Code	<input checked="" type="checkbox"/>	
C10.0 Coastal Erosion Hazard Code	<input checked="" type="checkbox"/>	
C11.0 Coastal Inundation Hazard Code	<input checked="" type="checkbox"/>	
C12.0 Flood-Prone Areas Hazard Code	<input checked="" type="checkbox"/>	
C13.0 Bushfire-Prone Areas Code	<input checked="" type="checkbox"/>	
C14.0 Potentially Contaminated Land Code	<input checked="" type="checkbox"/>	
C15.0 Landslip Hazard Code	<input checked="" type="checkbox"/>	
C16.0 Safeguarding of Airports Code	<input checked="" type="checkbox"/>	

C2.0 Parking and Sustainable Transport Code

CLAUSE	COMMENT	
C2.5 Use Standards		
C2.5.1 Car parking numbers	Not applicable	Assessment
<p>C2.5.1–(A1)</p> <p>The number of on-site car parking spaces must be no less than the number specified in Table C2.1, excluding if:</p> <p>(a) the site is subject to a parking plan for the area adopted by council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan;</p> <p>(b) the site is contained within a parking precinct plan and subject to Clause C2.7;</p> <p>(c) the site is subject to Clause C2.5.5; or</p> <p>(d) it relates to an intensification of an existing use or development or a change of use where:</p> <p>(i) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is greater than the number of</p> <p>car parking spaces specified in Table C2.1 for the proposed use or development, in which case no additional on-site car parking is required; or</p>	<div><input type="checkbox"/></div>	<p>Non-complaint. Storage requires 1 car parking space per 200m² of the site area or 1 space per 2 employees, whichever is greater. No on-site employees are proposed. Based on 2,072m² the proposal would require 11 car parking spaces. The site has the provisions for 4 car parking spaces.</p> <p>Refer to the “Issues” section of this report.</p>

<p>(ii) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is less than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case on-site car parking must be calculated as follows:</p> <p>$N = A + (C - B)$</p> <p>N = Number of on-site car parking spaces required</p> <p>A = Number of existing on site car parking spaces</p> <p>B = Number of on-site car parking spaces required for the existing use or development specified in Table C2.1</p> <p>C = Number of on-site car parking spaces required for the proposed use or development specified in Table C2.</p>		
C2.5.2 Bicycle parking numbers	Not applicable	Assessment
<p>C2.5.2–(A1)</p> <p>Bicycle parking spaces must:</p> <p>(a) be provided on the site or within 50m of the site; and</p> <p>(b) be no less than the number specified in Table C2.1.</p>	<input checked="" type="checkbox"/>	<p>Not required for Storage Use.</p>

C2.5.3 Motorcycle parking numbers	Not applicable	Assessment
<p>C2.5.3-(A1)</p> <p>The number of on-site motorcycle parking spaces for all uses must:</p> <p>(a) be no less than the number specified in Table C2.4; and;</p> <p>(b) if an existing use or development is extended or intensified, the number of on-site motorcycle parking spaces must be based on the proposed extension or intensification provided the existing number of motorcycle parking spaces is maintained.</p>	☒	Not required for this application.
C2.5.4 - Loading bays	Not applicable	Assessment
<p>C2.5.4-(A1)</p> <p>A loading bay must be provided for uses with a floor area of more than 1000m² in a single occupancy.</p>	☒	Not required for this application.
C2.5.5 - Number of car parking spaces within General Residential Zone and Inner Residential Zone	Not applicable	Assessment
<p>C2.5.5-(A1)</p> <p>Within existing non-residential buildings in the General Residential Zone and Inner Residential Zone, on-site car parking is not required for:</p> <p>(a) Food Services uses up to 100m² floor area or 30 seats, whichever is the greater; and</p> <p>(b) General Retail and Hire uses up to 100m² floor area, provided the use complies with the hours of operation specified in the relevant Acceptable Solution for the relevant zone.</p>	☒	Site is zoned Rural.

C2.6 Development Standards for Buildings and Works		
C2.6.1 Construction of parking areas	Not applicable	Assessment
<p>C2.6.1–(A1)</p> <p>(a) be constructed with a durable all weather pavement;</p> <p>(b) be drained to a public stormwater system, or contain stormwater on the site; and</p> <p>(c) excluding all uses in the Rural Zone, Agriculture Zone, Landscape Conservation Zone, Environmental Management Zone, Recreation Zone and Open Space Zone, be surfaced by a spray seal, asphalt, concrete, pavers or equivalent material to restrict abrasion from traffic and minimise entry of water to the pavement.</p>	<input type="checkbox"/>	<p>(a) Compliant with condition.</p> <p>(b) Compliant with condition.</p> <p>(c) Not applicable. Site is zoned Rural.</p>
C2.6.2 Design and layout of parking areas	Not applicable	Assessment
<p>C2.6.2–(A1)</p> <p>Parking, access ways, manoeuvring and circulation spaces must either:</p> <p>(a) comply with the following:</p> <p>(i) have a gradient in accordance with <i>Australian Standard AS 2890 – Parking facilities, Parts 1-6</i>;</p> <p>(ii) provide for vehicles to enter and exit the site in a forward direction where providing for more than 4 parking spaces;</p>	<input type="checkbox"/>	<p>(a)(i) Compliant by (b).</p> <p>(a)(ii) Compliant by (b).</p> <p>(a)(iii) Compliant by (b).</p> <p>(a)(iv) Compliant by (b).</p> <p>(a)(v) Compliant by (b).</p> <p>(a)(vi) Compliant by (b).</p> <p>(a)(vii) Compliant by (b).</p> <p>(b) Compliant with condition.</p> <p>A1.2</p> <p>(a) Not applicable for this application.</p>

<p>(iii) have and access width not less than the requirements in Table C2.2;</p> <p>(iv) have car parking space dimensions which satisfy the requirements in Table C2.3;</p> <p>(v) have a combined access and manoeuvring width adjacent to parking spaces not less than the requirements in Table C2.3 where there are 3 or more car parking spaces;</p> <p>(vi) have a vertical clearance of not less than 1m above the parking surface level; and</p> <p>(vii) excluding a single dwelling, be delineated by line marking or other clear physical means; or</p> <p>(b) comply with <i>Australian Standard AS 2890- Parking facilities, Parts 1-6.</i></p> <p>C2.6.2–(A1.2)</p> <p>Parking spaces provided for use by persons with a disability must satisfy the following:</p> <p>(a) be located as close as practicable to the main entry point to the building;</p> <p>(b) be incorporated into the overall car park design; and</p> <p>(c) be designed and constructed in accordance with <i>Australian/New Zealand Standard AS/NZS 2890.6:2009 Parking facilities, Off-street parking for people with disabilities.</i>¹</p>		<p>(b) Not applicable for this application.</p> <p>(c) Not applicable for this application.</p>
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¹ Requirements for the number of accessible car parking spaces are specified in part D3 of the <i>National Construction Code 2016</i>		
C2.6.3 Number of accesses for vehicles	Not applicable	Assessment
<p>C2.6.3–(A1)</p> <p>The number of accesses provided for each frontage must:</p> <p>(a) be no more than 1; or</p> <p>(b) no more than the existing number of accesses whichever is the greater.</p>	<input type="checkbox"/>	<p>(a) Compliant. The site has one access only.</p> <p>(b) Not applicable. Satisfied by (a).</p>
<p>C2.6.3–(A2)</p> <p>Within the Central Business Zone or in a pedestrian priority street no new access is provided unless an existing access is removed.</p>	<input checked="" type="checkbox"/>	Site is zoned Rural.
C2.6.4 Lighting of parking areas within the General Business Zone and Central Business Zone	Not applicable	Assessment
<p>C2.6.4–(A1)</p> <p>In car parks within the General Business Zone and Central Business Zone, parking and vehicle circulation roads and pedestrian paths serving 5 or more car parking spaces, which are used outside daylight hours, must be provided with lighting in accordance with clause 3.1 “Basis of Design” and Clause 3.6 “Car parks” in Australian Standards/ New Zealand Standard AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting – Performance and design requirements.</p>	<input checked="" type="checkbox"/>	Site is zoned Rural.

C2.6.5 Pedestrian access	Not applicable	Assessment
<p>C2.6.5-(A1.1)</p> <p>Uses that require 10 or more car parking spaces must:</p> <p>(a) have a 1m wide footpath that is separated from the access ways or parking aisles, excluding where crossing access ways or parking aisles by:</p> <p>(i) a horizontal distance of 2.5m between the edge of the footpath and the access way or parking aisle; or</p> <p>(ii) protective devices such as bollards, guard rails or planters between the footpath and the access way or parking aisle; and</p> <p>(b) be signed and line marked at points where pedestrians cross access ways or parking aisles; and</p> <p>C2.6.5-(A1.2)</p> <p>In parking areas containing accessible car parking spaces for use by persons with a disability, a footpath having a width not less than 1.5m and a gradient not steeper than 1 in 14 is required from those spaces to the main entry point to the building.</p>	<input type="checkbox"/>	<p>Non-compliant. No pedestrian access would be provided.</p> <p>Refer to the “Issues” section of this report.</p>
C2.6.6 Loading bays	Not applicable	Assessment
<p>C2.6.6-(A1)</p> <p>The area and dimensions of loading bays and access way areas must be designed in accordance with <i>Australian Standard AS 2890.2–2002 Parking Facilities Part 2: Parking facilities- Off-street commercial vehicle facilities</i>, for the type of vehicles likely to use the site.</p>	<input checked="" type="checkbox"/>	<p>Loading bays are not required.</p>

<p>C2.6.6-(A2)</p> <p>The type of commercial vehicles likely to use the site must be able to enter, park and exit the site in a forward direction in accordance with <i>Australian Standard AS2890. 2- 2002 Parking Facilities Part 2: Parking facilities- Off-street commercial vehicle facilities.</i></p>	<input checked="" type="checkbox"/>	<p>Loading bays are not required.</p>
<p>C2.6.7 Bicycle parking and storage facilities within the General Business Zone and Central Business Zone</p>	<p>Not applicable</p>	<p>Assessment</p>
<p>C2.6.7-(A1)</p> <p>Bicycle parking for uses that require 5 or more bicycle spaces in Table C2.1 must:</p> <p>(a) be accessible from a road, cycle path, bicycle lane, shared path or access way;</p> <p>(b) be located within 50m from an entrance;</p> <p>(c) be visible from the main entrance or otherwise signed; and</p> <p>(d) be available and adequately lit during the times they will be used, in accordance with Table 2.3 of <i>Australian/New Zealand Standard AS/NZS 1158.3.1: 2005 Lighting for roads and public spaces - Pedestrian area (Category P) lighting - Performance and design requirements.</i></p>	<input checked="" type="checkbox"/>	<p>Site is zoned Rural.</p>
<p>C2.6.7-(A2)</p> <p>Bicycle parking spaces must:</p> <p>(a) have dimensions not less than:</p> <p>(i) 1.7m in length;</p>	<input checked="" type="checkbox"/>	<p>Site is zoned Rural.</p>

<p>(ii) 1.2m in height; and</p> <p>(iii) 0.7m in width at the handlebars;</p> <p>(b) have unobstructed access with a width of not less than 2m and a gradient not steeper than 5% from a road, cycle path, bicycle lane, shared path or access way; and</p> <p>(c) include a rail or hoop to lock a bicycle that satisfies <i>Australian Standard AS 2890.3-2015 Parking facilities - Part 3: Bicycle parking</i>.</p>		
C2.6.8 Siting of parking and turning areas	Not applicable	Assessment
<p>C2.6.8-(A1)</p> <p>Within an Inner Residential Zone, Village Zone, Urban Mixed Use Zone, Local Business Zone or General Business Zone, parking spaces and vehicle turning areas, including garages or covered parking areas must be located behind the building line of buildings, excluding if a parking area is already provided in front of the building line.</p>	☒	Site is zoned Rural.
<p>C2.6.8-(A2)</p> <p>Within the Central Business Zone, on-site parking at ground level adjacent to a frontage must:</p> <p>(a) have no new vehicle accesses, unless an existing access is removed;</p> <p>(b) retain an active street frontage; and</p> <p>(c) not result in parked cars being visible from public places in the adjacent roads.</p>	☒	Site is zoned Rural.

C2.7 Parking Precinct Plan		
C2.7.1 Parking precinct plan	Not applicable	Assessment
C2.7.1-(A1) Within a parking precinct plan, on-site parking must: (a) not be provided; or (b) not be increased above existing parking numbers.	☒	Parking precinct plan does not apply to the development site.

SPECIFIC AREA PLANS	NOT APPLICABLE	APPLICABLE
CCO-S1.0 Forth Specific Area Plan	☒	
CCO-S2.0 Leith Specific Area Plan	☒	
CCO-S3.0 Penguin Specific Area Plan	☒	
CCO-S4.0 Revell Lane Specific Area Plan	☒	
CCO-S5.0 Turners Beach Specific Area Plan	☒	

CCO CODE LISTS	
CCO-Table C3.1 Other Major Roads	This table is not used in this Local Provisions Schedule.
CCO-Table C6.1 Local Heritage Places	This table is not used in this Local Provisions Schedule.
CCO-Table C6.2 Local Heritage Precincts	This table is not used in this Local Provisions Schedule.
CCO-Table C6.3 Local Historic Landscape Precincts	This table is not used in this Local Provisions Schedule.
CCO-Table C6.4 Places or Precincts of Archaeological Potential	This table is not used in this Local Provisions Schedule.

CCO-Table C6.5 Significant Trees	This table is not used in this Local Provisions Schedule.
CCO-Table C8.1 Scenic Protection Areas	Not applicable to this application.
CCO-Table 8.2 Scenic Road Corridors	This table is not used in this Local Provisions Schedule.
CCO-Table C11.1 Coastal Inundation Hazard Bands AHD levels	Not applicable to this application.
CCO-Applied, Adopted or Incorporated Documents	This table is not used in this Local Provisions Schedule.
CCO-Site-Specific Qualifications	This table is used in this Local Provisions Schedule.

Issues –

1 Discretionary use –

As stated in the Planning Scheme's Clause 5.6.4, the planning authority may consider the relevant Objective in an applicable standard to determine whether a use or development satisfies the Performance Criterion for that standard.

The Objective for the Planning Scheme's Clause 20.3.1 states that the location, scale and intensity of a use listed as Discretionary in the Rural Zone:

- (a) is required for operational reasons;
- (b) does not unreasonably confine or restrain the operation of uses on adjoining properties;
- (c) is compatible with agricultural use and sited to minimise conversion of agricultural land; and
- (d) is appropriate for a rural location and does not compromise the function of surrounding settlements.

The Planning Scheme's Acceptable Solution for Clause 20.3.1 (A1) states that a use listed as Discretionary, is for an alteration or extension to an existing use. This is not the case for the proposal. There is no Acceptable Solution for Clauses 20.3.1 (A2, A3 and A4). Therefore, the proposed use and development is discretionary and relies on an assessment against the applicable, mandatory Performance Criteria.

The Planning Scheme's Performance Criteria for Clause 20.3.1 (P1) states that a use listed as Discretionary, must require a rural location for operational reasons, having regard to:

- (a) the nature, scale and intensity of the use;
- (b) the importance or significance of the proposed use for the local community;
- (c) whether the use supports an existing agricultural use;
- (d) whether the use requires close proximity to infrastructure or natural resources; and

- (e) whether the use requires separation from other uses to minimise impacts.

Planner's comments: The application has addressed this Performance Criteria in the supporting documentation prepared by the applicant, as well as in the report prepared by a suitably qualified agricultural person, relating to the assessment of the agriculture land, this being the report prepared by RM Consulting Group Pty Ltd. The RM Consulting Group Pty Ltd report states that, in relation to an agricultural perspective, the relevant points above are (c) and (e). The report states that the proposed use of Storage would not directly support an existing agricultural use. Furthermore, this report states that the scale and intensity of the proposed use would have minimal impact on the existing and potential agricultural uses on the site (small scale dry land grazing).

In relation to (e) of the above Performance Criteria, the applicant has stated that the storage of caravans is largely an inert activity and that there would be no specific impacts that the storage use would emit that would require minimising or mitigation.

No reference or evidence has been provided regarding any visual impacts to the surrounding General Residential zone which is either developed for residential purpose or likely to be developed for such. No justification has been provided regarding how separation between the proposed use and residential use would assist to minimise impacts.

The Planning Scheme's Performance Criteria for Clause 20.3.1 (P2) states that a use listed as Discretionary must not confine or restrain existing use on adjoining properties, having regard to:

- (a) the location of the proposed use;
- (b) the nature, scale and intensity of the use;
- (c) the likelihood and nature of any adverse impacts on adjoining uses;
- (d) whether the proposed use is required to support a use for security or operational reasons; and
- (e) any off site impacts from adjoining uses.

Planner's comments: The application has addressed this Performance Criteria in the supporting documentation prepared by the applicant, as well as in the report prepared by a suitably qualified agricultural person relating to the assessment of the agriculture land, this being the report prepared by RM Consulting Group Pty Ltd.

The RM Consulting Group Pty Ltd report states that there are no existing agricultural uses on adjacent land to the subject site. Furthermore, the nearest agricultural activity on the southern side of Westella Drive is buffered by existing dwellings and the proposed caravan storage site, on the subject title.

It is considered that the applicant has addressed this Performance Criteria adequately, in relation to adjoining uses.

The Planning Scheme's Performance Criteria for Clause 20.3.1 (P3) states that a use listed as Discretionary, located on agricultural land, must minimise conversion of agricultural land to non-agricultural use and be compatible with agricultural use, having regard to:

- (a) the nature, scale and intensity of the use;
- (b) the local or regional significance of the agricultural land; and
- (c) whether agricultural use on adjoining properties will be confirmed or restrained.

Planner's comments: The application has addressed this Performance Criteria in the supporting documentation prepared by the applicant, as well as in the report prepared by a suitably qualified agricultural person relating to the assessment of the agriculture land. This being the report prepared by RM Consulting Group Pty Ltd.

The RM Consulting Group Pty Ltd report states that the proposed use is located on a part of the subject title that is not currently utilised, or intended to be utilised, for agricultural activities in the future. The report states that the significance of the agricultural land on the development site, from both a local and regional perspective, is very low and that the development site is small and disconnected from other agricultural land. The report states that the proposed use will not constrain any nearby agricultural activity, any more than that existing from other uses.

It is considered that the applicant has addressed this Performance Criteria adequately, in relation to adjoining uses.

The Planning Scheme's Performance Criteria for Clause 20.3.1 (P4) states that a use listed as Discretionary, must be appropriate for a rural location, having regard to:

- (a) the nature, scale and intensity of the proposed use;
- (b) whether the use will compromise or distort the activity centre hierarchy;
- (c) whether the use could reasonably be located on land zoned for that purpose;
- (d) the capacity of the local road network to accommodate the traffic generated by the use; and
- (e) whether the use requires a rural location to minimise impacts from the use, such as noise, dust and lighting.

Planner's comments: The application has addressed this Performance Criteria in the supporting documentation prepared by the applicant, as well as in the report prepared by a suitably qualified agricultural person relating to the assessment of the agriculture land, this being the report prepared by RM Consulting Group Pty Ltd.

The RM Consulting Group Pty Ltd report states that from an agricultural perspective they have considered point (a) which has been addressed above in Clause 20.3.1 (P1) and (P3). They further state that, as for the previous performance criteria, they agree with the applicant's response regarding these performance criterions.

In relation to (e) of the above Performance Criteria, the applicant has stated that the storage of caravans is largely an inert activity and that there will be no specific impacts that the storage use would emit that would require minimising or mitigation.

No reference or evidence has been provided regarding whether the proposed Storage use would minimise impacts such as lighting nuisance to the surrounding General Residential.

2 *Reliance on C2.0 Parking and Sustainable Transport Code*

The Objective for Clause C2.5.1 is that an appropriate level of car parking spaces would be provided to meet the needs of the use.

The Planning Scheme's Acceptable Solution for Clause C2.5.1-(A1) states that the number of on-site car parking spaces must be no less than the number specified in Table C2.1.

Storage requires 1 car parking space per 200m² of the site area or 1 space per 2 employees, whichever is greater. No on-site employees are proposed. Based on 2,072m² the proposal would require 11 car parking spaces. The application has made provisions for 4 car parking spaces.

The proposed development is discretionary and relies on an assessment against the applicable mandatory Performance Criteria.

The Planning Scheme's Performance Criteria for Clause C2.5.1-(P1.1) states that the number of on-site car parking spaces for uses, excluding dwellings, must meet the reasonable needs of the use, having regard to:

- (a) the availability of off-street public car parking spaces within reasonable walking distance of the site;
- (b) the ability of multiple users to share spaces because of:
- (c) the availability and frequency of public transport within reasonable walking distance of the site;
- (d) the availability and frequency of other transport alternatives;
- (e) any site constraints such as existing buildings, slope, drainage, vegetation and landscaping;
- (f) the availability, accessibility and safety of on-street parking, having regard to the nature of the roads, traffic management and other uses in the vicinity;
- (g) the effect on streetscape; and

- (h) any assessment by a suitably qualified person of the actual car parking demand determined having regard to the scale and nature of the use and development.

Planner's comments: The applicant has addressed the Performance Criteria and states that there is no off-street public car parking available within reasonable walking distance of the site and that there are bus stops located within the Turners Beach settlement, on the southern side of Bass Highway. There would be variation in parking demand between the two uses on the site, being Resource Development and Storage. The applicant states that it would be possible to provide the required number of car parking spaces on the site for the Storage use. However, it is not considered practical given that there will be extremely low demand for car parking for the storage use and car parking would encroach into the areas of the site that are used for resource development, or the proposed storage use area.

It is stated in the application that the function of the use would involve customers dropping off and picking up their caravans. Towing vehicles will be attached or close to caravans whilst they are prepared for storage or pick up and there is no need to provide separate parking areas for towing vehicles.

It is considered that the applicant has addressed this Performance Criteria adequately.

The Planning Scheme's Acceptable Solution for Clause C2.5.5 (A1) states that uses that require 10 or more car parking spaces must have a 1m wide footpath that is separated from the access ways or parking aisles, excluding where crossing access ways or parking aisles by (a) a horizontal distance of 2.5m between the edge of the footpath and the access way or parking aisle; or (b) protective devices such as bollards, guard rails or planters between the footpath and the access way or parking aisle.

The proposal does not make provision for a footpath separate from the access ways or parking aisles. Therefore, the proposed development is discretionary and relies on an assessment against the applicable mandatory Performance Criteria.

The Planning Scheme's Performance Criteria for Clause C2.6.5-(P1) states that safe and convenient pedestrian access must be provided within parking areas, having regard to:

- (a) the characteristics of the site;
- (b) the nature of the use;
- (c) the number of parking spaces;
- (d) the frequency of vehicle movements;
- (e) the needs of persons with a disability;
- (f) the location and number of footpath crossings;
- (g) vehicle and pedestrian traffic safety;
- (h) the location of any access ways or parking aisles; and
- (i) any protective devices proposed for pedestrian safety.

Planner's comments: The applicant has addressed this Performance Criteria and states that safe and convenient pedestrian access will be provided within the development site. The applicant states that the car park is open and provides good sightlines between parking spaces and the caravan storage area. The nature of the use will be medium to long term caravan storage. The applicant states that the frequency of vehicle movement within the area will be low and there will likely be several days where there will be no vehicle movements on the site.

It is considered that the applicant has addressed this Performance Criteria adequately.

Conclusion: Where the application has not demonstrated satisfactory evidence to support an applicable Performance Criteria, such as whether the use requires separation from other uses to minimise impacts, which is required under Clause 20.3.1-(P1)(e) and whether the use requires a rural location to minimise impacts from the use, such as noise, dust and lighting, which is under Clause 20.3.1 - (P4)(e), conditions have been included on the Permit to ensure the relevant Clauses can be complied with. These conditions relate to landscaping and lighting. It is concluded that otherwise and with the inclusion of these conditions, the application demonstrates compliance with the applicable Objectives relating to each Performance Criteria.

As stated in Clause 6.10.2 of the Planning Scheme, in determining an application for a permit for a Discretionary use, the planning authority must,

in addition to the matters referred to in sub-clause 6.10.1 of this planning scheme, have regard to:

- (a) the purpose of the applicable zone;
- (b) any relevant local area objective for the applicable zone;
- (c) the purpose of any applicable code;
- (d) the purpose of any specific area plan;
- (e) any relevant local area objective for any applicable specific area plan;
and
- (f) the requirements of any site-specific qualification.

Planner's comments: It is considered that the application has not adequately addressed part (a) above regarding the purpose of the Rural Zone, namely Rural Zone purpose Clause 20.1.1(d).

Clause 20.1.1(d) of the Planning Scheme states that the purpose of the Rural Zone is to provide for a range of use or development in a rural location to minimise adverse impacts on surrounding uses.

The development site is within a mixed Zone area which results with mixed uses. It is acknowledged that with mixed Zones there may be some conflict of uses. However, measures should be taken into account to minimise these conflicts.

The development site is north (across Westella Drive) of a General Residential Zone that is either developed or will be developed for residential use.

To ensure the proposal can satisfy the Rural Zone Purpose Clause 20.1.1 (d) of the Planning Scheme, landscaping for screening purpose must be provided along that portion of the site used for Storage that fronts Westella Drive. The landscaping must be maintained at between 2.1m and 4m in height.

Referral advice –

Referral advice from the various Departments of the Council and other service providers is as follows:

SERVICE	COMMENTS/CONDITIONS
Environmental Health	Referral not required.
Building	Standard Note to apply on the Permit.
Infrastructure Services	Conditions and Notes to apply on the Permit.
TasWater	Referral not required.
Department of State Growth	Referral not required.
Environment Protection Authority	Referral not required.
TasRail	Referral not required.
Heritage Tasmania	Referral not required.
Crown Land Services	Referral not required.
Other	Referral not required.

CONSULTATION

In accordance with s.57(3) of the *Land Use Planning and Approvals Act 1993*:

- . a site notice was posted;
- . letters to adjoining owners were sent; and
- . an advertisement was placed in the Public Notices section of The Advocate.

Representations –

Six representations were received during the public notification period. Copies of which are provided at Annexure 3.

The representation is summarised and responded to as follows:

REPRESENTATION 1	
MATTER RAISED	RESPONSE
<p>1 Built forever home in Turners Beach on Westella Drive. Chose this place as it is known to be a nice quiet beach town.</p>	<p>The development site is within a mixed Zone area. Zones being Rural, General Residential and Utilities.</p> <p>When there are mixed zonings, some conflict of uses may occur. However, the Planning Scheme sets out applicable standards that a proposed use and/or development must satisfy.</p> <p>It is considered that the application has demonstrated compliance with the applicable standards in the Planning Scheme. Where it has not, conditions have been placed on the Planning Permit.</p>
<p>2 Never thought Rural land across from their home would be subject to a dramatic change. Knew it was Rural but storing caravans is hardly Rural.</p>	<p>The development site has been a rural area for several years, both under the Interim Planning Scheme (Rural Resource Zone) and Tasmanian Planning Scheme (Rural Zone)</p> <p>The Rural Zone Use Table lists specific Use Classes that may be possible and whether the Use would be No Permit Required, Permitted or Discretionary. Some uses have specific qualifications.</p> <p>Storage is a Discretionary Use in the Rural Zone, with no qualifications specified.</p>

<p>3 After rejected rezoning of the land to commercial, proposal now under the guise of 'storing caravans', when in fact it is to promote the sole business and trade of caravans.</p>	<p>When the Council adopted the Local Provisions Schedule in the <i>Tasmanian Planning Scheme</i>, the development site was zoned from Rural Resource to Rural.</p> <p>The proposal is for Storage, in the form of storing caravans on a portion of the development site.</p> <p>A condition on the Permit will be no sales or servicing of caravans on the site, as this use (Bulky Goods Sales) is "Prohibited" in the Rural Zone.</p>
<p>4 Application states no signage. There has been signage erected now for 4 weeks prior to advertising of this application.</p>	<p>The Council investigated signage on the site and are satisfied with the evidence provided by the owner, that existing signs have pre-existing use rights under the <i>Land Use Planning and Approvals Act 1993</i>.</p>
<p>5 Where are the plants and shrubbery that were said to be planted as of the 2021 application.</p>	<p>DA2021144 was approved under the Interim Planning Scheme on 19 July 2021 for Resource development – shed and Storage – shed. This Permit was not acted upon. One of the sheds was later Exempt for resource development purposes under the Tasmanian Planning Scheme.</p>
<p>6 Extremely disappointed that new houses built in newly residential area along Westella Drive will be neighbored by storing caravans.</p>	<p>Refer to response comments made above in Matter No. 1 regarding mixed zonings.</p> <p>A condition will be placed on the Permit regarding landscaping to be along the Storage use that fronts Westella Drive. This landscaping is to satisfy Rural Zone purpose 20.1.1 (d) regarding minimising adverse impacts on surrounding uses.</p>

<p>7 Concerned regarding:</p> <ul style="list-style-type: none"> High black caged fencing. Flood lights. Increased traffic. 	<p><u>Fence</u> – The proposal mentions a 2.1m high black chain mesh security fence. It is noted this is not on the Site Plan that was also provided. Under the Planning Scheme exemptions, Clause 4.6.6 exempts fences in the Rural Zone with no requirements. There is also a specific Exemption under Clause 4.6.5 for fences for “security purposes”. This exempts security fences in the Light and General Industrial Zone, Port and Marine Zone or Utilities Zone. The order of authority of one Planning Scheme Exemption over another, is not made clear in the Planning Scheme, and there are no standards under which a security fence in any other zone can be assessed or determined.</p> <p>As the site is zoned Rural, Council accepts there are no requirements regarding fencing in the Rural Zone.</p> <p>Flood lights – a condition will be placed on the Permit regarding lighting, including the baffling of security lighting.</p> <p>Increased Traffic – the application satisfies the Road and Railway Assets Code in relation to increased traffic. The proposal therefore satisfies the Acceptable Solution in this Code. Furthermore, the Council, acting as a Road Authority, has not expressed any concerns regarding increase traffic due to the proposal.</p>
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8	Unsightly signage and banners.	A condition will be placed on the Permit that no additional signage can be erected on the site without assessment under the Tasmanian Planning Scheme. The Council are satisfied that the existing signs have pre-existing use rights under the <i>Land Use Planning and Approvals Act 1993</i> .
9	Doesn't go with the Turners Beach Local Area Plan Urban Design Guidelines 2011.	This is not a Planning Scheme matter.
10	Unsightly and not desired of a beach town and poor welcome driving to the community.	The site is within a mixed zoned area. Storage use in the Rural Zone is discretionary. Along Bass Highway, throughout the municipality, there are mixed uses, zones and development.

REPRESENTATION 2	
MATTER RAISED	RESPONSE
1 Property owners in the area for over 35 years. Find it hard to understand why this application would be considered.	<p>The development site has been a rural area for several years, both under the Interim Planning Scheme (Rural Resource Zone) and Tasmanian Planning Scheme (Rural Zone).</p> <p>The Rural Zone Use Table lists specific Use Classes that may be possible on the land and whether the Use would be No Permit Required, Permitted or Discretionary. Some uses have specific qualifications.</p> <p>Storage is a Discretionary Use in the Rural Zone, with no qualifications specified.</p>

<p>2 For years, the plan for Turners Beach has been to create a semi-rural urban setting. Includes decommission of commercial sites.</p> <p>This was the vision of the Council and well supported by the local people. For this site to be a caravan yard would be a serious step in the wrong direction.</p>	<p>The zoning of the development site is not changing.</p> <p>It is zoned Rural with Storage Use Class Discretionary use in the Zone.</p>
<p>3 Traffic is a major issue already around the roundabout, partly due to trucks avoiding weigh bridge.</p>	<p>The following comments are from Council acting in its capacity as a Road Authority:</p> <ul style="list-style-type: none"> (a) No crash history around the roundabout was found on our record. (b) No complaints were found on our record regarding any traffic issue around the roundabout. (c) Based on the Planning Scheme, the proposal is acceptable in terms of traffic increase.
<p>4 Link mesh fence, security lighting has no place at the development site and should be in an industrial area.</p>	<p>The proposal mentions a 2.1m high black chain mesh security fence. It is noted this is not on the Site Plan that was also provided. Under the Planning Scheme exemptions, Clause 4.6.6 exempts fences in the Rural Zone with no requirements. There is also a specific Exemption under Clause 4.6.5 for fences for "security purposes". This exempts security fences in the Light and General Industrial Zone, Port and Marine Zone or Utilities Zone.</p>

	<p>The order of authority, of one Planning Scheme Exemption over another, is not made clear in the Planning Scheme, and there are no standards under which a security fence in any other zone can be assessed or determined.</p> <p>As the site is zoned Rural, Council accepts there are no requirements regarding fencing in the Rural Zone.</p> <p>There will be conditions placed on the Permit regarding lighting, including security lighting.</p>
<p>5 Very upsetting for adjacent owners to look at the development every day.</p> <p>Maybe rates should be reduced for them.</p>	<p>A condition will be placed on the Permit regarding landscaping to be along the Storage use area that fronts Westella Drive.</p> <p>This landscaping is to satisfy Rural Zone purpose 20.1.1 (d) regarding minimising adverse impacts on surrounding uses.</p>
<p>6 Appears that the owner of the development site thinks that as he has a prominent family member in the location community, he should have special treatment.</p>	<p>This is not a Planning Scheme matter.</p>
<p>7 Why has the development site got a gravel yard, signs up advertising something not yet approved and retaining walls along the northern boundary not approved or to the Building code.</p>	<p>The site has been developed for Resource development. This includes the construction of a shed and gravel area.</p> <p>The Council investigated signage on the site and are satisfied with the evidence provided by the owner, that all signage on site have pre-existing use rights under the <i>Land Use Planning and Approvals Act 1993</i>.</p>

	The Council are unaware of any issues involving retaining walls. The Council will follow this up separately.
8 This will not stop at storage. Slowly more signs will go up.	A condition will be placed on the Permit that no additional signage can be erected on the site without assessment under the Tasmanian Planning Scheme.
9 Rural zoning allows for rural based activities. Never heard of farming caravans.	The Rural Zone allows for a range of Use Classes, as per Clause 20.2 Use Table. This includes Storage being able to be considered as a Discretionary use on the land.
10 The development site has always been zoned Rural so there should be no surprise of its uses before it was purchased.	This is correct. The Rural Zone allows for a range of uses, as per Clause 20.2 Use Table. This includes Storage as a Discretionary use.
11 If this application is allowed a precedent will be set for other similar settings in this area.	The development site is within a mixed zoned area. Each Zone in the Planning Scheme has its own Use Table, with a list of possible uses.

REPRESENTATION 3	
MATTER RAISED	RESPONSE
1 Turners Beach is a quiet, picturesque seaside community. Certainly not the place for commercial storage of caravans.	The development site has been a rural area for several years, both under the Interim Planning Scheme (Rural Resource Zone) and Tasmanian Planning Scheme (Rural Zone).

		<p>The Rural Zone Use Table lists specific Use Classes that may be possible on the land and whether the Use would be No Permit Required, Permitted or Discretionary. Some uses have specific qualifications.</p> <p>Storage is a Discretionary Use in the Rural Zone, with no qualifications specified.</p>
2	<p>Back in 2021 the caravan business tried to rezone the development site to Commercial. This failed. Owner then erected an agricultural shed to get around this ruling. Highly doubt shed is an agricultural shed.</p>	<p>When the Council adopted the Local Provisions Schedule in the <i>Tasmanian Planning Scheme</i>, the development site was rezoned from Rural Resource to Rural.</p>
3	<p>Commercial business in a significantly residential area is unsightly, unwanted and very out of place on Westella Drive.</p>	<p>The development site is within a mixed zoned area which results in mixed uses.</p> <p>A condition will be placed on the Permit regarding landscaping to be along the Storage use that fronts Westella Drive. This landscaping is to satisfy Rural Zone purpose 20.1.1 (d) regarding minimising adverse impacts on surrounding uses.</p>
4	<p>Application states no signage. There has been business signage on the development site for more than 6 weeks promoting caravans.</p>	<p>The Council investigated existing signage on the site and are satisfied that it has pre-existing use rights under the <i>Land Use Planning and Approvals Act 1993</i>.</p>

5	This is a commercial business out to make money. They don't care about the residents that live on Westella Drive that will have to deal with depreciation in property value, unsightly look and beaming lights from the development site.	Impact on property values is not a Planning Scheme matter. Conditions will be placed on the Permit regarding lighting impact and buffer landscaping along the Storage Use area that fronts Westella Drive.
6	Application does not fit the quaint beach side community of Turners Beach.	The development site is within a mixed Zone area. Zones being Rural, General Residential and Utilities. When there are mixed zonings, some conflict of uses may occur. However, the Planning Scheme sets out applicable standards that a proposed use and/or development must satisfy. It is considered that the proposed application has demonstrated compliance with the applicable standards in the Planning Scheme. Where it has not, conditions have been placed on the Planning Permit.

REPRESENTATION 4 & 5 – same letter	
MATTER RAISED	RESPONSE
1 Land is directly adjacent to the new subdivision at the corner of Stubbs Road continuing to Poyntons Subdivision. Newly erected shed is not out of place and applicable to a Rural Zone. The storage aspect is non-descript apart from the 29 caravan sites. General storage as stated could mean anything.	The development site is within a mixed Zone area. Zones being Rural, General Residential and Utilities. The application is for Storage. The proposal, as advertised, is for Storage – a portion of the site to be used to store caravans. This will be the description on the recommended Planning Permit.

	The recommended Planning Permit would also include conditions regarding the proposal to be in accordance with the documentation that has been submitted with the application, that outlines and details the extent of proposed Storage use on the site.
2 Application does not conform with the Turners Beach Local Area Plan (Urban Design Guidelines 2011).	As it is not a statutory document, the Turners Beach Local Area Plan (Urban Design Guidelines 2011) cannot be used for assessing development applications.
3 In previous discussions with Council members, it has been made quite clear that future commercial or industrial expansions between the Ulverstone Industrial estate and Maskells Road is undesired. Why is it then favorable to have a general storage and caravan parking facility in view of the highway and opposite of housing?	<p>The Council are looking into land to be allocated for both Industrial and Commercial, as part of ongoing strategic planning work. No decisions have been made as to preferred sites for this type of land use.</p> <p>The development site is zoned Rural, which allows, as a discretionary application, Storage Use Class to be considered.</p> <p>The Planning Scheme sets out applicable standards that a proposed use and/or development must satisfy.</p> <p>It is considered that the proposed application has demonstrated compliance with the applicable standards in the Planning Scheme. Where it has not, conditions have been placed on the Planning Permit.</p>

4	<p>A 2.1m chain mesh security fence is understanding however no mention of security lighting. Lights installed on the existing shed already have a negative impact as they are too bright.</p> <p>What will be the impact of lighting around the boundary if planned?</p>	<p>There will be conditions placed on the Permit regarding lighting impacts, including security lighting.</p>
5	<p>Disregard would be shown to the Turners Beach Local Area Plan (Urban Design Guidelines 2011).</p>	<p>As it is not a statutory document, the Turners Beach Local Area Plan (Urban Design Guidelines 2011) cannot be used for assessing development applications.</p>
6	<p>Application states no signage. However, signage has been erected on the development site facing the highway advertising 'storage coming here soon'.</p>	<p>The Council investigated existing signage on the site and are satisfied that all signs on site have pre-existing use rights under the <i>Land Use Planning and Approvals Act 1993</i>.</p>

REPRESENTATION 6	
MATTER RAISED	RESPONSE
<p>1 Owners of 224 Westella Drive with retirement home to be built commencing May 2023. Previously defending 'our' residential path against an application to have the development site to be rezoned Commercial.</p>	<p>The development site is within a mixed Zone area. Zones being Rural, General Residential and Utilities. Utilities Zone occupies Bass Highway.</p> <p>When there are mixed zonings, some conflict of uses may occur. However, the Planning Scheme sets out applicable standards that a proposed use and/or development must satisfy.</p>

	It is considered that the proposed application has demonstrated compliance with the applicable standards in the Planning Scheme. Where it has not, conditions have been placed on the Planning Permit.
2 No issues with the rural shed on the development site apart from ultra bright lighting installed on the southern side just 2 weeks ago which illuminates across Westella Drive.	There will be conditions on the Permit regarding lighting impacts, including security lighting.
3 Reference to the Turners Beach Local Area Plan (Urban Design Guidelines 2011).	As it is not a statutory document, the Turners Beach Local Area Plan (Urban Design Guidelines 2011) cannot be used for assessing development applications.
4 Recent years witnessed changes where bulky business have ceased and now areas for newly residential estates. New residential areas never anticipated having 29 or more caravans and general storage. States this development site will be a convenient area for the proponent to 'site caravans' while they wait for service/repair and maybe sales for their business in Ulverstone.	The development site has been a rural area for several years, both under the Interim Planning Scheme (Rural Resource Zone) and Tasmanian Planning Scheme (Rural Zone). The Rural Zone Use Table lists specific Use Classes that may be possible on the land and whether the Use would be No Permit Required, Permitted or Discretionary. Some uses have specific qualifications. Storage is a Discretionary Use in the Rural Zone, with no qualifications specified. A condition on the Permit will be that no sales or servicing of caravans is permissible on the site, as Bulky Goods Sales and service

	(such as for caravans) is Prohibited in the Rural Zone.
5 Proposed storage will not directly support an existing agriculture use.	<p>The development site would have two uses. Resource Development and Storage. A report prepared by a suitably qualified person from RM Consulting Group Pty Ltd states that the proposed caravan storage use proposed will have little to no impact on the defined agricultural use areas of the site.</p> <p>It is not uncommon for sites to have multiple uses.</p>
6 The storage area is positioned opposite more residential areas and directly in front of the most recent subdivided home blocks.	<p>The development site is within a mixed zoning area which results in the area having mixed uses.</p> <p>A condition will be placed on the Permit regarding buffer landscaping to be placed along the Storage use area that fronts Westella Drive. This landscaping is to satisfy Rural Zone purpose 20.1.1 (d) regarding minimising adverse impacts on surrounding uses.</p>
7 Vineyard development on the north of Bass Highway epitomizes development with regard to the Turners Beach Local Area Plan (Urban Design Guidelines 2011).	<p>The land north of Bass Highway is also zoned Rural. Rural Zone has a list of uses possible in the zone as outlined in the Use Table. This includes uses associated to activities for a vineyard, which are Resource Development and Resource Processing uses. The site north of Bass Highway has obtained necessary Planning Permits for the vineyard.</p>

	<p>The subject development site is requesting approval under the Planning Scheme for Storage, which is a Use Class that is available for examination within the Use Table.</p> <p>As it is not a statutory document, the Turners Beach Local Area Plan (Urban Design Guidelines 2011) cannot be used for assessing development applications.</p>
<p>8 Placement of 29 caravans immediately in front of new residential homes is a 'blot on the landscape' and does not respect community values.</p>	<p>The development site is within a mixed Zone area. Zones being Rural, General Residential and Utilities.</p> <p>When there are mixed zonings, some conflict of uses may occur. However, the Planning Scheme sets out applicable standards that a proposed use and/or development must satisfy.</p> <p>It is considered that the proposed application has demonstrated compliance with the applicable standards in the Planning Scheme. Where it has not, conditions have been placed on the Planning Permit.</p> <p>A condition will be placed on the Permit regarding buffer landscaping to be placed along the Storage use area that fronts Westella Drive. This landscaping is to satisfy Rural Zone purpose 20.1.1 (d) regarding minimising adverse impacts on surrounding uses.</p>
<p>9 Application states there will be no reduction of agriculture area.</p>	<p>A report prepared by a suitably qualified person from RM Consulting Group Pty Ltd states that the proposed caravan storage use proposed will have little to no</p>

	impact on the defined agricultural use area of the site.
10 Application references suitability to access on/off Bass Highway with photographs of east and west of Westella Drive but no reference to Residential blocks directly across on Westella Drive.	<p>Photographs used as part of the application have been prepared by the applicant and any other person providing documentation as part of the application.</p> <p>It is acknowledged that the site is within a mixed Zone area. Zones being Rural, General Residential and Utilities.</p> <p>When there are mixed zonings, some conflict of uses may occur. However, the Planning Scheme sets out applicable standards that a proposed use and/or development must satisfy.</p> <p>It is considered that the proposed application has demonstrated compliance with the applicable standards in the Planning Scheme. Where it has not, conditions have been placed on the Planning Permit.</p>
11 The application states landscaping is likely to be subject to change depending on the desires and preferences of the owner.	A condition will be placed on the Permit regarding buffer landscaping to be placed along the Storage use area that fronts Westella Drive. This landscaping is to satisfy Rural Zone purpose 20.1.1 (d) regarding minimising adverse impacts on surrounding uses.
12 The mention of lack of storage space for such storage proposed is a matter for the Council and not an avenue to impose bulk, non-agriculture	The application has been made for Storage use on the development site, which is a Discretionary use in the Rural Zone.

activities in front of residential properties in Turners Beach.	
	<p>The Rural Zone Use Table lists specific Use Classes that may be possible and whether the Use would be No Permit Required, Permitted or Discretionary. Some uses have specific qualifications.</p> <p>Storage is a Discretionary Use Class in the Rural Zone, with no qualifications specified.</p>

RESOURCE, FINANCIAL AND RISK IMPACTS

The proposal has no likely impact on Council resources outside those usually required for assessment and reporting, and possibly costs associated with an appeal against the Council's determination should one be instituted.

CORPORATE COMPLIANCE

The Central Coast Strategic Plan 2014–2024 includes the following strategies and key actions:

The Environment and Sustainable Infrastructure

- Develop and manage sustainable built infrastructure.

CONCLUSION

The representations received do not warrant refusal of the application. They do provide further justification for specific conditions to be placed on the Permit. The proposal has, otherwise, demonstrated satisfactory compliance with the Planning Scheme's relevant Performance Criteria.

The granting of a Permit, subject to conditions, is considered to be justified.

Recommendation –

It is recommended that the application for Storage – portion of the site used to store caravans – Discretionary uses and Reliance on C2.0 Parking and Sustainable Transport Code at 225 Westella Drive, Turners Beach (DA2022331) be approved, subject to the following conditions:

- 1 The use and development must be substantially in accordance with the plans by 6ty° Pty Ltd, Project No. 21.149, Drawing Nos. Ap04 and statements in Letter by 6ty° Pty Ltd, Reference No. 22.149 dated 14 February 2023.
- 2 The servicing or sale of caravans is prohibited on the site.
- 3 Activities associated with the Storage use must not occur within the existing shed on the site. The shed must be used for Resource development only.
- 4 No additional signage can be installed on the site without prior planning approval.
- 5 Landscaping for screening purpose must be provided along that portion of the site that fronts Westella Drive and used for Storage of caravans. The landscaping must be maintained at a height of 2.1m to 4m.

A Landscaping Plan must be provided to the Council to the satisfaction of Director Community Services that outlines proposed landscaping, including the species, height and spacing of any vegetation. Implementation of the approved Plan must occur prior to the site being used for Storage.
- 6 External lighting must not operate within the hours of 7.00pm to 7.00am, excluding any security lighting.
- 7 Security lighting must be baffled to ensure direct light does not extend into surrounding properties.
- 8 All parking, access ways, manoeuvring and circulation spaces must:
 - (a) be constructed with a durable all-weather pavement; and
 - (b) be drained to the public stormwater system;
- 9 Car parking spaces provide on the site must comply with *Australian Standard AS 2890– Parking facilities, Parts 1–6*.

Infrastructure Services

- 10 Existing crossover and driveway apron from Westella Drive must be used as road access to the development.

In this regard, the crossover and driveway apron must be upgraded in accordance with Tasmanian Standard Drawing TSD-R03-v3 Rural Roads – Typical Property Access and Tasmanian Standard Drawing TSD-R04-v3 Rural Roads – Typical Driveway Profile at the developer's cost.

- 11 Works associated with roads, stormwater infrastructures, footpaths, kerb and channel, nature strips or street trees must be undertaken by the Council, unless alternative arrangements are approved by the Council's Director Infrastructure Services, at the developer's cost.
- 12 Damage or disturbance to roads, stormwater infrastructures, footpaths, kerb and channel, nature strips or street trees resulting from activity associated with the development must be rectified to the satisfaction of the Council's Director Infrastructure Services and at the developer's cost.
- 13 Stormwater run-off from buildings and hard surfaces, including from vehicle parking and manoeuvring areas, must be collected and discharged to Council's stormwater infrastructure in accordance with the *National Construction Code 2019* and must not cause a nuisance to neighbouring properties.
- 14 During works and until all exposed soil areas are permanently stabilised against erosion, the developer must minimise on-site erosion and the release of sediment or sediment laden stormwater from the site and work areas in accordance with the 'Soil and Water Management on Standard Building and Construction Sites – Fact Sheet 2' published by the Environment Protection Authority.

Please Note:

- 1 A Planning Permit remains valid for two years. If the use and/or development has not substantially commenced within this period, an extension may be granted if a request is made before this period expires. If the Permit lapses, a new application must be made.
- 2 "Substantial commencement" is the submission and approval of engineering drawings and the physical commencement of infrastructure works on the site, or an arrangement of a Private Works Authority or bank guarantee to undertake such works.
- 3 Prior to the commencement of work, the applicant is to ensure that the category of work for any proposed building, plumbing and/or

demolition work is defined using the Determinations issued under the *Building Act 2016* by the Director of Building Control. Any notifications or permits required in accordance with the defined category of work must be attained prior to the commencement of work. It is recommended the Council's Building Permit Authority or a Building Surveyor be contacted should clarification be required.

- 4 Prior to commencement of works in the road reservation, the developer must obtain a "Works in Road Reservation (Permit)".
- 5 Prior to commencement of works, the developer must submit an application for 'Roadworks Authority' (or a 'Private Works Authority'). Roadworks Authority rates as listed in the Council's Fees and Charges register apply.'

The report is supported."

The Executive Services Officer reported as follows:

"A copy of the Annexures referred to in the Town Planner's report has been circulated to all Councillors."

■ Cr Carpenter moved and Cr Viney seconded, "That the application for Storage – portion of the site used to store caravans – Discretionary uses and Reliance on C2.0 Parking and Sustainable Transport Code at 225 Westella Drive, Turners Beach (DA2022331) be approved, subject to the following conditions:

- 1 The development must be substantially in accordance with the plans by 6tyo Pty Ltd, Project No. 21.149, Drawing Nos. Ap04 and statements in Letter by 6tyo Pty Ltd, Reference No. 22.149 dated 14 February 2023.
- 2 The servicing or retail of caravans is prohibited on the site.
- 3 Activities associated with the Storage use must not occur within the existing shed on the site. The shed must be used for Resource Development only.
- 4 No additional signage can be installed on the site without prior planning approval.
- 5 Landscaping for screening purpose must be provided along that portion of the site that fronts Westella Drive and used for Storage of caravans. Landscaping must be a minimum of 2.1m and up to 4m in height.

A Landscaping Plan must be provided to the Council to the satisfaction of Director Community Services, that outlines proposed landscaping species, spacing and final

height. In this regard, the submission of the Landscaping Plan and the implementation of the Plan must occur prior to the site being used for Storage.

- 6 External lighting must not operate within the hours of 7.00pm to 7.00am, excluding any security lighting.
- 7 Security lighting must be baffled to ensure direct light does not extend into adjacent property.
- 8 All parking, access ways, manoeuvring and circulation spaces must:
 - (a) be constructed with a durable all-weather pavement; and
 - (b) be drained to the public stormwater system;
- 9 Car Parking spaces provide on the site must comply with *Australian Standard AS 2890- Parking facilities, Parts 1-6*.
- 9A Landscaping aimed at minimising the visual impact of the use through partial screening must be provided along those portions of the site which front Bass Highway and adjacent land to the east, and are used for storage of caravans. This landscaping must be maintained at a height of not less than 1.5m. A Landscaping Plan must be provided to the Council to the satisfaction of the Director Community Services that outlines proposed landscaping, including the species, height and spacing of any vegetation. Implementation of the approved plan must occur prior to the site being used for Storage.

Infrastructure Services

- 10 Existing crossover and driveway apron from Westella Drive must be used as road access to the development.

In this regard, the crossover and driveway apron must be upgraded in accordance with Tasmanian Standard Drawing TSD-R03-v3 Rural Roads – Typical Property Access and Tasmanian Standard Drawing TSD-R04-v3 Rural Roads – Typical Driveway Profile at the developer’s cost.
- 11 Works associated with roads, stormwater infrastructures, footpaths, kerb and channel, nature strips or street trees must be undertaken by the Council, unless alternative arrangements are approved by the Council’s Director Infrastructure Services, at the developer’s cost.
- 12 Damage or disturbance to roads, stormwater infrastructures, footpaths, kerb and channel, nature strips or street trees resulting from activity associated with the

development must be rectified to the satisfaction of the Council's Director Infrastructure Services and at the developer's cost.

- 13 Stormwater run-off from buildings and hard surfaces, including from vehicle parking and manoeuvring areas, must be collected and discharged to Council's stormwater infrastructure in accordance with the *National Construction Code 2019* and must not cause a nuisance to neighbouring properties.
- 14 During works and until all exposed soil areas are permanently stabilised against erosion, the developer must minimise on-site erosion and the release of sediment or sediment laden stormwater from the site and work areas in accordance with the 'Soil and Water Management on Standard Building and Construction Sites – Fact Sheet 2' published by the Environment Protection Authority.

Please Note:

- 1 A Planning Permit remains valid for two years. If the use and/or development has not substantially commenced within this period, an extension may be granted if a request is made before this period expires. If the Permit lapses, a new application must be made.
- 2 "Substantial commencement" is the submission and approval of engineering drawings and the physical commencement of infrastructure works on the site, or an arrangement of a Private Works Authority or bank guarantee to undertake such works.
- 3 Prior to the commencement of work, the applicant is to ensure that the category of work for any proposed building, plumbing and/or demolition work is defined using the Determinations issued under the *Building Act 2016* by the Director of Building Control. Any notifications or permits required in accordance with the defined category of work must be attained prior to the commencement of work. It is recommended the Council's Building Permit Authority or a Building Surveyor be contacted should clarification be required.
- 4 Prior to commencement of works in the road reservation, the developer must obtain a "Works in Road Reservation (Permit)".
- 5 Prior to commencement of works, the developer must submit an application for 'Roadworks Authority' (or a 'Private Works Authority'). Roadworks Authority rates as listed in the Council's Fees and Charges register apply."

Voting for the motion

(7)

Cr Fuller

Cr Carpenter

Cr Diprose

Cr Lehmann

Cr Smith

Cr Viney

Cr Wylie

Voting against the motion

(1)

Cr Beswick

Carried

INFRASTRUCTURE SERVICES

151/2023 Unsealed Roads Policy (247/2019 – 19.08.2019)

The Director Infrastructure Services reported as follows:

“The Manager Engineering has prepared the following report:

PURPOSE

The purpose of this report is to consider the reviewed Unsealed Roads Policy (the Policy) and supporting Unsealed Roads Guidelines (the Guidelines) and endorse the recommendations.

BACKGROUND

The main objective of the Policy is to provide support to the Council’s vision and strategic objectives to develop and manage sustainable built infrastructure.

It provides a systematic method of prioritising sealing, or otherwise, of unsealed roads using a measurable and transparent assessment framework.

The Policy was first adopted by the Council at its meeting held on 16 August 2010 and reindorsed at its meeting held on 19 August 2019 (247/2019 – 19.08.2019).

This Policy requires a cyclic revision, to be undertaken to reflect any changes in practices, legislation etc.

Copies of the revised Unsealed Roads Policy and Unsealed Roads Guidelines (and associated documents) are appended to this report.

DISCUSSION

The Council’s Unsealed Roads Policy is intended to form the basis on which requests to seal gravel roads can be assessed and responded to in a fair and equitable manner.

The Policy sets out how the existing network has been assessed. It provides a baseline and threshold as well as a process to help determine the future needs and priorities for the unsealed road network. Roads reaching the threshold are added to the Long Term Financial Plan (LTFP) for consideration of sealing in an appropriate year.

The criteria used for the assessment are weighted and include traffic volumes, strategic significance, maintenance considerations, safety considerations, number of residences, distance of residences from the road, type of water supply and owner/occupier concerns.

A score of 150 was adopted based on the analysis, experience and sustainability considerations noting that there is the opportunity for re-assessment and special circumstances in the Guidelines.

All roads were assessed in 2005 and again in 2010 as part of the process to create the Policy. At the time Bienefelts Road was the only unsealed road to meet the criteria for sealing and was added to the LTFP.

There have been several requests to reassess unsealed roads since that time, but no roads have reached the threshold score of 150 or met requirements of “Special Circumstances” to warrant inclusion in the LTFP.

The Policy is effectively still current but requires the following changes:

- . Update date of adoption from 19 August 2019 to 15 May 2023;
- . Update date for review to June 2025;
- . Update Unsealed Roads Guidelines to May 2023; and
- . General reformatting.

The supporting Guidelines require the following changes:

- . Update date from August 2019 to May 2023;
- . Cost of sealing a 200m section increased from approximately \$20,000 to approximately \$50,000;
- . Appendix A Process Flowchart – no change;
- . Inclusion of a checklist to reflect the actions from the flowchart to make the process clearer;
- . Appendix B Spreadsheet – reassessed roads have been changed to reflect revised scores;
- . Appendix C Request for Sealing Form – no change; and

- Appendix E Road Network Plan is maintained and regularly updated on Geographical Information System.

CONSULTATION

The Unsealed Roads Policy and supporting Guidelines were presented at a Councillor Workshop held on 24 April 2023. Feedback was received around considering clarification of the wording of the process when a road does not meet the threshold and how the Special Circumstances can be better articulated.

RESOURCE, FINANCIAL AND RISK IMPACTS

The high cost of construction and maintenance of sealed roads means that the Council need to carefully prioritise which unsealed roads may be sealed.

This item may impact future capital works budgets and ongoing road maintenance budgets. Sealing for a length of 200m without widening or upgrade would cost approximately \$50,000.

There are currently no unsealed roads listed for sealing in the LTFP.

CORPORATE COMPLIANCE

The Central Coast Strategic Plan 2014–2024 includes the following strategies and key actions:

A Connected Central Coast

- Provide for a diverse range of movement patterns
- Connect the people with services
- Improve community well-being.

The Environment and Sustainable Infrastructure

- Contribute to a safe and healthy environment
- Develop and manage sustainable built infrastructure

Council Sustainability and Governance

- Improve service provision
- Improve the Council's financial capacity to sustainably meet community expectations
- Effective communication and engagement

CONCLUSION

It is recommended that the revised Unsealed Roads Policy and supporting Unsealed Roads Guidelines – May 2023 be adopted and that all sealing requests be considered in accordance with the Policy and Guidelines.’

The report is supported.”

The Executive Services Officer reported as follows:

“A copy of the Unsealed Roads Policy and supporting Unsealed Roads Guidelines – May 2023 has been circulated to all Councillors.”

■ Cr Carpenter moved and Cr Beswick seconded, “That the revised Unsealed Roads Policy and supporting Unsealed Roads Guidelines – May 2023 be adopted (copies being appended to and forming part of the minutes).”

Carried unanimously

CORPORATE SERVICES

152/2023 Statutory determinations

The Director Corporate Services reported as follows:

“A Schedule of Statutory Determinations made during the month of April 2023 is submitted to the Council for information. The information is reported in accordance with approved delegations and responsibilities.”

The Executive Services Officer reported as follows:

“A copy of the Schedule has been circulated to all Councillors.”

■ Cr Beswick moved and Cr Viney seconded, “That the Schedule of Statutory Determinations (a copy being appended to and forming part of the minutes) be received.”

Carried unanimously

153/2023 Dog control – Fixing of registration fees for the 2023–2024 financial year and other fees under the *Dog Control Act 2000*

The Director Corporate Services reported as follows:

“PURPOSE

This report considers the fixing of dog registration fees for the 2023–2024 financial year and other fees as required under the *Dog Control Act 2000* (the Act).

BACKGROUND

The dog control legislation requires that all dogs over the age of six months be registered with a local council, and it provides for councils to set fees for the purpose of registration and management of the Act.

This report enables the registration fees to be set and the registration forms and tags to be issued to dog owners before the commencement of the registration period, and other associated animal fees to be set for the 2023–2024 financial year.

DISCUSSION

The dog registration system enables the Compliance Officer to identify a dog's owner and record information to assist with the administering the regulations and provisions of the dog control legislation. There are currently 3243 dogs registered with Council.

It is proposed that the Council continue to provide the registration services free of charge in the following instances:

- should the dog be a registered and appropriately trained guide, hearing or assistance dog (limited to one per person); and
- should the dog registration be transferred from another Tasmanian council.

The proposed fees continue to reflect the cost of providing the service through the cost of transporting, impounding, and housing dogs safely (and with a minimum of stress on the animal), investigating complaints, and managing an out-of-hours service for serious dog-related matters.

Council provides a discount period as an incentive to responsible dog owners who endeavour to meet the relevant legislative requirement to register their dog at the start of the financial year. Under the Act, dogs are required to be registered and while the Council sends out registration renewal notices in May each year to facilitate timely registration, the Council also offers a discount for the payment of registration prior to 1 July. The dog registration period is from 1 July to 30 June each year.

The Council offers discounted pro-rata fees to persons who acquire a dog partway through the year and refunds part of the registration cost of deceased dogs where it is appropriate to do so.

It is proposed that Council also continue to provide discounted fees in the following circumstances:

- Should the dog be desexed – to encourage the reduction in the instances of unwanted or abandoned dogs;
- Should the dog be obedience trained – a recommended increase in the discount to promote the value of obedience training;
- Should the dog be a registered working, pure bred, greyhound or hunting dog;
- Should the dog be owned and registered by a pensioner; and
- Newly registered dogs that have either recently been purchased or are up to six months of age.

Council provides lifetime registration discs to assist in identifying dogs as well as reducing the cost of annual registration tag replacements.

CONSULTATION

There are no consultation requirements as a result of this report.

RESOURCE, FINANCIAL AND RISK IMPACTS

The setting of animal charges assists in the recovery of service costs to the community.

The price of delivering services to the community increase over time and therefore it is important for Council's financial sustainability that fees and charges also increase. Council must balance these increases with the capacity for community to pay.

When determining fees, all factors are considered, including full cost recovery, Council's fees compared to those of other similar-sized Councils, and the community's capacity to pay.

The Local Government Association of Tasmania release an index each year which reflects the rate at which Council's overall costs are rising. The Council Cost Index for the year ended 31 March 2023 increased by 8.11%.

The proposed fee structure is based on retention of the current dog control procedures and service levels and is calculated to meet the projected cost of dog control in 2023–2024 which are also partially funded from rates and charges.

The proposed fees feature an approximate 4% increase, with fees rounded to the nearest dollar. This recommended increase will help the Council cover around 80% of the cost associated with Animal Control, with the remaining cost spread across all ratepayers due to the protective nature of dog compliance activities to those that do not own dogs and the community as a whole.

A copy of the fee structure for the (previous) 2022–2023 financial year is appended to this report.

CORPORATE COMPLIANCE

The Central Coast Strategic Plan 2014–2024 includes the following strategies and key actions:

The Shape of the Place

- Conserve the physical environment in a way that ensures we have a healthy and attractive community.

A Connected Central Coast

- Improve community well-being.

Council Sustainability and Governance

- Improve corporate governance
- Improve service provision.

CONCLUSION

It is recommended that dog registration fees be fixed for the financial year 1 July 2023 to 30 June 2024 in respect of all dogs over the age of six months, at the following rates:

DESCRIPTION	INCENTIVE RATE (IF PAID ON OR BEFORE 30 JUNE 2023) \$	FULL RATE (IF PAID AFTER 30 JUNE 2023) \$
Male or female dog	73.00	125.00
Desexed dog*	42.00	53.00
Pensioners rate***	32.00	41.00
Discount for Obedience Certificate****	7.00	7.00
Greyhound registered with the Tasmanian Greyhound Racing Board*	42.00	73.00
Pure Bred dog* (kept for breeding whose owner is the holder of a current stud prefix recognised by the Tasmanian Canine Association)	42.00	73.00

Working dog kept for the purpose of working farm stock*	42.00	73.00
Hunting dog*	42.00	73.00
Guide, Hearing or Assistance dog	Nil	Nil
Newly registered dog (purchased through the year) – first year of registration only	**Pro-rata registration rate	**Pro-rata registration rate
Newly registered dog (up to six months of age)* for the first year of registration only	**Pro-rata registration rate	**Pro-rata registration rate
Registration fee for each Declared Dangerous Dog	302.00	365.00
Transfer of dog registration from another Tasmanian Council for the same registration period (evidence must be provided)	Nil	Nil

- . *Proof of evidence must be provided at the time of registration (such as a veterinarian certificate, Tasmanian Canine Association certificate, Greyhound Racing Board certificate, current membership of a recognised hunting dog organisation).
- . **Pro rata registration rate – The rate is calculated as the Full Rate divisible by 12 and multiplied by the number of months or part thereof remaining in the financial year 1 July 2023 to 30 June 2024, or taken to be the Incentive Rate, whichever is the lesser. Note: the pro-rata registration rate does not apply where the owner has neglected to register a dog prior to being impounded.
- . ***Pensioners rate – The pensioner's rate applies to ONE dog only (owned by a pensioner at the one property). Evidence such as the Pension Concession Card must be sighted at the time of payment.
- . ****Discount for Obedience Certificate – Proof of evidence must be provided at the time of registration – a current certificate of obedience proficiency has

been provided from an approved dog training organisation which has been accepted as a provider of an appropriate obedience certificate.

And that the following fees for the management of the *Dog Control Act 2000* also be fixed:

DETAILS	AMOUNT (\$)
Impounding fee (1 st impoundment) *	36.00
Impounding fee (subsequent)*	97.00
Impounding fee for dog impounded out of office hours	151.00
Daily pound fee (per week day or any part thereof) **	58.00
Out of hours release fee per hour (Mon–Fri)	104.00
Out of hours release fee per hour (Sat–Sun)	275.00
Out of hours release fee per hour (Public Holiday)	367.00
Note: available in special circumstances only and if an appropriate authorised person is available.	
Investigation of nuisance complaint	30.00
Kennel Licence Application (initial) (not including dog registration)	150.00
Kennel Licence renewal (per year)	70.00
Replacement disc (each)	6.00
Dangerous dog collar (each)	Purchase price (plus 5% admin. fee and GST)
Dangerous dog sign (each)	Purchase price (plus 5% admin. fee and GST)

- . *Charged for the collection and short-term (less than 12 hours) impoundment.
- . **Charged for long-term (12 hours or more) impoundment and in addition to the Impounding fee."

The Executive Services Officer reported as follows:

"A schedule of fees fixed for the (previous) 2022–2023 financial year has been circulated to all Councillors."

■ Cr Smith moved and Cr Diprose seconded, "That dog registration fees be and are hereby fixed for the financial year 1 July 2023 to 30 June 2024 in respect of all dogs over the age of six months, at the following rates:

DESCRIPTION	INCENTIVE RATE (IF PAID ON OR BEFORE 30 JUNE 2023) \$	FULL RATE (IF PAID AFTER 30 JUNE 2023) \$
Male or female dog	73.00	125.00
Desexed dog*	42.00	53.00
Pensioners rate***	32.00	41.00
Discount for Obedience Certificate****	7.00	7.00
Greyhound registered with the Tasmanian Greyhound Racing Board*	42.00	73.00
Pure Bred dog* (kept for breeding whose owner is the holder of a current stud prefix recognised by the Tasmanian Canine Association)	42.00	73.00
Working dog kept for the purpose of working farm stock*	42.00	73.00
Hunting dog*	42.00	73.00

Guide, Hearing or Assistance dog	Nil	Nil
Newly registered dog (purchased through the year) – first year of registration only	**Pro-rata registration rate	**Pro-rata registration rate
Newly registered dog (up to six months of age)* for the first year of registration only	**Pro-rata registration rate	**Pro-rata registration rate
Registration fee for each Declared Dangerous Dog	302.00	365.00
Transfer of dog registration from another Tasmanian Council for the same registration period (evidence must be provided)	Nil	Nil

- . *Proof of evidence must be provided at the time of registration (such as a veterinarian certificate, Tasmanian Canine Association certificate, Greyhound Racing Board certificate, current membership of a recognised hunting dog organisation).
- . **Pro rata registration rate – The rate is calculated as the Full Rate divisible by 12 and multiplied by the number of months or part thereof remaining in the financial year 1 July 2023 to 30 June 2024, or taken to be the Incentive Rate, whichever is the lesser. Note: the pro-rata registration rate does not apply where the owner has neglected to register a dog prior to being impounded.
- . ***Pensioners rate – The pensioner's rate applies to ONE dog only (owned by a pensioner at the one property). Evidence such as the Pension Concession Card must be sighted at the time of payment.
- . ****Discount for Obedience Certificate – Proof of evidence must be provided at the time of registration – a current certificate of obedience proficiency has been provided from an approved dog training organisation which has been accepted as a provider of an appropriate obedience certificate.

And that the following fees for the management of the *Dog Control Act 2000* also be fixed:

DETAILS	AMOUNT (\$)
Impounding fee (1 st impoundment) *	36.00
Impounding fee (subsequent)*	97.00
Impounding fee for dog impounded out of office hours	151.00
Daily pound fee (per week day or any part thereof) **	58.00
Out of hours release fee per hour (Mon–Fri)	104.00
Out of hours release fee per hour (Sat–Sun)	275.00
Out of hours release fee per hour (Public Holiday)	367.00
Note: available in special circumstances only and if an appropriate authorised person is available.	
Investigation of nuisance complaint	30.00
Kennel Licence Application (initial) (not including dog registration)	150.00
Kennel Licence renewal (per year)	70.00
Replacement disc (each)	6.00
Dangerous dog collar (each)	Purchase price (plus 5% admin. fee and GST)
Dangerous dog sign (each)	Purchase price (plus 5% admin. fee and GST)

- . *Charged for the collection and short-term (less than 12 hours) impoundment.
- . **Charged for long-term (12 hours or more) impoundment and in addition to the Impounding fee.”

Carried unanimously

154/2023 Public question time

The Mayor introduced public question time at 6.37pm.

Via email – Jamie Smith – Leith

Question 1 –

“The council response to my public question 2 asked on 17 April 2023 stated, “*The Ombudsman Tasmania Office has advised the following in relation to internal and external review timeframes..... The internal review decision is to be given in the same manner as a decision in respect of the original application, which allows for 20 working days.*”, page 7 of the Right to Information (RTI) document published by the Ombudsman states “*The Act sets out clear timeframes for the processing of an RTI application by a public authority.....an internal review decision must be made within 15 working days of you requesting it.*”, section 44 and section 43 of the *Right to Information Act 2009* appear designed to be read/interpreted together and if this is the legal situation why is that the council did not complete the Internal Review application received 4 February 2022 within 15 working days to obviate an External Review to the Ombudsman, was the council aware of deemed refusal provisions on or before 9 March 2022 and if not why not and has the council correctly been applying the Right to Information Act 2009?”

Response –

The Council has received the following advice from the Ombudsman Tasmania in relation to timeframes for decisions to internal and external reviews:

“The provisions regarding the time allowed for an internal review decision under the RTI Act are somewhat conflicting, with external review able to be sought after 15 working days (s44(1)(b)(ii)) but the decision to be given in the same manner as a decision on the original application (s43(5)) which allows for 20 working days. As you note, s43(4) of the RTI Act only states the internal review is to occur ‘as soon as practicable’, so there are effectively three different timeframes mentioned regarding internal review decisions. The Ombudsman has proposed an amendment to the RTI Act to harmonise these timeframes to *as soon as practicable and within 20 working days*, which is being considered by the Attorney-General.

In the interim, the following statements are true:

- External review can be sought if an internal review decision is not provided within 15 working days of a request being made;
- The internal review decision must be made as soon as practicable;
- The internal review decision is to be given in the same manner as a decision in respect of the original application, which allows for 20 working days."

The Council's new Director Corporate Services will be further reviewing our Right to Information procedures to ensure compliance with the *Right to Information Act 2009*.

Question 2 –

"My question 1 asked at the council meeting on 17 April 2023 unequivocally asked, *"what systems/controls did the council have in place to ensure all council decisions for Right to Information requests and Right to Information Review requests included notice of the applicant's right to apply for a review?"*, I do not consider the council response provides adequate response, *what systems/controls did the council have in place on or before 9 March 2022 to ensure all council decisions for Right to Information requests and Right to Information Review requests included notice of the applicant's right to apply for a review*, the council response advises, *"The Council's decisions to Internal Review applications dated 19 November 2021 and 9 March 2022 did not include notice of the applicant's right to apply for review due to a procedural oversight by the then Director Corporate Services."*, given that both the decisions dated 19 November 2021 and 9 March 2022 were apparently signed by the General Manager does ultimate responsibility for procedural oversights rest elsewhere other than with the then Director Corporate Services and if not, why not?"

Response –

The General Manager relies on receiving sound and professional advice from her Directors to execute a range of duties and legislative requirements. The role of Director Corporate Services has delegated authority for managing the Council's responsibilities under the *Right to Information Act 2009*. As repeatedly stated, some procedural oversights were made by the former Director Corporate Services, which have been rectified where possible.

The Council's new Director Corporate Services will be further reviewing our Right to Information procedures to ensure compliance with the *Right to Information Act 2009*. If you have any further procedural questions, a meeting can be arranged with the Director to discuss. Contact details will be provided to you in correspondence following the meeting.

Via email – John Richardson – Leith

Question 1 –

“During the period 01 July 2022 to 31 August 2022 inclusive did the Central Coast Council receive any communication or communications from the Ombudsman/Office of the Ombudsman effectively/essentially suggesting or requiring that where council responses have not been or in the future may not be within the guidelines set out in the council Service Charter the council should contact the impacted/relevant party to advise/provide reasons for any correspondence it does not provide within the guidelines set out in the council Service Charter, if so what is the date or dates of any such communication or communications, did any such communication or communications play any part in the council issuing an updated Council Service Charter issued February 2023 stating, “*3 CUSTOMER SERVICE STANDARDS, 3.2 Contact in Writing, (a) We aim to acknowledge and respond to both written and electronic communication within 10 working days., (b) If we cannot respond within the set timeframes, we will make contact to explain the reason for the delay and when a full reply can be expected.*” and if not what are the reasons the council Customer Service Standards 3.2 was updated?”

Response –

Under section 5 of the Council’s Meeting procedures – Public question time (Minute Ref. 133/2014 – 19.05.2014), ‘each member of the public may ask not more than two questions at each meeting, including any questions for which written notice has been previously given.’

Your enquiry contains more than two questions. The central proposition of your enquiry appears to be that the Council received correspondence from the Ombudsman in the period July to August 2022 that influenced its decision to review and update its Customer Service Charter in February 2023, specifically Service Standard 3.2.

All Tasmanian councils are required by the *Local Government Act 1993* to review their Customer Service Charters within 12 months after a local government election. This was the reason for the Council’s review, which was completed in February 2023, following local government elections in November 2022.

As part of the review, correspondence from the Ombudsman relating to the Customer Service Charter would have been considered. Having identified two such letters in Council’s records, you will be provided with copies directly – one is from the period requested (August 2022) and the other from December 2022.

If you require further information on this, or other matters, please contact the Director Corporate Services directly, using contact details previously provided.

Via email – Tim Wilson – Turners Beach

Questions 1 and 2 –

“My question relates to the development at the corner of Forth Road and Westella Drive, Turners Beach.

There is concern within the Turners Beach community that the development is going to be for up to 24 tiny homes for seasonal worker accommodation, with at least 2 already approved (and 1 already in place). See photos attached. This raises the following concerns:

- Development is not in keeping with the surrounding area. This would be an eyesore with the Bass Highway close by
- Noise and social issues inherent in this type of transient population living in such a densely populated space
- Traffic flow on what is already a busy corner
- Effect on surrounding property values

Can the Council please confirm the full detail of the planned development and if indeed it is for 24 tiny homes for seasonal worker accommodation, with 2 already approved? And what assurances can the Council provide that this development won't be similar in terms of density as the one in Brooke St, East Devonport (as an example)?”

Response –

Permit DA2022213 was issued for 1 Forth Road, Turners Beach on 10 August 2022 for “Residential – 2 x multiple dwellings”. This was a Permitted application and no public notification was required.

While a new development application for Visitor Accommodation was recently lodged in relation to this site, the Council has requested additional information from the applicant prior to us completing our assessment, and it would be inappropriate for us to comment at this time.

In the General Residential zone, Visitor Accommodation involving new, as opposed to existing, buildings, is Discretionary. Discretionary applications are subject to a public notification period, during which time full details of the application are made

available online and at our offices and members of the public may make a written representation to the Council. If any written representations are received during the public notification period, a comprehensive report is prepared by staff and made publicly available through the Council Meeting agenda.

Via email – Tony Miller – Ulverstone

Question 1 –

“A while back after a number of times I had to move shopping carts from the only push bike facility in the North Reibey (Woolies) Car Park I was informed that the whole car park was to be redesigned and I could submit my ideas to Central Coast Planning. I did this without acknowledgement in quick time. While I know why there are delays I would like to ask at what stage these plans are at and where I can see them?”

Response –

As you have acknowledged the car park redesign plans were delayed due to resourcing and other priorities. The plans are also to include the Carpark Lane area.

Concept plans are still being prepared for consideration and will likely be available later this calendar year following initial consultation with Councillors on potential designs.

Question 2 –

“The internet has had a devastating effect on traditional retailing. While it is not dead yet technology will continue to make inroads. With this in mind and after my own bit of research I believe that Ulverstone can be a hub for Coastal Visitors with the cafes in and around Reibey Street being the main beneficiaries. Would it be possible to close Reibey Street (at first temporarily only on occasions such as every second Sunday?) and let the cafes set up outside on Reibey Street west of King Edward Street and east of Main Street?”

Response –

Council is currently undertaking a review of the Reibey Street area, and has engaged Complete Streets to assist with the review. The ideas you have mentioned will be considered as part of this process. The intent is to guide Council on how to make Reibey Street and the CBD a place where people want to be, stay and shop.

In person – Adriana Gibson – Ulverstone

Question 1 –

“When is the lower end of Reibey Street (from the River end to King Edward Street) to be made a pedestrian precinct – only open to delivery vehicles and all parking spots made available to disabled permit holders only?”

Response –

The Council has discussed the best use of the Reibey Street area previously. There is not any intention at this time for the area to become vehicle free, but we will take these comments on board, as part of the review on how to make Reibey Street and the CBD a place where people want to be, stay and shop.

Question 2 –

“Will the Council consider pressure cleaning traffic islands, or painting them white, so they are highly visible for vision impaired pedestrians?”

Response –

The Council will certainly take this on board, as cleaning of our public spaces and visibility of pedestrian traffic islands is important.

We will consider this suggestion for inclusion in maintenance and improvement programs to assist those who are vision impaired.

In person – Warren Barker – Penguin

Question 1 –

“Would the Council involve some students from Penguin School in local garden projects in the town?”

Response –

The Council works with various school groups already, so there is certainly capacity for this, and the Council is happy to discuss local garden projects with community members, including the Penguin District School.

Question 2 –

“Regarding the land at Sulphur Creek (Midway Point), at what stage is the Council at in acquiring the land?”

Response –

The Council has recently agreed to take on responsibility for managing the Midway Point Reserve from the state government. This reserve is highly valued by the community.

Council will be temporarily closing the Reserve on Wednesday 31 May 2023 to undertake some remedial work and make some improvements. Council will re-open the site prior to summer for short-term camping and day use.

Questions and responses concluded at 7.04pm.

CLOSURE OF MEETING TO THE PUBLIC

155/2023 Meeting closed to the public

The Executive Services Officer reported as follows:

“The *Local Government (Meeting Procedures) Regulations 2015* provide that a meeting of a council is to be open to the public unless the council, by absolute majority, decides to close part of the meeting because one or more of the following matters are being, or are to be, discussed at the meeting.

Moving into a closed meeting is to be by procedural motion. Once a meeting is closed, meeting procedures are not relaxed unless the council so decides.

It is considered desirable that the following matters be discussed in a closed meeting:

Matter	<i>Local Government (Meeting Procedures) Regulations 2015</i> reference
Confirmation of Closed Session Minutes	15(2)(g) Information of a personal and confidential nature or information provided to the council on the condition it is kept confidential.”

■ Cr Beswick moved and Cr Viney seconded, “That the Council close the meeting to the public to consider the following matters, they being matters relating to:

Matter	<i>Local Government (Meeting Procedures) Regulations 2015</i> reference
Confirmation of Closed Session Minutes	15(2)(g) Information of a personal and confidential nature or information provided to the council on the condition it is kept confidential.”

Carried unanimously

The Executive Services Officer further reported as follows:

“1 The *Local Government (Meeting Procedures) Regulations 2015* provide in respect of any matter discussed at a closed meeting that the general manager

is to record in the minutes of the open meeting, in a manner that protects confidentiality, the fact that the matter was discussed and a brief description of the matter so discussed, and is not to record in the minutes of the open meeting the details of the outcome unless the council determines otherwise.

- 2 While in a closed meeting, the council is to consider whether any discussions, decisions, reports or documents relating to that closed meeting are to be kept confidential or released to the public, taking into account privacy and confidentiality issues.

- 3 The *Local Government Act 1993* provides that a councillor must not disclose information seen or heard at a meeting or part of a meeting that is closed to the public that is not authorised by the council to be disclosed.

Similarly, an employee of a council must not disclose information acquired as such an employee on the condition that it be kept confidential.

- 4 In the event that additional business is required to be conducted by a council after the matter(s) for which the meeting has been closed to the public have been conducted, the Regulations provide that a council may, by simple majority, re-open a closed meeting to the public.”

The meeting moved into closed session at 7.07pm.

CLOSED SESSION SUMMARY

The Executive Services Officer reported as follows:

“In accordance with Regulation 34(1)(b) of the *Local Government (Meeting Procedures) Regulations 2015*, the Council is to provide an overview of matters considered during Closed Session for the public.”

Matter	Description of matter discussed
156A/2023 Confirmation of Closed Session Minutes	The Closed session minutes of the previous ordinary meeting of the Council held on 17 April 2023 had been circulated. The minutes are required to be confirmed for their accuracy.
157A/2023 Local Government Association of Tasmania – 2023 elections – election of President and General Management Committee Member – North West and West Coast District (more than 20,000)	The Council decided its preferences by private ballot for the positions of President and General Management Committee Member of the Local Government of Tasmania.

CLOSURE

There being no further business, the Mayor declared the meeting closed at 7.17pm.

CONFIRMED THIS 19TH DAY OF JUNE 2023.

Chairperson

(dk:ib)

Appendices

- Minute No 143/2023 – Schedule of Delegations – Council to the General Manager – May 2023
- Minute No 143/2023 – Schedule of Delegations – Council to the General Manager – April 2021
- Minute No. 144/2023 – Schedule of Documents for Affixing of the Common Seal
- Minute No. 145/2023 – Schedule of Contracts and Agreements
- Minute No. 146/2023 – Schedule of Correspondence Addressed to Mayor and Councillors
- Minute No. 147/2023 – Schedule of Development Application Determinations
- Minute No. 151/2023 – Unsealed Roads Policy and Unsealed Roads Guidelines – May 2023
- Minute No. 152/2023 – Schedule of Statutory Determinations

Central Coast Council

Schedule of Delegations

Council to the General Manager

April 2021

Local Government Act 1993 (No. 95 of 1993)

22. Delegation by Council

(1) Subject to subsection (2), a Council, in writing, may delegate with or without conditions to the General Manager, controlling authority, a Council committee, a special committee or a local committee, any of its functions or powers other than –

- (a)** this power of delegation, unless authorized by the Council; and
- (b)** the powers referred to in subsection (2).

(2) A Council, in writing, may delegate any of the following powers only to the General Manager or a Council committee and only on condition that the Council has determined appropriate policies and procedures to be followed in relation to those powers:

- (a)** the imposition of fees, taxes, rates and charges;
- (b)** the remission or rebate of rates and charges;
- (c)** the making of grants or the provision of benefits.

(3) A Council must not delegate any of its powers relating to the following:

- (a)** the borrowing of money or other financial accommodation;
- (b)** the determination of the categories of expenses and allowances payable to Councillors and any member of any committee;
- (c)** the establishment of committees, controlling authorities or joint authorities;
- (d)** the revision of the budget or financial estimates of the Council;
- (e)** the revision of the strategic and operational plans of the Council;
- (f)** the approval for, and the method of, the sale of land;
- (g)** the making of by-laws;
- (h)** the fixing of fees, rates and charges;
- (i)** any other prescribed power.

(4) The General Manager is to –

- (a)** keep a register of any delegation; and
- (b)** make the register available for inspection at a public office.

Archives Act 1983			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Delegate all of its powers and functions under the Act including any regulations made under this Act to the General Manager	GM	
S 10(1)	Preservation of State records	GM	

Building Act 2016			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
8	The Council delegate in accordance with section 8 of the Building Act 2016 its powers and functions, other than this power of delegation.	GM	

Burial and Cremation Act 2019			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	COUNCIL AS CEMETERY MANAGER The Council delegates the following functions and powers of the Council in its capacity as cemetery manager pursuant to the Burial and Cremation Act 2019 (except the setting of fees), to the General Manager and authorises the General Manager to delegate those functions and powers.	GM	
29(1)(c)	COUNCIL AS CEMETERY MANAGER Interment otherwise than in cemetery	GM	

Burial and Cremation Act 2019			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	The general manager's written permission (and the landholder's and Director of Public Health) is required to inter human remains otherwise than in a cemetery		
29(4)	COUNCIL AS CEMETERY MANAGER Interment otherwise than in cemetery The general manager must ensure Council keep a record of the proposed internment and ensure it is included on any s337 LGA certificate issued by Council	GM	
29(5)	COUNCIL AS CEMETERY MANAGER Interment otherwise than in cemetery Permission given by the general manager under section 29(1)(c) may be subject to any conditions necessary to ensure that the proposed internment will not be prejudicial to public health or public safety.	GM	
34(1)	COUNCIL AS CEMETERY MANAGER Duties and powers of cemetery managers Keep a cemetery in accordance with the Act so as not to be prejudicial to public health or public safety	GM	
34(2)	COUNCIL AS CEMETERY MANAGER Duties and powers of cemetery managers Ensure that as far as reasonably practicable the cemetery is maintained to prevent it from falling into disrepair, or from being defaced or damaged. Rectify any disrepair or defacement as soon as possible	GM	
34(4)	COUNCIL AS CEMETERY MANAGER Duties and powers of cemetery managers	GM	

Burial and Cremation Act 2019			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Keep all prescribed records (as per 2002 Act – see Sch 1 part 2)		
34(5)	COUNCIL AS CEMETERY MANAGER Duties and powers of cemetery managers Permit any person access free of charge at any reasonable time	GM	
34(7)	COUNCIL AS CEMETERY MANAGER Duties and powers of cemetery managers A cemetery manager may (a) improve, embellish and enlarge a cemetery under the management of that manager; and (b) restrict interments in any portion of the cemetery, except as may be required by an exclusive right of burial; and (c) take any other action as may be required for the reasonable management and maintenance of the cemetery	GM	
39(1)	COUNCIL AS CEMETERY MANAGER Monuments, &c. The cemetery manager may permit any vault or grave to be made or dug, and any monument to be erected or placed, in any portion of the cemetery on payment of the fee which has been fixed for doing so	GM	
39(2)	COUNCIL AS CEMETERY MANAGER Monuments, &c. The cemetery manager may determine the position of any monument to be erected or placed according to its description, size and character and having regard to the general plan for ornamenting the cemetery in an appropriate manner	GM	
39(3)	COUNCIL AS CEMETERY MANAGER	GM	

Burial and Cremation Act 2019			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Monuments, &c. The cemetery manager may enter into an agreement for the maintenance of a vault, grave or monument		
40(1)	COUNCIL AS CEMETERY MANAGER Requirement to remove monuments The cemetery manager may provide notice to require a person to take down or remove a monument or to render it safe, if a monument has been erected or placed contrary to the terms and conditions on which the permission to erect or place it was granted or, in the opinion of the cemetery manager, it is unsafe	GM	
40(3)(c)	COUNCIL AS CEMETERY MANAGER Removal of certain monuments in cemeteries To make enquiries to find a person who erected or placed a monument	GM	
40(3)(d)	COUNCIL AS CEMETERY MANAGER Removal of certain monuments in cemeteries Render the monument safe or take the monument down and remove	GM	
40(3)(e)	COUNCIL AS CEMETERY MANAGER Removal of certain monuments in cemeteries Recover in a court the reasonable cost of rendering the monument safe or taking a monument down and removing it	GM	

Burial and Cremation Act 2019			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
40(6)	COUNCIL AS CEMETERY MANAGER Removal of certain monuments in cemeteries Provide notice of the removal of a monument and arrange for it to be re-erected if there is an agreement pursuant to s.40(4) which meets the requirements of the Act	GM	
41(2)	COUNCIL AS CEMETERY MANAGER Exclusive right of burial Grant an exclusive right of burial. Note: The cemetery manager must issue a certificate of exclusive right under the Burial and Cremation Regulations 2015 R37.	GM	
42(2)	COUNCIL AS CEMETERY MANAGER Notifications of possible cemeteries The general manager of a council is to notify the regulator as soon as practicable after becoming aware land within municipal area is a cemetery or contains more than one monument and is not covered by an entry in the register (section 14)	GM	
52(1)(a)	COUNCIL AS CEMETERY MANAGER Sale of Cemetery – Notice Cemetery manager must publish notice of intention (in prescribed form see s 52(2)) to sell cemetery	GM	
52(1)(b)	COUNCIL AS CEMETERY MANAGER Sale of Cemetery – Notice to Exclusive right holders Cemetery manager must notify in writing each person who holds exclusive right of burial or other exclusive write of intention to sell cemetery	GM	
52(1)(c)	COUNCIL AS CEMETERY MANAGER	GM	

Burial and Cremation Act 2019			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Sale of Cemetery – Certificate of Compliance Cemetery manager must apply for certificate of compliance in respect of proposed sale		
53	COUNCIL AS CEMETERY MANAGER Sale of Cemetery – Audit Cemetery manager must ensure audit undertaken within 6 months of issue of notice of intention to sell	GM	
57	COUNCIL AS CEMETERY MANAGER Notification of decision to not sell cemetery If cemetery manager, having given notice, decides not to sell cemetery they must notify regulator	GM	
58(1)	COUNCIL AS CEMETERY MANAGER Cemetery disclosure document Cemetery manager must provide disclosure document to proposed purchaser	GM	
61	COUNCIL AS CEMETERY MANAGER Notification to purchase of cemetery If Council purchases a cemetery it must give notice to the regulator of the transfer with 30 days of it occurring	GM	
63	COUNCIL AS CEMETERY MANAGER Closure of cemeteries for reasons of public health or public safety The general manager may given notice to cemetery manager that the whole or portion of cemetery is to be closed	GM	
64	COUNCIL AS CEMETERY MANAGER	GM	

Burial and Cremation Act 2019			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Intention to close (no internments for 50 yrs+) – notice/appln The cemetery manager must give notice of intention to close and apply to regulator for approval		
65(1)(a)	COUNCIL AS CEMETERY MANAGER Intention to close cemetery (no internments for 50 yrs+) If the regulator approves the closure the cemetery manager must notify the holder of exclusive rights.	GM	
65(1)(b)	COUNCIL AS CEMETERY MANAGER Close cemetery (no internments for 50 yrs+) On receipt of notification from the regulator of approval to close the cemetery manager may close the cemetery	GM	
66	COUNCIL AS CEMETERY MANAGER Effect of closure of cemetery Cemetery manager must forward all records to the State archivist and may take steps in relation to altering or moving tombstones in accordance with this section	GM	
67	COUNCIL AS CEMETERY MANAGER Exclusive rights of burial in closed cemetery Cemetery manager must enter into an agreement with a person who holds an exclusive right of burial in a closed cemetery, and take action as agreed and prescribed in this section	GM	
68	COUNCIL AS CEMETERY MANAGER Actions by cemetery manager in closed cemeteries The cemetery manager may apply to the regulator for approval to lay out a closed cemetery as a park or garden, and take related steps	GM	

Burial and Cremation Act 2019			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
70	COUNCIL AS CEMETERY MANAGER Removal of grave etc or human remains in closed cemeteries A cemetery manager must not remove a grave etc or human remains from a closed cemetery without giving public notice and preparing the statement prescribed in this section	GM	
71	COUNCIL AS CEMETERY MANAGER Application to reduce time to take action in closed cemetery A cemetery manager may apply to take action under ss 66 or 68 even though 100 years has not passed	GM	
72	COUNCIL AS CEMETERY MANAGER When land ceases to be cemetery Council can sell land that has ceased to be a cemetery but must comply with this section in relation to persons who hold an exclusive right of burial	GM	
72(6)	COUNCIL AS CEMETERY MANAGER When land ceases to be cemetery A cemetery manager must notify regulator after dealing with land under this section	GM	
73	COUNCIL AS CEMETERY MANAGER Declaration land is not a cemetery If Council intends to sell land subject to a declaration under this section it must notify the prospective purchaser of matters specified in this section	GM	
82	Crematoria	GM	

Burial and Cremation Act 2019			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Closure of crematorium – public health or public safety The general manager may give notice that a crematorium is to be closed on a particular date if prejudicial to public health or safety		
84	Crematoria Monuments containing cremated remains The person in charge of the monument must give notice of intention to remove remains and comply with other obligations under this section	GM	
85	Crematoria Granting of exclusive rights in relation to monuments The person in charge of a monument may grant exclusive rights to place cremated remains in that monument in accordance with this section	GM	
86	Crematoria Closure of monument The person in charge of a monument to be closed must grant a holder of exclusive rights in the monument exclusive rights in another monument	GM	

Burial and Cremation Regulations 2015			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	COUNCIL AS CEMETERY MANAGER	GM	

Burial and Cremation Regulations 2015

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	The Council delegates the following functions and powers of the Council in its capacity as cemetery manager pursuant to the Burial and Cremation Act 2019 (except the setting of fees), to the General Manager and authorises the General Manager to delegate those functions and powers.		
27	COUNCIL AS CEMETERY MANAGER Issue of certificate of exclusive right of burial The cemetery manager must issue a certificate of exclusive right of burial	GM	
28	COUNCIL AS CEMETERY MANAGER Amendment of certificate of exclusive right of burial The cemetery manager may amend a certificate of exclusive right of burial	GM	
29	COUNCIL AS CEMETERY MANAGER Cancellation or transfer of certificate of exclusive right of burial The cemetery manager may cancel or transfer a certificate of exclusive right of burial	GM	
30(3)	COUNCIL AS CEMETERY MANAGER Permission to inter human remains A cemetery manager may grant or refuse permission to inter human remains in a cemetery. The permission may be subject to conditions. Notice of the grant or refusal of permission is to be given	GM	
39	COUNCIL AS CEMETERY MANAGER Plan of cemetery A cemetery manager must keep a plan of the cemetery showing the graves and plots set aside in respect of an exclusive right of burial	GM	

Burial and Cremation Regulations 2015

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
40	COUNCIL AS CEMETERY MANAGER Register of Instruments A cemetery manager must keep a register of instruments as set out in this section	GM	
42	COUNCIL AS CEMETERY MANAGER Driving in cemeteries A cemetery manager can give reasonable directions to a driver which it is an offence not to obey	GM	
44	COUNCIL AS CEMETERY MANAGER Power of cemetery manager in relation to graves and plots A cemetery manager may take certain action in cemeteries in relation to the appearance of the cemetery and public health and safety	GM	
45	COUNCIL AS CEMETERY MANAGER Power of cemetery manager to approve permanent items A cemetery manager may approve certain items or classes of items that may be permanently affixed to or next to a grave or plot	GM	
46(1)	COUNCIL AS CEMETERY MANAGER Power of cemetery manager to remove persons A cemetery manager may require a person to leave and not re-enter a cemetery as set out in this section	GM	
46(3)	COUNCIL AS CEMETERY MANAGER Power of cemetery manager to remove persons A cemetery manager may use reasonable force to remove from a cemetery or prevent the entry of a person into a cemetery in contravention of a requirement under section 46(1)	GM	

Burial and Cremation Regulations 2015

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
47	COUNCIL AS CEMETERY MANAGER Duty of cemetery manager on removal of monument A cemetery manager must take photos as prescribed if removing a monument and provide the photos to the heritage council	GM	

Dog Control Act 2000

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Delegate all of its powers and functions under the Act including any regulations made under this Act to the General Manager with the exception of Sections. 7; 20; 21; 22; 23; 24; 25; and 26.	GM	
80(2)(a)– (c)	Fees A general manager may (a) waive a fee; (b) refund part or all of a fee; or (c) discount a fee	GM	

Environmental Management and Pollution Control Act 1994

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Sec 22 LGA	Delegation (of functions or powers) by Council All of Council's powers and functions under the Environmental Management and Pollution Control Act 1994	GM	Delegation given by Council to General Manager.

Environmental Management and Pollution Control Act 1994

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Sec 64 LGA	Delegation (of functions or powers) by general manager All of Council's powers and functions under the Environmental Management and Pollution Control Act 1994, may be delegated	GM	Authorisation given by Council to General Manager.
Sec 20A	Duty of council to prevent or control pollution	GM	
Sec 20B	Council may ask Board to exercise powers	GM	
Sec 21	Council officers employee of the council to be a council officer	GM	
Sec 22 (1A)	Registers of environmental management and enforcement instruments	GM	
Sec 23 (1) (2)	Trade secrets If it appears to the Board or a council that – (a) any information that could be kept as a trade secret would be available to the public; and (b) the release of that information would be likely to cause financial loss to any person – the Board or council must consult with that person before including the information on any register kept under this Act.	GM	
Sec 24 (1)	Assessment of permissible level 1 activities Council must refer application to the Board if directed to do so	GM	
Sec 25A (1D)(a)	Assessment of applications for permits that are combined with applications for planning scheme amendments	GM	
Sec 27AC (5)	Directions in relation to permits in respect of EL activities Notify the Board of the grant of the permit and provide to the Board a copy of the permit	GM	

Environmental Management and Pollution Control Act 1994

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Sec 27AD	Minor variations of planning permit in relation to EL activities Application to the Board for approval to amend a planning permit	GM	
Sec 43	Power to require information Notify the Director, EPA of the issue of an emergency order and provide a copy of the order	GM	
Sec 44 (4)	Environment protection notices Where an environment protection notice is issued by a council officer, the council must, as soon as practicable and in any event within 7 days, advise the Director in writing of that fact and of any amendment or revocation of the notice.	GM	
Sec 46(4)	Registration of environment protection notices	GM	
Sec 47 (3) (4)	Action on non-compliance with environment protection notice	GM	
Sec 48 (1)	"Civil enforcement proceedings Where – (a) a person has engaged, is engaging or is proposing to engage in conduct in contravention of this Act; or (b) a person has refused or failed, is refusing or failing or is proposing to refuse or fail to take any action required by this Act; or (c) a person has caused environmental harm by contravention of this Act, any other Act or the repealed Act –	GM	
Sec 74	Environmental Impact Assessment Principles An environmental impact assessment may be required when an environmentally relevant activity is proposed to be undertaken by the public or the private sector.	GM	
Sec 94	Provisions relating to seizure	GM	

Food Act 2003			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Sec 22 LGA	Delegations (of functions or powers) by Council All of council's powers and functions contained in the Food Act 2003.	GM	Delegation given by Council to General Manager. To exercise all of Council's powers and functions contained in the Food Act 2003.
Sec 64 LGA	Delegations (of functions or powers) by general manager All of council's powers and functions contained in the Food Act 2003, may be delegated.	GM	Authorisation given by Council to General Manager. To delegate all of Council's powers and functions to an authorised officer for the purposes of the Food Act 2003.
Sec 101 (2)	Appointment of authorised officers	GM	Appointment by Council to General Manager
Sec 33	Making of order	GM	Delegation given by General Manager to Director.
Sec 34 (2)	Nature of order An order may be varied or revoked by the relevant authority who made the order.	GM	Delegation given by General Manager to Director.
Sec 50 (2)	Forfeiture of item Items forfeited under this section may be destroyed, sold or otherwise disposed of.	GM	Delegation by General Manager to Director and Environmental Health Officer.
Sec 52 (1)	Return of forfeited item	GM	Delegation by General Manager to Director and Environmental Health Officer.
Sec 53 (4) (2) (3)	Compensation to be paid in certain circumstances The enforcement agency is to pay such compensation as is just and reasonable in relation to any item seized under this Part by an authorised officer appointed by it	GM	Delegation by General Manager to Director and Environmental Health Officer.

Food Act 2003			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Sec 55	Enforcement agency entitled to answer application The enforcement agency is entitled to appear as respondent at the hearing of an application made under Section 54.	GM	Delegation by General Manager to Director and Environmental Health Officer.
Sec 68 (2) (3)	Compensation If there were no grounds for the issuing of an order, the enforcement agency that issued the order is to pay such compensation as is just and reasonable.	GM	Delegation by General Manager to Director.
Sec 83H	Priority classification system and frequency of auditing	GM	Delegation by General Manager to Director and Environmental Health Officer.
Sec 87 (1) (5) (6) (7)	Registration of food business	GM	Delegation by General Manager to Director and Environmental Health Officer.
Sec 89 (3) (5)	Renewal of registration	GM	Delegation by General Manager to Director and Environmental Health Officer.
Sec 91	Variation of conditions, or suspension or cancellation, of registration of food businesses	GM	Delegation by General Manager to Director and Environmental Health Officer.
Sec 94	Register of food businesses to be maintained	GM	Delegation by General Manager to Director and Environmental Health Officer.
Sec 97	Functions of councils A council is to – (a) take adequate measures to ensure that the provisions of this Act are complied with; and (b) carry out any other function the Minister or Director of Public Health determines.	GM	Delegation by General Manager to Director and Environmental Health Officer.

Food Act 2003			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Sec 98 (4)	Power of Director of Public Health to order council to perform duties	GM	Delegation by General Manager to Director and Environmental Health Officer.
Sec 100 (1) (2)	Reports by councils The council is to report to the Director of Public Health on the performance of functions under this Act. In addition, the council is to forward to the Director of Public Health details of any proceedings for an offence under this Act taken by an officer, employee or agent of the council.	GM	Delegation by General Manager to Director and Environmental Health Officer.
Sec 104(1)	Institution of proceedings Proceedings for an offence under this Act may only be instituted by the Minister, an authorised officer, council, or Director of Public Health. They may only be instituted within 3 years after the date on which the offence is alleged to have been committed or within 120 days after the date on which a sample is obtained.	GM	Delegation by General Manager to Director.
Sec 118 (1)	Infringement notices An authorised officer or council may serve an infringement notice on a person, other than a person under the age of 16 years, if of the opinion that the person has committed a prescribed offence.	GM	Delegation by General Manager to Director.

Heavy Vehicle National Law Act 2013			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
16(b)	Road Manager	GM	
118(1)(b)	Granting consent for exemption on mass or dimension restriction.	GM	

Heavy Vehicle National Law Act 2013

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
124(1)(b)	Granting consent for exemption (permit) on mass or dimension restriction.	GM	
145(1)(b)	Granting consent for a class 2 heavy vehicle authorisation	GM	
156(2)	Asking the Regulator for a longer period to decide whether to grant consent for a mass or dimension authority	GM	
156(6)	Providing written statement explaining road manager's reasons not to give consent for a mass or dimension authority	GM	
156A	Decide whether to grant consent, after considering the specific matters in s.156A & provide written reasons to the Regulator for the decision in relation to consent	GM	
158	Deal with a request for consent and decide to give or not give consent for a mass or dimension authority	GM	
159(2)	Notifying the Regulator that route assessment is required by the road manager in deciding whether to give consent and the fee payable	GM	
160(1)	Specifying road condition(s) to which the granting of consent is subject	GM	
160(2)	Providing the Regulator with a written statement explaining the road manager's decision to grant consent subject to road conditions	GM	
161(1)	Specifying travel condition(s) to which the granting of consent is subject	GM	

Heavy Vehicle National Law Act 2013

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
161(2)	Providing the Regulator with a written statement explaining the road manager's decision to grant consent subject to road conditions	GM	
162(2)	Requesting specified vehicle condition(s) be imposed on the mass or dimension authority	GM	
167(2)(b)	Giving notice to the Regulator of objection to the application of this section [which provides for expedited process for renewal of mass or dimension authority]	GM	
169	Giving consent to the grant of a mass or dimension authority for a trial period or no more than 3 months	GM	
170	Provide the Regulator with a written objection to a renewal of a mass or dimension authority	GM	
174(2)	Asking the Regulator to amend or cancel the mass or dimension authority granted by Commonwealth Gazette notice due to adverse effect of heavy vehicles	GM	
171	Period for which mass or dimension authority applies where limited consent	GM	
172	Requirements for statement explaining adverse decision of road manager	GM	
173	Amendment or cancellation on Regulator's initiative	GM	
176(4)(c)	Provide consent to an amendment of a permit for a mass or dimension authority	GM	

Heavy Vehicle National Law Act 2013

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
178(2)	Asking the Regulator amend or cancel the mass or dimension authority granted by Commonwealth Gazette notice due to adverse effect of heavy vehicles	GM	
645	Decide a review of a reviewable decision under the Act	GM	

Historic Cultural Heritage Act 1995

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
30	Effect of order	GM	
33	Application of Planning Act to heritage works is subject to this Part	GM	
34	Legal status of heritage works if no certificate of exemption, &c.	GM	
S 36(2)	Permit application to be sent to and considered by Heritage Council The relevant planning authority must give a copy of the permit application to the heritage council as soon as practicable after the application day.	GM	
S 37	Procedure if Heritage Council requires additional information to consider permit application Planning authority must as soon as practicable require the applicant for a permit application to provide additional information required by the Heritage Council and provide it to the Heritage Council.	GM	
S 38	Procedure if Heritage Council has no interest in permit application Planning authority determination of permits applications. Notifying the Heritage Council and applicants of determinations and representations.	GM	

Historic Cultural Heritage Act 1995

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
S 39	Procedure if the heritage council wishes to be involved in determining discretionary permit application Determining discretionary permit applications. Notifying the Heritage Council and Applicants of determinations and representations.	GM	
S 39A	Procedure if Heritage Council wishes to be involved in determining combined permit application Determining combined permit applications. Notifying the Heritage Council and Applicants of determinations and representations.	GM	
S 39B	Provision of further information to Heritage Council Provide any further information received from permit applicant to Heritage Council.	GM	
S 40(2)	Consideration, &c., of application under delegation	GM	
S 50	Notification of Recorder of Titles Planning authority must lodge for registration with the Recorder of Titles notice of heritage agreements that come into effect or the variation or termination of a heritage agreement.	GM	

Land Use Planning and Approvals Act 1993

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
S.12	Existing uses and developments	GM	Delegation given by Council to General Manager

Land Use Planning and Approvals Act 1993

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Part 3 Generally	<p>PART 3 PLANNING SCHEMES</p> <p>As a consequence of any decision by the Council to initiate preparation of a planning scheme or a planning scheme amendment or to provide its views and opinions on any representation received on a draft planning scheme or draft amendment:</p> <p>i) authority to give such advice, consultation, referral or notification as required under this Part;</p> <p>ii) authority to initiate public notification of a draft scheme or draft amendment;</p> <p>iii) authority to submit a draft scheme or a draft amendment for approval if no representations are received during the exhibition period;</p> <p>iv) authority to modify a draft planning scheme or draft amendment if only to correct any error, remove an anomaly, clarify or simplify a provision, remove any inconsistency with other regulation, make procedural changes or to bring the planning scheme into conformity with a mandatory planning instruction;</p> <p>v) represent the Council and to give evidence and make submissions before any hearing conducted by the Tasmanian Planning Commission.</p>	GM	Delegation & authority to delegate given by Council to General Manager
Part 3A Generally	<p>LOCAL PLANNING SCHEDULE (LPS)</p> <p>In accordance with a decision of the planning authority (or a requirement of the Minister) to –</p> <p>a) prepare a draft LPS under s35;</p>	GM	Delegation & authority to delegate given by Council to General Manager

Land Use Planning and Approvals Act 1993

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	<p>b) indicate its views and opinions in relation to each representation received on a draft LPS;</p> <p>c) indicate its satisfaction that a draft LPS meets the criteria in s34;</p> <p>d) make recommendations in relation to how a draft LPS should be determined in accordance with s35F; and</p> <p>e) conduct and respond on a review of the LPS</p>		
<p>Part 3A Generally Continued</p>	<p>LOCAL PLANNING SCHEDULE (LPS)</p> <p>The following functions and powers of the planning authority are delegated –</p> <p>a) prepare the required documentation for a draft LPS;</p> <p>b) submit the draft LPS to the Tasmanian Planning Commission (TPC) under s35(1);</p> <p>c) make any modifications to the draft LPS which may be instructed by the TPC under s35(5)(b);</p> <p>d) give notice under s35C of the exhibition of a draft LPS, including for any instruction issued by the TPC under s35B;</p> <p>e) undertake exhibition of the draft LPS in accordance with s35D;</p>	<p>GM</p>	

Land Use Planning and Approvals Act 1993

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	<p>f) provide a report to the TPC pursuant to s35F;</p> <p>g) prepare and submit any modifications required by the TPC to a draft LPS in accordance with s35K;</p> <p>h) give notice in accordance with s35M(2) of the approval of the LPS;</p> <p>i) provide a report to the TPC on the outcomes of a review of the LPS conducted by the planning authority in accordance with s35O, including provide notice of the review and receive comments from the public pursuant to s35P</p>		
Division 7	<p>LOCAL PLANNING SCHEDULE (LPS)</p> <p>In accordance with a decision of the planning authority to prepare a draft Special LPS, all functions and powers of the planning authority in relation to the preparation and making of the Special LPS are delegated.</p> <p>a) prepare a draft LPS under s35;</p> <p>b) indicate its views and opinions in relation to each representation received on a draft LPS;</p> <p>c) indicate its satisfact</p>	GM	Delegation & authority to delegate given by Council to General Manager

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Part 3B General	<p>AMENDMENT OF THE LPS</p> <p>In accordance with a decision of the planning authority in relation to –</p> <ul style="list-style-type: none"> a) preparation of a draft amendment to the LPS under s38 or 40D; b) preparation of a draft amendment under s38 and a draft permit under s40Y; and c) its views and opinions in relation to each representation received on a draft LPS and on any draft permit; d) its satisfaction that the draft LPS meets the criteria in s34; and e) recommendations in relation to how the draft LPS should be determined in accordance with s35F; 	GM	Delegation & authority to delegate given by Council to General Manager
Part 3B General Continued	<p>AMENDMENT OF THE LPS</p> <p>The following functions and powers of the planning authority are delegated –</p> <ul style="list-style-type: none"> a) give notice in accordance with s38(3) of a decision in relation to a request to initiate a draft amendment to the LPS; 	GM	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	<p>b) give notice in accordance with s40W of a decision under 40Y in relation to a request to consider a permit in combination with a request to initiate a draft amendment to the LPS;</p> <p>c) request additional information under s40 and s40U;</p> <p>d) provide any material requested by the TPC in accordance with s40A, 40B, or 40V;</p> <p>e) prepare the draft LPS amendment documents;</p> <p>f) certify a draft amendment to the LPS in accordance with s40F;</p> <p>"g) give notice in accordance with s40G of the exhibition of a draft amendment to the LPS, and including any exhibition of a permit application under s40Z;</p> <p>h) undertake exhibition of the draft amendment to the LPS in accordance with s40H, and including any permit application approved under 40Y;</p> <p>i) provide a report to the TPC in accordance with s40K and s42 if there are no representations making objection on the draft amendment to the LPS and to any permit application requested under 40T;</p> <p>j) provide a report to the TPC in accordance with s40K and s42 in relation to the planning authority's –</p>		

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	<p>i. views and opinions on each representation received during the exhibition period;</p> <p>ii. compliance to s34; and</p> <p>iii. its recommendations on how the draft LPS or the permit application under 40T should be determined;</p> <p>"k) make modifications to a draft LPS amendment if instructed by the TPC in accordance with s40O or 40P;</p> <p>l) re-exhibit a modified draft amendment to the LPS under s40G and 40H if instructed by TPC in accordance with s40P;</p> <p>m) give notice of an approved amendment to the LPS in accordance with s40S;</p> <p>n) grant an extension of time under s42C for a permit granted under s42B;</p> <p>o) correct a mistake under s42D in a permit granted under s42B; and</p> <p>p) make minor amendments in accordance with s43 to a permit granted under s42B</p>		
Part 4 Generally	PART 4 ENFORCEMENT OF PLANNING CONTROL	GM	Delegation given by Council to General Manager and Director of Department.

Land Use Planning and Approvals Act 1993

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	<p>Authority to require the making of a permit application and to undertake actions and proceedings in pursuance of the Council's obligations as a planning authority to observe and enforce compliance of a planning scheme; including –</p> <ul style="list-style-type: none"> i) to give such advice, consultation, referral or notification as required under this Part; ii) to represent the Council and to give evidence before the Resource Management and Planning Appeal Tribunal in respect of any appeal against a decision on a planning permit; iii) to initiate legal proceedings for any use of land, development or act if:– <ul style="list-style-type: none"> – contrary to a State Policy, planning scheme or special planning scheme; – an obstruction of a planning scheme or special planning scheme; or – a breach of a condition or restriction of a planning permit. 		
S.40U	<p>Additional information</p> <p>A planning authority, within 28 days from the day on which it receives from a person an application for a permit, may, by notice in writing, require the person to provide to the planning authority additional information before it considers the application.</p>	GM	
S.43(2)	<p>Minor amendment of permit</p> <p>The planning authority may amend or refuse to amend the permit.</p>	GM	
S.43(6)	<p>Minor amendment of permit</p>	GM	

Land Use Planning and Approvals Act 1993

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	If the planning authority amends a permit, it must, by notice in writing served on the following persons, notify them of the amendment: (a) the applicant for the amendment; (b) the owner of the land; (c) any person or body who or that made a representation; (d) the owner or occupier of any property which adjoins the land to which the permit relates.		
S.43(7)	Minor amendment of permit If the planning authority amends a permit that contains a condition or restriction that the Board of the Environment Protection Authority has required under section 25(5) of the Environmental Management and Pollution Control Act 1994 , the planning authority must, by notice in writing served on the Board, notify it of the amendment.	GM	
S.43(9)	Minor amendment of permit If the planning authority amends a permit in respect of which the Commission has modified, deleted or added conditions or restrictions, the planning authority must, by notice in writing served on the Commission, notify it of the amendments made to the permit.	GM	
S.43(10)	Minor amendment of permit If the planning authority amends a permit containing a condition or restriction which the Heritage Council has specified, the planning authority must, by notice in writing served on the Heritage Council, notify the Council of the amendment.	GM	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
S.48AA	Enforcement of special permits	GM	
s.48A	Notice to remove signs	GM	
S.51	Permits A person must not commence any use or development which requires a permit unless the planning authority which administers the scheme, the Commission, or the Tribunal, has granted a permit in respect of that use or development and the permit is in effect or a major project permit has been granted in respect of that use or the development and the permit is in effect.	GM	
S.52(1B)	What if applicant is not the owner? If land in respect of which an application for a permit is required is Crown land, is owned by a council or is administered or owned by the Crown or a council and a planning scheme does not provide otherwise, the application must – (a) be signed by the Minister of the Crown responsible for the administration of the land or by the general manager of the council; and (b) be accompanied by the written permission of that Minister or general manager to the making of the application.	GM	Delegation given by General Manager to Director of Department. Original source of authority is General Manager.
S.53(5A)(5B)	When does a permit take effect? Where a planning authority grants a permit, the permit takes effect on the day on which it is granted by the authority or, where there is a right of appeal against the granting of the permit, at the	GM	

Land Use Planning and Approvals Act 1993

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	expiration of 14 days from the day on which the notice of the granting of the permit was served on the person who has the right of appeal.		
S.54	Additional information A planning authority that receives an application for a permit (other than a permit referred to in section 40T) may require the applicant to provide it with additional information before it considers the application.	GM	Delegation given by Council to General Manager and Director of Department. Original source of authority is Planning Authority.
S.55	Correction of mistakes A planning authority may correct a permit granted by it if the permit contains – (a) a clerical mistake or an error arising from any accidental slip or omission; or (b) an evident material miscalculation of figures or an evident material mistake in the description of any person, thing or property referred to in the approval.	GM	Delegation given by Council to General Manager and Director of Department. Original source of authority is Planning Authority.
S.56	Minor amendments of permits issued by a planning authority s 56(1A): planning authority that receives a request under ss(1) for amendment to permits, (a) within 28 days after the request was received, amend, or refuse to amend the permit and (b) must within 7 days (i) after amending the permit or (ii) after refusing to amend the permit, give notice of the refusal to the person who made the request	GM	Delegation given by Council to General Manager and Director of Department. Original source of authority is Planning Authority.

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
S.57(2)	Applications for discretionary permits The planning authority may, on receipt of an application for a permit to which this section applies, refuse to grant the permit	GM	Delegation given by Council to General Manager and Director of Department. Original source of authority is Planning Authority. If the proposed use or development is prohibited by the scheme.
S.57(3)	Applications for discretionary permits Unless the planning authority requires the applicant to give notice, the authority must give notice, as prescribed, of an application for a permit.	GM	Delegation given by Council to General Manager and Director of Department. Original source of authority is Planning Authority.
S.57(6)	Grant a discretionary permit with or without conditions	GM	Delegation given by Council to General Manager and Director of Department. Original source of authority is Planning Authority. If – a) there are no representations making objection to grant of a permit; or b) there are representations making objection on grounds that are not matters applicable for determination of the permit application
S.57(6A)	Applications for discretionary permits A further period agreed to by a planning authority and an applicant may be extended or further extended by agreement, in writing, between the planning authority and applicant at any time before the expiration of the period to be extended and, when so extended, is taken to be the further period referred to in that subsection.	GM	Delegation given by Council to General Manager and Director of Department. Original source of authority is Planning Authority.

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
S.57A	Mediation	GM	Delegation given by Council to General Manager and Director of Department. Original source of authority is Planning Authority. Authority to undertake mediation on any appeal arising out of a decision on a planning permit and to bind Council to agreements within the mediation on any matter that the Council has a proper power relevant to the permit application under LUPAA
S.58	Application for other permits This section applies to an application for a permit in respect of a use or development for which, under the provisions of a planning scheme, a planning authority is bound to grant a permit either unconditionally or subject to conditions or restrictions.	GM	Delegation given by Council to General Manager and Director of Department. Original source of authority is Planning Authority. Grant of a permit if the use or development complies to all applicable regulatory requirements
S.59(7)	Failure to determine an application for a permit Notwithstanding the provisions of this Division, a planning authority may make a decision on an application for a permit to which section 57 or 58 applies at any time before the lodging of an application.	GM	Delegation given by Council to General Manager and Director of Department. Original source of authority is Planning Authority. Subject to the same qualifications as applied to a S.57 decision.
S 60	Council responding and issuing notices relating to compliance with certain permit conditions	GM	
S 60H(3)	Minister may request information from council or relevant state entity	GM	

Land Use Planning and Approvals Act 1993

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
S 60I(3)	Council to give notice in relation to eligibility of major project proposals	GM	
S 60S(4)(b)	Refund of ordinary permit where declaration of major project is made	GM	
S 60ZX(1)	Provision to Panel of further information A person to whom a request is made under section 60ZW(1) is to take all reasonable steps to provide to the Panel, as soon as practicable the information specified in the request.	GM	
S.61	Appeals against planning decision	GM	Delegation given by Council to General Manager and Director of Department. Original source of authority is Planning Authority. Not if the decision of the Council is contrary to the written recommendation.
S.63	Obstruction of sealed schemes Initiate legal proceedings for obstruction of a planning scheme	GM	Delegation given by Council to General Manager and Director of Department. Original source of authority is Planning Authority.
S.63A	Enforcing compliance with planning schemes	GM	Delegation given by Council to General Manager and Director of Department. Original source of authority is Planning Authority.
S.63B(3)	Notice of suspected contravention, &c., may be given	GM	Delegation given by Council to General Manager and Director of Department. Original source of authority is Planning Authority.

Land Use Planning and Approvals Act 1993

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
S.64	Civil enforcement proceedings Where a person contravenes or fails or is likely to contravene or fail to comply with a provision of this Part, a person, other than the Commission or a planning authority, who has, in the opinion of the Appeal Tribunal, a proper interest in the subject matter may apply to the Appeal Tribunal for an order.	GM	Delegation given by Council to General Manager and Director of Department. Original source of authority is Planning Authority.
S.65G	Cancellation of permits	GM	Delegation given by Council to General Manager and Director of Department. Original source of authority is Planning Authority.
Part 4 Generally	Enforcement of planning control Authority to represent the planning authority or to appoint a person to represent the planning authority and to give evidence, on a planning appeal or other action, including any mediation, before the Resource Management and Planning Appeals Tribunal or any other body of competent jurisdiction.	GM	Delegation given by Council to General Manager and Director of Department. Original source of authority is Planning Authority. Except where the Council makes such decision contrary to the written advice or recommendation of the Director Land and Environmental Services.
73	Bonds and guarantees	GM	
73(A)	Planning authority may enter into agreements	GM	
S.74(3)	Duration of agreement An agreement may be ended by the planning authority with the approval of the Commission or by agreement between the authority and all persons who are bound by any covenant in the agreement.	GM	Delegation given by Council to General Manager and Director of Department. Original source of authority is Planning Authority.

Land Use Planning and Approvals Act 1993

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
S.75	Amendment of agreements	GM	Delegation given by Council to General Manager and Director of Department. Original source of authority is Planning Authority.
S.76	Agreement to be lodged with Commission	GM	Delegation given by Council to General Manager and Director of Department. Original source of authority is Planning Authority.
S.78	Registration of agreements, &c.	GM	Delegation given by Council to General Manager and Director of Department. Original source of authority is Planning Authority.
S.80	Application to Appeal Tribunal An owner of land may apply to the Appeal Tribunal for an amendment to a proposed agreement if (a) under a planning scheme, use or development for specified purposes is conditional upon an agreement being entered into and (b) the owner objects to any provision of the agreement.	GM	Delegation given by Council to General Manager and Director of Department. Original source of authority is Planning Authority.
S.84	Service of notices or other documents A notice or other document is effectively served under this Act if it is – (i) given to the person; or (ii) left at, or sent by post to, the person's postal or residential address or place or address of business or employment last known to the server of the notice or other document; or (iii) sent by way of facsimile to the person's facsimile number	GM	Delegation given by Council to General Manager and Director of Department. Original source of authority is Planning Authority.

Land Use Planning and Approvals Act 1993

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Schedule 6	Transitional Provisions	GM	<p>NOTE 1: The transitional provisions in Schedule 6 provide for the transition from the current process under LUPAA and the current schemes to the Tasmanian Planning Scheme and the processes in the new LUPAA</p> <p>NOTE 2: Planning Schemes remain in operation until the Local Provision Schedules come into effect</p> <p>NOTE 3: Where an application to amend a Scheme has been made prior the amended LUPAA coming into effect 17 December 2015 then the previous legislation continues to operate for the purposes of that legislation until the Local Provision Schedules come into effect. The provisions of the previous legislation are set after these notes and the Schedule 6 provisions and are shaded.</p> <p>NOTE 4: Where an application to amend a Scheme has been made prior the amended LUPAA coming into effect 17 December 2015 but has not been approved prior to the Local Provision Schedules come into effect the situation is different. In that case the provisions of the amended LUPAA apply. Council's have additional powers to alter a draft amendment in that situation as set out below under Sch 6(4) and (5).</p>
34(1)	Initiate amendment of planning scheme	GM	Delegation given by Council to General Manager
34(3)	Withdrawal of amendment of planning scheme	GM	Delegation given by Council to General Manager
34(4)	Notice of Withdrawal of amendment of planning scheme	GM	Delegation given by Council to General Manager

Land Use Planning and Approvals Act 1993

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
38(1)	Public exhibition of draft amendment	GM	Delegation given by Council to General Manager
39(2)	Representations to be provided to Commission in respect of draft amendments	GM	Delegation given by Council to General Manager
43J	Correction of mistake in permits referred to in s43H	GM	Delegation given by Council to General Manager
43K	Minor amendment of permits referred to in section 43H	GM	Delegation given by Council to General Manager

Land Use Planning and Approvals Regulations 2014

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Reg. 5	Notice of approval of Local Provisions Schedule	GM	Delegation given by Council to General Manager
Reg. 7	Advertisement of exhibition of draft amendment, &c (to a planning scheme)	GM	Delegation given by Council to General Manager
Reg. 8(1)(a)	Notice of approval of Local Provisions Schedule	GM	Delegation given by Council to General Manager
Reg. 9	Notice of application for permit	GM	Delegation given by Council to General Manager

Local Government (Building and Miscellaneous Provisions) Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Sec 22 LGA	Delegation (of functions or powers) by Council All of council's powers and functions contained in the Local Government (Building and Miscellaneous Provisions) Act 1993.	GM	Delegation given by Council to General Manager.
Sec 64 LGA	Delegation (of functions or powers) by general manager All of council's powers and functions contained in the Local Government (Building and Miscellaneous Provisions) Act 1993, may be delegated	GM	Authorisation given by Council to General Manager.
Part 7	Long Service Leave and Employees Assurance Scheme	GM	Delegation given by General Manager.
S.83	Approval of plan of subdivision.	GM	Delegation given by General Manager.
S.84	Council not to approve subdivision	GM	
S.85	Refusal of application for subdivision	GM	
S.86	Security for payment	GM	
S.89	Approval of final plans	GM	
S.91 (3)	Corrections to final plans	GM	
S.92	Amendments to final plans	GM	
S.93	Cancellation of final plans	GM	
S.96	Dedication as highway	GM	
S.103	Amendment of sealed plans	GM	
S.104 (1)	Hearing in respect of amendment of plans	GM	
S.105(2)	Compensation in respect of amendments	GM	

Local Government (Building and Miscellaneous Provisions) Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
S.107	Access orders	GM	
S.109 (6)	Minimum lots	GM	
S.110	Adhesion orders	GM	
S.112	Purposes for which plan approved	GM	
S.113(4)	Bringing land under Land Titles Act 1980	GM	
S.115	Exemption	GM	
S.116	Limitation on requirement for public open space	GM	
S.117	Payment instead of increasing public open space	GM	
S.118	Council schemes	GM	
241(1)	Preservation Orders	GM	
243	Preservation Order is enforceable	GM	
S.244	Registering preservation order	GM	
S.246	Advertising hoardings	GM	
S.247	Removal of advertising hoardings	GM	

Litter Act 2007			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Delegate all of its powers and functions under the Act including any regulations made under this Act to the General Manager with no restrictions	GM	

Local Government (General) Regulations 2015			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
R.23 (2)(3)(4)(5)	Public tenders A council, through a public tender process, may establish a standing contract in which a single tenderer or multiple tenderers may be contracted for a specified period to provide specified goods or services during that period without the need for a further tender process.	GM	Delegation given by Council (as original source of power) to General Manager. The General Manager must invite tenders for any contract it intends to enter into for the supply or provision of goods and services as prescribed under Local Government Regulations 23 (2)(3)(4)(5).
R.24	Open tenders The general manager is to ensure that prospective tenderers are provided with the following in order to make a tender: (a) details of the goods or services required; (b) details of the duration of the contract, including any extensions that are specified in the contract; (c) the criteria for evaluating tenders; (d) the method of evaluating tenders against the evaluation criteria; (e) any mandatory tender specifications and contract conditions; (f) a reference to the council's code relating to tenders and contracts.	GM	Delegation given by General Manager (as original source of power). The General Manager is to invite tenders by publishing at least once a notice in a daily newspaper in accordance with Local Government Regulation 24.
R.25	Multiple use register A council may establish a multiple-use register of suppliers who meet criteria established by the council in respect of the supply of particular categories of goods or services.	GM	Delegation given by Council (as original source of power) to General Manager. The General Manager may establish a multiple use register of suppliers in accordance with Local Government Regulation 25.

Local Government (General) Regulations 2015

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
R.26 (1)	Multi stage tender A multiple-stage tender process is a process by which suppliers are evaluated through stages against criteria determined by the council.	GM	Delegation given by Council (as original source of power) to General Manager. The General Manager may invite tenders for a contract for the supply of goods or services using a multiple-stage tender process in accordance with Local Government Regulation 26.
S.37 (d) (e) (ea)	Compulsory acquisition of land	GM	Delegation given by Council (as original source of power) to General Manager. For minor land acquisitions relation to operational works (Roads and Bridges) to the value no greater than \$20,000 .

Local Government (Highways) Act 1982

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s.124(1)	Delegation of powers, &., by corporations All of Council's powers and functions contained in the Local Government (Highways) Act 1982	GM	Delegation given by Council to General Manager. Excludes sections 12(1), 15(3), 19(1)(c), 43, 46(2C), 61, 73, 80, 114(8), 124; and condition on s104(2) – must be in accordance with the annual schedule of fees and charges.
S.6	Making, widening, &c., of highways by corporations	GM	
S.14	Closure and diversion of highways	GM	Delegation given by General Manager. Original source of power is the Corporation.
S.74	Execution of scheme	GM	Delegation given by General Manager. Original source of power is the Corporation.

Local Government (Highways) Act 1982

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
S.77	State contribution Where a corporation has prepared a scheme for the carrying out of street works that comprise or include the construction of a carriage-way, the Minister for State Highways may, on the application of the corporation, undertake to make a contribution to the corporation of an amount equal to one-third of the cost of the construction of the carriage-way.	GM	Delegation given by General Manager. Original source of power is the Corporation.
S.81	Record of charges	GM	Delegation given by General Manager. Original source of power is the Corporation.
S.100(1A)	Infringement notices (in respect of an offence relating to a vehicle)	GM	Delegation given by General Manager. Original source of power is the Council Clerk (GM).
S.102	Removal of vehicles in certain cases from parking spaces	GM	Delegation given by General Manager. Original source of power is the Prescribed Authority – defined 102(2)
S.119	Determination of compensation Where a corporation or other person is entitled to be paid compensation under this Act, that compensation shall, unless provision is otherwise made for its determination, be determined by agreement between the parties or, in default of agreement, by action in a court of competent jurisdiction.	GM	Delegation given by General Manager. Original source of power is the Corporation.

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
19 (3) (5)	Corporation of councils (common seal)	GM	The Council authorises the General Manager to sign documents that require affixing of the Common Seal and furthermore all use of the Common Seal must be reported to the Council at its next Ordinary Meeting. Minute Ref. 83/2019.
S.22	Delegation (of functions or powers) by Council	GM	<p>Delegation from Council to General Manager. Subject to the rates and charges policies and procedures. Not to be subdelegated. See S.22.</p> <hr/> <p>To manage the affairs of the Council in accordance with the Tasmanian Local Government Act 1993 in relation to:</p> <ul style="list-style-type: none"> S. 74 – Expenditure S. 75 – Investments S. 81 – Authorised deposit-taking institution accounts S. 175 – Purchase or lease of land – purchase of land requires Council approval prior to entering into a Contract S. 176 – Acquisition of land S. 185 – Fences, land repairs and trees – compliance with notice S. 189 – Closure of local highways S. 197 – Sale or destruction of unclaimed animals S. 200 – Abatement notices S. 201 – Abatement of nuisance S. 205 – Fees and Charges S. 207 – Remission of fees and charges – to be authorised by the Council S. 209 – Council maps – correction of map S. 252 – Several owners – proceeding against
S.64	Delegation (of functions or powers) by general manager	GM	Authorisation from Council to General Manager.

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
			<p>To manage the affairs of the Council in accordance with the Tasmanian Local Government Act 1993 in relation to:</p> <p>S. 74 – Expenditure S. 75 – Investments S. 81 – Authorised deposit-taking institution accounts S. 175 – Purchase or lease of land – purchase of land requires Council approval prior to entering into a Contract S. 176 – Acquisition of land S. 185 – Fences, land repairs and trees – compliance with notice</p> <p>S.189 – Closure of local highways. To issue permits to operate a market. To comply with the provisions of the Local Government Act 1993 relating to the operation of markets. To comply with any policies of the Council relating to operation of markets. To comply with the provisions of the Council's planning instruments. Council authorisation is given for the General Manager to delegate this power to the Director Community Services and Director Corporate Services.</p> <p>S. 197 – Sale or destruction of unclaimed animals</p> <p>S.200 / S.201 – To deal with nuisances. To comply with the provisions of the Local Government Act 1993 relating to nuisances. To comply with any policies and procedures of the Council relating to nuisances. To report to the Council on a regular basis of any abatement notices served. Council authorisation is given for the General Manager to delegate this power to employees of the Council, approved by the General Manager, who are required to deal with nuisances.</p>

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
			<p>S. 205 – Fees and Charges</p> <p>S. 207 – Remission of fees and charges – to be authorised by the Council</p> <p>S. 209 – Council maps – correction of map</p> <p>S. 252 – Several owners – proceeding against</p>
s.22	Delegation (of functions or powers) by Council As above	GM	<p>Delegation from Council to General Manager. Subject to the rates and charges policies and procedures. Not to be subdelegated. See S.22.</p> <hr/> <p>S.76 – To write off only those debts of an amount less than \$100.00; and to maintain a record of all debts written off whether approved by the Council or approved under this delegation. Council authorisation is given for the General Manager to delegate this power to the Director CorporateServices.</p> <p>S.126 / S.127 – To grant a postponement of rates for a specified period; and to revoke such postponement. To comply with the provisions of the Local Government Act 1993 relating to the postponement of payment of rates and any revocation. To comply with any policies and procedures of the Council relating to the postponement of the payment of rates and any revocation. Council authorisation is given for the General Manager to delegate this power to the Director CorporateServices and other employees, approved by the General Manager, who are required from time to time to administer rate collections and payments.</p> <p>S.133 / S.135 / S.137 – To recover rates due to the Council in a court of competent jurisdiction; by rents under leases; by sale of</p>

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
			land; or by ministerial order where there are no reasonable prospects of selling the land. To comply with the provisions of the Local Government Act 1993 relating to the recovery of rates. To comply with any policies and procedures of the Council relating to the recovery of rates. Council authorisation is given by the General Manager to delegate this power to the Director CorporateServices and other employees approved by the General Manager who are responsible for rating and accounting functions.
82(6)	Estimates	GM	Authorisation (which must be by absolute majority) from Council to General Manager. So long as the total amount of the estimate is not altered. To comply with the provisions of the Local Government Act 1993 relating to estimates. To make adjustments only up to an amount less than \$20,000 as provided by Section 82(6) of the Local Government Act 1993.
124(1)	Instalment payments – To permit a ratepayer to pay rates by instalments	GM	Council authorisation is given for the General Manager to delegate this power to the Director CorporateServices and other employees approved by the General Manager, who are required from time to time to administer rate collections and payments. (i) To comply with the provisions of the Local Government Act 1993 relating to rates being paid by instalments. (ii) To comply with any policies and procedures of the Council relating to rates being paid by instalments.

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
S.175	Purchase or lease of land A council may purchase or lease land for any purpose which it considers to be of benefit to the council or the community.	GM	Delegation given by General Manager. Restricted to leasing of land to Council and for a maximum of three years; and does not include purchase of land.
S.176	Acquisition of land A council may acquire land for prescribed purposes in accordance with the Land Acquisition Act 1993.	GM	Delegation given by General Manager. Restricted to the delegated provisions of S.37(d) (e) (ea) of the Local Government (General) Regulations 2015 To comply with the provision of the Local Government Act 1993 relating to the acquisition of property. To comply with the annual Plan and Estimates relating to the acquisition of property. To comply with any policies of the Council relating to the acquisition of property. (Note: This delegation does not include the approval for and the method of, the acquisition of land.)
S.189	Closure of local highways (markets)	GM	Delegation given by General Manager. To comply with Section 189 of the Local Government Act 1993.
S.197	Sale or destruction of unclaimed animals	GM	Delegation given by General Manager.
S.200	Abatement notices If a council is satisfied that a nuisance exists, the general manager must serve a notice on – (a) any person whose act or default contributes to or causes the nuisance whether or not that act or default occurs wholly or only partly in the municipal area; or (b) if the	GM	Delegation given by General Manager.

Local Government Act 1993			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	person cannot be ascertained or found, on the owner or occupier of the land on, or from which, the nuisance arises.		
S.201	General manager may take necessary action The general manager may take the necessary action to abate a nuisance if – (a) there is an immediate danger to any person or property; or (b) the person causing the nuisance cannot be ascertained or found; or (c) an abatement notice has not been complied with.	GM	Delegation given by General Manager.
S.207	Remission of fees and charges A council may remit all or part of any fee or charge paid or payable under this Division.	GM	Delegation given by General Manager. Limited to \$500 Delegation from Council to GM (different condition to GM delegation to officer)

Monetary Penalties Enforcement Act 2005			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
17(2)	Options for dealing with infringement notice issued by fee-paying public sector body Approve or refuse an application for the withdrawal of an infringement notice or a variation of an infringement notice, and notify the applicant of the approval or refusal	GM	
18(1)	Referral to Director of Options of infringement notice issued by fee-paying public sector body The Council may refer an infringement notice served by it to the Director for enforcement.	GM	

Monetary Penalties Enforcement Act 2005

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
23	Withdrawal of infringement notice The Council may withdraw an infringement notice served by it. The Council is required to advise the offender in writing and advise the Director MPES if the notice was referred to MPES.	GM	
28(1)	Application to fee-paying public sector body for variation of payment conditions A person served with an infringement notice may apply to the Council for a variation of payment conditions	GM	
39(1)	Hearing of offence by court If an alleged offender elects to have offences heard and determined by a court the Council may commence proceedings	GM	
40(3)	Application to court The Council may consent to an application by a person convicted to the setting aside of that conviction	GM	
40(5)(c)	Application to court	GM	

Public Health Act 1997

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Sec 22 LGA	Delegation (of functions or powers) by Council All of council's powers and functions contained in the Public Health Act 1997.	GM	Delegation given by Council to General Manager. Except s.185(1)
Sec 64 LGA	Delegation (of functions or powers) by general manager All of council's powers and functions contained in the Public Health Act 1997, may be delegated	GM	Authorisation given by Council to General Manager. Except s.185(1)

Public Health Act 1997			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Sec 11 (1)(2)	Appointment of Officer	GM	Sec 11 (1)(2)
Sec 32 (1) (2)	Production of records	GM	Sec 32 (1) (2)
Sec 33 (a) (b)	Production of things A council or an authorised officer may require a person to produce for inspection any thing in the person's possession if – (a) the council or the officer reasonably believes that it may disclose evidence of the commission of an offence under this Act; or (b) it is otherwise necessary for the purposes of this Act.	GM	
Sec 34 (a) (b)	Production of licence A council or an authorised officer may – (a) require a person to produce for inspection any licence the person holds or should hold; and (b) examine, remove and take photographs or copies of, or extracts or notes from, any licence.	GM	
Sec 35	Photographs, sketches, measurements and recordings For the purposes of this Act, a council or an authorised officer may: (a) take any photograph, film or video recording; and (b) take any copy of, or extract from, any record; and (c) take any measurements; and (d) make any sketches or drawing; and (e) make any other recording by any other means."	GM	
Sec 36 (1) (2)	Information requirements A council or an authorised officer may require a person to – (a) give his or her full name and residential address;	GM	

Public Health Act 1997			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	<p>(b) give details of any licence, permit or exemption under this Act; (c) provide any information relating to public health reasonably required for the purposes of this Act.</p> <p>A council or an authorised officer may require any person to give information about that person's or another person's activities in respect of any matter under this Act.</p>		
Sec 57	Council's immunisation programs	GM	
Sec 77 (1) (3)	Grant or refusal of licence (for a place of assembly)	GM	
Sec 78	Issue of licence (for a place of assembly)	GM	
Sec 81	Renewal of licence (for a place of assembly)	GM	
Sec 82	Variation of licence (for a place of assembly)	GM	
Sec 83	Cancellation of licence (for a place of assembly)	GM	
Sec 84 (2)	<p>Overcrowding</p> <p>A council, an authorised officer, a police officer, a person authorised by the Commissioner for Licensing or a person authorised by the State Fire Commissioner may – (a) cause the doors of a place of assembly to be closed; (b) evacuate the place of assembly; or (c) cause any event occurring at that place of assembly to be cancelled in circumstances referred to in paragraph (b) .</p>	GM	

Public Health Act 1997			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Sec 87	Closure order	GM	
Sec 88	Service of closure order	GM	
Sec 89	Revocation of closure order	GM	
Sec 92 (1) (4) (6)	<p>Rectification notice</p> <p>A council, on the advice of an environmental health officer or building surveyor, is to serve a rectification notice in an approved form. If a person fails to comply with a notice, the council may cause any necessary work to be carried out at that person's expense. A council, upon the certificate of an environmental health officer or building surveyor that the condition of the premises is no longer, or is not likely to become, offensive, injurious or prejudicial to health, is to revoke a rectification notice.</p>	GM	
Sec 97	Grant or refusal of registration of premises	GM	
Sec 98	Issue of certificate of registration of premises	GM	
Sec 101	Renewal of registration of premises	GM	
Sec 102	Variation of registration of premises	GM	
Sec 103	Cancellation of registration of premises	GM	
Sec 106	Grant or refusal of licence (to carry out any public health risk activity)	GM	
Sec 107	Issue of licence (to carry out any public health risk activity)	GM	
Sec 110	Renewal of licence (to carry out any public health risk activity)	GM	

Public Health Act 1997			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Sec 111	Variation of licence (to carry out any public health risk activity)	GM	
Sec 112	Cancellation of licence (to carry out any public health risk activity)	GM	
Sec 115	Grant or refusal of registration of regulated system	GM	
Sec 116	Issue of certificate of registration (of a regulated system)	GM	
Sec 119 (1) (3)	Notice to comply with direction	GM	
Sec 121	Renewal of registration (of any regulated system)	GM	
Sec 122	Variation of registration (of any regulated system)	GM	
Sec 123	Cancellation of registration (of any regulated system)	GM	
Sec 128	Notification of quality of water	GM	
Sec 129 (1)	Orders relating to water quality	GM	
Sec 130 (1) (3)	Monitoring and review (of the quality of water within the municipal area)	GM	
Sec 131	Samples	GM	

Public Health Act 1997			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	An authorised officer or a council may take a sample from any water. Any sample taken under this section is to be analysed and tested in accordance with the requirements of the Director.		
Sec 135	Grant or refusal of registration (as a supplier of water)	GM	
Sec 136	Issue of certificate of registration (as a supplier of water)	GM	
Sec 136AA	Renewal of Registration (as a supplier of water)	GM	
Sec 136B	Variation of registration (as a supplier of water)	GM	
Sec 136C	Cancellation of registration (as a supplier of water)	GM	
Sec 136H	Issue of certificate of registration (as a water carrier)	GM	
Sec 136I	Renewal of registration (of water carrier)	GM	
Sec 136K	Variation of registration (of water carrier)	GM	
Sec 136L	Cancellation of registration (of water carrier)	GM	
Sec 144	Registers kept by Councils A council is to keep – (a) a register of registered regulated systems; and (b) a register of registered users and suppliers of water from private water sources; and (c) a register of registered premises used for public health risk activities."	GM	

Public Health Act 1997			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Sec 148 (1)	Requirement for information The Director, any council or an authorised officer may require a person to provide information relating to public health which is reasonably needed for the purposes of this Act.	GM	
Sec 152 (1)	Costs incurred in exercising power	GM	
Sec 158 (1)	Proceedings Proceedings for an offence under this Act may only be instituted by – (a) the Minister or a person authorised by the Minister; or (b) an authorised officer; or (c) a nominated officer in relation to proceedings for an offence under Part 4 ; or (d) a police officer; or (e) a council.	GM	
Sec 169 (1)	Infringement notices An authorised officer or a council may serve an infringement notice on a person if of the opinion that the person has committed a prescribed offence.	GM	
Sec 190 (1) (3) (4)	Sale or disposal of forfeited things	GM	
Sec 191 (3)	Return of and access to seized things	GM	
Sec 192 (1)	Sale or disposal of seized things	GM	

Public Interest Disclosure Act 2002

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	All of Council's powers and functions contained in the Public Interest Disclosures Act 2002, including any regulation made under this Act to the General	GM	

Right to Information Act 2009

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s.22 LGA	Delegation (of functions or powers) by Council Functions and powers of Council as a public authority under the Right to Information Act 2009.	GM	Delegation given by Council to General Manager.
S.10	Electronic information If information is stored in an electronic form, a Minister or public authority may refuse an application if – (a) the information cannot be produced using the normal computer hardware and software and technical expertise of the public authority; and (b) producing it would substantially and unreasonably divert the resources of the public authority from its usual operations	GM	Original source of authority is Public Authority. Can be delegated by General Manager. A delegation may be for a period not exceeding 3 years
S.12	Information to be provided apart from Act. This Act does not prevent and is not intended to discourage a public authority or a Minister from publishing or providing information, otherwise than as required by this Act.	GM	Original source of authority is Public Authority. Can be delegated by General Manager. A delegation may be for a period not exceeding 3 years
S.13 (5) (6) (7) (8)	Application for assessed disclosure of information	GM	Original source of authority is Public Authority. Can be delegated by General Manager.

Right to Information Act 2009			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
			A delegation may be for a period not exceeding 3 years
S.14 (1)	Transfer of applications (for assessed disclosure of information)	GM	Original source of authority is Public Authority. Can be delegated by General Manager. A delegation may be for a period not exceeding 3 years
S.15	Time within which applications for assessed disclosure of information are to be decided	GM	Original source of authority is Public Authority. Can be delegated by General Manager. A delegation may be for a period not exceeding 3 years.
S.16	Charges for information All applications for assessed disclosure of information must be accompanied by an application fee of 25 fee units. The application fee may be waived if – (a) the applicant is impecunious; or (b) the applicant is a Member of Parliament acting in connection with his or her official duty; or (ba) the applicant is a journalist acting in connection with their professional duties; or (c) the applicant is able to show that he or she intends to use the information for a purpose that is of general public interest or benefit.	GM	Original source of authority is Public Authority. Can be delegated by General Manager. A delegation may be for a period not exceeding 3 years.
S.17	Deferment of provision of information	GM	Original source of authority is Public Authority. Can be delegated by General Manager. A delegation may be for a period not exceeding 3 years.

Right to Information Act 2009			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
S.18	Provision of information	GM	Original source of authority is Public Authority. Can be delegated by General Manager. A delegation may be for a period not exceeding 3 years.
S.19	Requests may be refused if resources unreasonably diverted	GM	Original source of authority is Public Authority. Can be delegated by General Manager. A delegation may be for a period not exceeding 3 years.
S.20	Repeat or vexatious applications may be refused	GM	Original source of authority is Public Authority. Can be delegated by General Manager. A delegation may be for a period not exceeding 3 years.
S.21 (1)	Decision to be made on behalf of public authority by authorised person A decision in respect of an application for information made to a public authority is to be made by – (a) the responsible Minister; or (b) the principal officer of the public authority; or (c) a delegated officer.	GM	Original source of authority is Principal Officer (GM). Can be delegated by General Manager. A delegation may be for a period not exceeding 3 years.
S.21 (2)	Decision to be made on behalf of public authority by authorised person A person who makes a decision in accordance with this Act is to act impartially in making that decision.	GM	Original source of authority is Public Authority, Principal Officer (GM) and Delegated Officer. Can be delegated by General Manager.

Right to Information Act 2009			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
			A delegation may be for a period not exceeding 3 years.
S.22	Reasons to be given (when a decision in relation to an application for information is made)	GM	Original source of authority is Public Authority. Can be delegated by General Manager. A delegation may be for a period not exceeding 3 years.
S.23	Other responsibilities of principal officer	GM	Original source of authority is Public Authority. Can be delegated by General Manager. A delegation may be for a period not exceeding 3 years.
S.33	Public Interest Test In this Division, information is exempt information if the principal officer of the public authority or Minister considers, after taking into account all relevant matters, that it is contrary to the public interest to disclose the information.	GM	Original source of authority is Principal Officer (GM). Can be delegated by General Manager. A delegation may be for a period not exceeding 3 years.
S.36 (2)	Personal information of person If (a) an application is made for information under this Act; and (b) the information was provided to a public authority or Minister by a third party; and (c) the principal officer or Minister decides that disclosure of the information concerned may be reasonably expected to be of concern to the third party – the principal officer or Minister is to, by notice in writing to the third party – (d) notify that person that the public authority or Minister has received an application for the information; and (e) state the nature of the information that has been applied for; and (f) request that, within 15 working days from the date of the notice, the person provide his or her view as to whether the information should be provided.	GM	Original source of authority is Principal Officer (GM). Can be delegated by General Manager. A delegation may be for a period not exceeding 3 years.

Right to Information Act 2009			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
S.36 (3) (5)	<p>Personal information of person</p> <p>If a public authority or Minister, after receipt of a person's view, decides to provide the information, the public authority or Minister must, by notice in writing given to that person, notify that person of the decision. See subsection 5 for caveats.</p>	GM	<p>Original source of authority is Public Authority. Can be delegated by General Manager.</p> <p>A delegation may be for a period not exceeding 3 years.</p>
S.37 (2)	<p>Information relating to business affairs of third party</p> <p>If – (a) an application is made for information under this Act; and</p> <p>(b) the information was provided to a public authority or Minister by a third party; and</p> <p>(c) the principal officer or Minister decides that disclosure of the information concerned may be reasonably expected to be of substantial concern to the third party – the principal officer or Minister must, before deciding whether the disclosure of the information under this Act would be likely to expose the third party that provided the information to substantial harm to the third party's competitive position, by notice in writing given to the third party –</p> <p>(d) notify the third party that the public authority or Minister has received an application for the information; and</p> <p>(e) state the nature of the information applied for; and</p> <p>(f) request that, within 15 working days from the date of the notice, the third party provide the third party's view as to whether the information should be provided.</p>	GM	<p>Original source of authority is Principal Officer (GM). Can be delegated by General Manager.</p> <p>A delegation may be for a period not exceeding 3 years.</p>
S.37 (3) (5)	<p>Information relating to business affairs of third party</p> <p>If a public authority or Minister, after receipt of a third party's view, decides to disclose the information, the public authority or Minister must, by notice in writing given to the third party, notify the third party of the decision. See subsection 5 for caveats.</p>	GM	<p>Original source of authority is Public Authority. Can be delegated by General Manager.</p> <p>A delegation may be for a period not exceeding 3 years.</p>

Right to Information Act 2009			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
S.43 (4) (5)	Internal review (of a decision in respect of an application)	GM	Original source of authority is Principal Officer (GM). Can be delegated by General Manager. A delegation may be for a period not exceeding 3 years.

Roads and Jetties Act 1935			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Sec 22 LGA	Delegation (of function or powers) by Council All of council's powers and functions contained in the Roads and Jetties Act 1954.	GM	Delegation given by Council to General Manager.
Sec 22 LGA	All of Councils powers and functions contained within the Roads and jetties Act 1954	GM	Delegation given by Council to General Manager
Sec 64 LGA	Delegation (of function or powers) by general manager All of council's powers and functions contained in the Roads and Jetties Act 1954, may be delegated	GM	Authorisation given by Council to General Manager.
S11	Maintenance of State highways, &c. in cities, &c.	GM	
S28	Acquisition of land for quarry, &c.	GM	
S29	Intention to acquire land may be abandoned if compensation excessive	GM	
S32	Entry by council upon land and staking out of same	GM	
S33	Rental of land (for the purpose of obtaining materials therefrom for the construction or maintenance of any road or street)	GM	
S34	Use of uncultivated land for temporary road	GM	

Roads and Jetties Act 1935			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
S35	Taking of timber, &c., from land (for making, repairing, or fencing any road, or for any other purposes of this Act)	GM	
S36	Quarries, &c. to be fenced and filled up or otherwise secured	GM	
S37	Fences to be restored	GM	
S38	Deviations to be fenced Where any road has been diverted, the road authority shall, if required by the owner or occupier of any land through which such road passes, cause such road to be well and sufficiently fenced where it so passes.	GM	
S39	Entry upon adjoining lands for road maintenance or reconstruction	GM	
S40	Power to make drains on adjoining lands	GM	
S41	Timber growing near roads may be cut down: Consent of owner required in certain cases	GM	
S42	Hedges, &c., obstructing view of traffic to be cut or trimmed	GM	
S44	Culverts to be constructed by owners at entrances to lands adjoining roads	GM	
S45	Power of Minister in certain cases to erect gates across roads	GM	
S46	Damage caused by overweight vehicles	GM	
S47	Road metal, &c., may be placed on side of road	GM	
S47A	Warning gantries for bridges with overhead members	GM	

Roads and Jetties Act 1935			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
S48	Power of road authority, with the consent of the Governor, to permit tramway or railway along or across road	GM	
S49	Obstructing roads: Notice to remove obstructions	GM	
S50B	Excavations A person must not make any excavation, vault or cellar beneath a street in a town without the consent of the appropriate council.	GM	
S51	Laying down timber, &c., on roads	GM	

Strata Titles Act 1998			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
6 (1A)	Lodgment of plan for registration plan must be endorsed with a certificate of approval issued by the council for the area in which the site is situated.	GM	
12 (2) (b)	Disposal of interest in common property council's approval is required by law, a certificate issued under the authority of the council certifying that the transaction has been approved by the council	GM	
14 (2) (ab)	Authority to issue certificate for easements, covenants and profits a pendre	GM	
19 (2) (b) (ii)	Authority to issue certificate of approval for amendment	GM	

Strata Titles Act 1998			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
23 (2) (d)	Authority to issue certificate of two or more strata plans in which the scheme is situated	GM	
27 (2) (d)	Authority to approve and certify the cancelation of strata plan	GM	
30	To issue certificate of approval for strata plan; amendment to plan; consolidation of plans; cancellation of plans	GM	
S 31(2A)	Application for, and grant of, certificate of approval The Council must within 30 days of receiving an application issue or refuse to issue a certificate of approval	GM,	
S 31(2B)	Application for, and grant of, certificate of approval The Council may give the applicant notice requiring further information in order to determine the application	GM	
31(3)	Application for, and grant of, certificate of approval The Council may issue a certificate of approval for a strata plan after satisfying itself of certain matters	GM	
31(4)	Application for, and grant of, certificate of approval The Council must return sketches, plans and models if it refuses to issue a certificate of approval	GM	
31(6)	Application for, and grant of, certificate of approval The Council must refuse to issue a certificate of approval if it considers the proposal is actually a subdivision	GM	
36(1)	Application for council approval (in relation to a staged development scheme)	GM	
37(1)(a)	Approval of scheme in principle Before giving in principle approval for a staged development scheme Council can require specified changes to the scheme	GM	

Strata Titles Act 1998

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
37(1)(b)	Approval of scheme in principle Before giving in principle approval for a staged development scheme Council can require the demolition or alteration of buildings on the site	GM	
37(2)(a)	Approval of scheme in principle Council can approve staged development scheme unconditionally	GM	
37(2)(b)	Approval of scheme in principle Council can approve the staged development scheme subject to specified conditions	GM	
37(2)(c)	Approval of scheme in principle Council can refuse to approve the staged development scheme	GM	
37(4)	Approval of scheme in principle If Council approves the proposed staged development scheme it must issue a certificate of approval	GM	
41(2)	Progressive development The council may refuse to approve a particular stage in a staged development scheme if an earlier stage of the scheme has not been completed as required under the terms of the registered scheme.	GM	
42(2)	Application for variation of scheme The application is to be made in the first instance to the council for the area in which the site is situated.	GM	
42(5)	Application for variation of scheme The Council may dispense with the consent of a present or prospective owners of lots in the staged development scheme in relation to a proposed variation if satisfied of certain matters	GM	

Strata Titles Act 1998			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
42(6)	Application for variation of scheme The Council may approve unconditionally, subject to specified conditions or refuse an application to vary a variation to a staged development scheme	GM	
45	Injunction Council (as an "interested person" under the Act) can apply for a mandatory injunction requiring the developer of a staged development scheme to complete the scheme	GM	
54(1)(a)	Approval of scheme Before giving in principle approval for a community development scheme Council can require specified changes to the scheme	GM	
54(1)(b)	Approval of scheme Before giving in principle approval for a community development scheme Council can require the demolition or alteration of buildings on the site	GM	
54(2)(a)	Approval of scheme Council can approve community development scheme unconditionally	GM	
54(2)(b)	Approval of scheme Council can approve the proposed community development scheme subject to specified conditions	GM	
54(2)(c)	Approval of scheme Council can refuse to approve the community development scheme	GM	

Strata Titles Act 1998			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
54(4)	Approval of scheme If Council approves the proposed community development scheme it must issue a certificate of approval	GM	
57(2)	Progressive development The Council may refuse to approve a particular stage of a community development scheme in certain circumstances	GM	
58(2)	Application for variation of scheme The application is to be made in the first instance to the council for the area in which the site is situated.	GM	
58(5)	Application for variation of scheme The Council may dispense with the consent of a present or prospective owners of lots in the community development scheme in relation to a proposed variation if satisfied of certain matters	GM	
58(6)	Application for variation of scheme The Council may approve the variation unconditionally, or approve the variation subject to specified conditions or refuse to approve the variation	GM	
61	Injunction Council (as an "interested person" under the Act) can apply for a mandatory injunction requiring the developer of a community development scheme to complete the scheme	GM	
65(a)	Assignment of interest in land subject to scheme If the owner of land subject to a registered community development scheme proposes to sell or dispose of land subject to the scheme the owner must give written notice of the proposed transaction to the council for the area in which the site is situated	GM	

Strata Titles Act 1998			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
65(b)(i)	Assignment of interest in land subject to scheme If the owner of land subject to a registered community development scheme proposes to sell or dispose of land subject to the scheme the person who is to acquire title to the land in consequence of the transaction must give to the council a written undertaking to develop the land in accordance with the registered scheme	GM	
65(b)(ii)	Assignment of interest in land subject to scheme If the owner of land subject to a registered community development scheme proposes to sell or dispose of land subject to the scheme the person who is to acquire title to the land in consequence of the transaction must give the council any security required by the council, within 28 days after notice of the transaction was given to the council, for the development of the land in accordance with the scheme.	GM	
142(2)(b)	Recording of certain orders Council can apply to the Recorder to have a register of title cancelled or corrected.	GM	

Survey Co-Ordination Act 1944			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
S 4(2)	Public authorities to compile and forward to Surveyor-General lists of existing plans (2) Every public authority shall, upon being so required by the Surveyor-General, appoint a fit and proper person as the proper officer of that authority for the purposes of this Act.	GM	This is the a delegation of councils power to appoint a 'proper officer'.

Survey Co-Ordination Act 1944			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
S 5	Public authorities to give notice of intention to commence new surveys	GM	

Traffic Act 1925			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
S 43(2)	Removal of things obstructing public streets an authorised person may remove, take and detain articles placed or left in public streets to the obstruction, annoyance or danger of other persons.	GM	S 43(1) authorised person means – (b) in the case of a public street in a municipal area, a person who is an employee or agent of the responsible council and has the approval of that council to exercise power under this section within that area.
S 43(3)(4)(5)	Removal of things obstructing public streets A relevant authority must notify articles owner of removal and/or dispose of articles not removed.	GM	s 43(1) relevant authority means – (b) in relation to an authorised person who is an employee or agent of a council, that council.

Urban Drainage Act 2013			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Sec 22 LGA	Delegation (of functions or powers) by Council	GM	
Sec 64 LGA	Delegation (of functions or powers) by general manager	GM	
S 5(6)	Council to provide adequate public storm water system	GM	

Urban Drainage Act 2013			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Council to provide public stormwater system. If found not to, they must comply with the orders in notice of default.		
S 5(4)	Council to provide adequate public storm water system A council may appeal to the Appeal Tribunal against an order under subsection 5(3) within the period specified in the order.	GM	
S 7	Service of notice relating to negotiations for provisions of stormwater services	GM	
S 11(1)	Power of council to adopt stormwater systems General manager may agree with a person who has a private storm water system or is proposing to construct stormwater system that if it is constructed in accordance with the terms of the agreement that the council will declare the works to be vested in the council.	GM	
S 11(4)	Power of council to adopt stormwater systems General manager may require person constructing a drain to construct it in a different way.	GM	
S 11(8)	Power of council to adopt stormwater systems Where a council imposes a requirement under s 11(4) they must pay extra costs incurred by person constructing the drain.	GM	
S 12	Council to maintain maps	GM	
S 13	Protection of stormwater assets	GM	

Urban Drainage Act 2013			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	General manager granting consent as to protection of stormwater assets. Issuing of notices requiring removal where consent has not been granted.		
S 13(4)	Protection of stormwater assets If a person fails to carry out the works required in the notice within the specified period, the council may demolish, remove or remedy the building or construction and carry out any works necessary for restoring or reinstating the public stormwater system.	GM	
S 13(5)(b)	Protection of stormwater assets If the council carries works under s 13(4) expenses are recoverable in a court of a competent jurisdiction.	GM	
S 14	Interference with public stormwater systems General manager granting consent as to interference with stormwater systems. Issuing of notices requiring removal where consent has not been granted.	GM	
S 14(4)	Interference with public stormwater systems If a person fails to comply with the notice issued under 14(2) within the specified period, the council may demolish, remove or remedy the works and carry out any works necessary for restoring or reinstating the infrastructure.	GM	
S 14(5)(b)	Interference with public stormwater systems If the council carries works under s 14(4) expenses are recoverable in a court of a competent jurisdiction.	GM	
S 15(13)	Power of authorised officers to carry out work on or adjacent to public land	GM	

Urban Drainage Act 2013			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	A council must make good, to the satisfaction of the authority responsible for the land, any damage caused by the exercise of powers under this section as soon as practicable.		
S 16(9)	Power of authorised officers to enter private land The council must make good any damage caused by the exercise of powers under this section as soon as practicable or pay reasonable compensation for the damage.	GM	
S 17	Power to undertake construction of public stormwater systems Without the permission of the relevant general manager, a person must not discharge, or cause or permit to be discharged, stormwater into any system other than the public stormwater system.	GM	
S 18(3)	Discharge of matter into public stormwater system General Manager must give permission to discharge matter into public stormwater systems.	GM	
S 20	Limits on connection point General manager to provide approval in relation to limits on connection points for public and private storm water systems.	GM	
S 21(1)	Requirement to connect General manager may serve notice requiring connection to public storm water systems.	GM	
S 21(3)	Requirement to connect Where notice has been served, council may recover costs if it is not complied with.	GM	
S 22(1)	Requirement to disconnect	GM	

Urban Drainage Act 2013			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	General manager may serve notice to property owner requiring the removal of existing connections between the property and public storm water systems and recover costs where notice is not complied with.		
S 22(3)	Requirement to disconnect Where notice has been served, council may recover costs if it is not complied with.	GM	
S 23(2)(a)	Property owners not to direct stormwater onto neighbouring properties General manager to issue notice giving property owner creating nuisance 28 days to stop.	GM	
S 23(2)(b)	Property owners not to direct stormwater onto neighbouring properties If a property owner does not comply with a notice under s 23(2)(a) the council can carry out such works that are necessary to rectify the nuisance.	GM	
S 23(3)	Property owners not to direct stormwater onto neighbouring properties Any costs incurred under 23(2)(b) are recoverable in a court of competent jurisdiction.	GM	

Vehicle and Traffic Act 1999			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
Sec 56C (2) (3) (4) (5)	Certain activities prohibited on public streets (i.e. selling goods, or a business, calling, or employment)	GM	

Weed Management Act 1999			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
34(3)	<p>Appointment of inspectors</p> <p>The council, with the approval of the Secretary, may appoint any person as an inspector for the purpose of the Act.</p>	GM	<hr/> <p>Refer to Weed Management Act 1999-AA instrument</p>
66(a)	<p>Payments to council or Consolidated Fund</p> <p>Any payments made in respect of an infringement notice –</p> <p>(a) are payable to a council, if the notice was served by an inspector appointed under section 34(3) ; or</p> <p>(b) are payable into the Consolidated Fund if the notice was served by an inspector appointed under section 34(1) .</p> <p>"</p>	GM	<hr/> <p>Refer to Weed Management Act 1999-AA instrument</p>

I acknowledge as Mayor of the Central Coast Council, that the General Manager be delegated the authorities as pertained within this report and to manage the affairs of the Council in accordance with the current Employment Agreement.

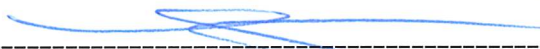
Name (print) JAN BONDE - MAYOR

Signature 

Date 23 APRIL 2021

I acknowledge as a Councillor of the Central Coast Council, that the General Manager be delegated the authorities as pertained within this report and to manage the affairs of the Council in accordance with the current Employment Agreement.

Name (print) CAROL WILLIAM CARPENTER

Signature 

Date 23 April 2021

I acknowledge that I have received, read and accept the attached delegation of authority.

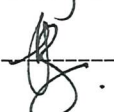
Name (print) SANDRA AYTON - GENERAL MANAGER

Signature 

Date 22/4/2021

Provisions for General Manager

Date Ordinary Council Meeting - 19 April 2021

Minute Ref No.: 104/2021 

Central Coast Council

Schedule of Delegations

Council to the General Manager

May 2023

Local Government Act 1993 (No. 95 of 1993)

22. Delegation by Council

(1) Subject to subsection (2), a Council, in writing, may delegate with or without conditions to the General Manager, controlling authority, a Council committee, a special committee or a local committee, any of its functions or powers other than –

- (a)** this power of delegation, unless authorized by the Council; and
- (b)** the powers referred to in subsection (2).

(2) A Council, in writing, may delegate any of the following powers only to the General Manager or a Council committee and only on condition that the Council has determined appropriate policies and procedures to be followed in relation to those powers:

- (a)** the imposition of fees, taxes, rates and charges;
- (b)** the remission or rebate of rates and charges;
- (c)** the making of grants or the provision of benefits.

(3) A Council must not delegate any of its powers relating to the following:

- (a)** the borrowing of money or other financial accommodation;
- (b)** the determination of the categories of expenses and allowances payable to Councillors and any member of any committee;
- (c)** the establishment of committees, controlling authorities or joint authorities;
- (d)** the revision of the budget or financial estimates of the Council;
- (e)** the revision of the strategic and operational plans of the Council;
- (f)** the approval for, and the method of, the sale of land;
- (g)** the making of by-laws;
- (h)** the fixing of fees, rates and charges;
- (i)** any other prescribed power.

(4) The General Manager is to –

- (a)** keep a register of any delegation; and
- (b)** make the register available for inspection at a public office.

Delegation Sources

- Archives Act 1983 - Archives Act 1983
- Building Act 2016 - AA - Building Act 2016
- Dog Control Act 2000 - AA - Dog Control Act 2000
- Environmental Management and Pollution Control Act 1994 - AA - Environmental Management and Pollution Control Act 1994
- Financial Delegations - Council
- Heavy Vehicle National Law Act 2013 - Heavy Vehicle National Law Act 2013
- Historic Cultural Heritage Act 1995 - AA - Historic Cultural Heritage Act 1995
- Land Use Planning and Approvals Act 1993 - AA - Land Use Planning and Approvals Act 1993
- Litter Act 2007 - AA - Litter Act 2007
- Local Government Act 1993 - AA - Local Government Act 1993
- Strata Titles Act 1998 - AA - Strata Titles Act 1998
- Tasmania Archives Act 1983 - Archives Act 1983 (Tas)
- Tasmania Building Act 2016 & Regulations 2016 - Building Act 2016
- Tasmania Burial and Cremation Act 2019 - Burial and Cremation Act 2019 (Tas)
- Tasmania Burial and Cremation Regulations 2015 - Burial and Cremation Regulations 2015 (Tas)
- Tasmania Dog Control Act 2000 - Dog Control Act 2000 (Tas)
- Tasmania Environmental Management and Pollution Control Act 1994 - Environmental Management and Pollution Control Act 1994 (Tas)
- Tasmania Food Act 2003 - Food Act 2003 (Tas)
- Tasmania Heavy Vehicle National Law Act 2013 - Heavy Vehicle National Law Act 2013 (Tas)
- Tasmania Historic Cultural Heritage Act 1995 - Historic Cultural Heritage Act 1995 (Tas)
- Tasmania Land Use Planning and Approvals Act 1993 - Land Use Planning and Approvals Act 1993 (Tas)
- Tasmania Land Use Planning and Approvals Regulations 2014 - Land Use Planning and Approvals Regulations 2014 (Tas)
- Tasmania Litter Act 2007 - Litter Act 2007 (Tas)
- Tasmania Local Government (Building and Miscellaneous Provisions) Act 1993 - Local Government (Building and Miscellaneous Provisions) Act 1993 (Tas)
- Tasmania Local Government (General) Regulations 2005 - Local Government (General) Regulations 2005 (Tas)
- Tasmania Local Government (Highways) Act 1982 - Local Government (Highways) Act 1982 (Tas)
- Tasmania Local Government Act 1993 - Local Government Act 1993 (Tas)
- Tasmania Monetary Penalties Enforcement Act 2005 - Monetary Penalties Enforcement Act 2005 (Tas)
- Tasmania Public Health Act 1997 - Public Health Act 1997 (Tas)
- Tasmania Public Interest Disclosure Act 2002 - Public Interest Disclosure Act 2002 (Tas)
- Tasmania Right to Information Act 2009 - Right to Information Act 2009 (Tas)
- Tasmania Roads and Jetties Act 1935 - Roads and Jetties Act 1935 (Tas)
- Tasmania Strata Titles Act 1998 - Strata Titles Act 1998 (Tas)
- Tasmania Traffic Act 1925 - Traffic Act 1925 (Tas)
- Tasmania Urban Drainage Act 2013 - Urban Drainage Act 2013 (Tas)
- Tasmania Vehicle & Traffic Act 1999 - Vehicle & Traffic Act 1999 (Tas)

- Tasmania Weed Management Act 1999 - Weed Management Act 1999 (Tas)

Positions

Abbreviation	Position	Name
GM	General Manager	Sandra Ayton

Provisions for General Manager

Archives Act 1983 - Archives Act 1983

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Sec 22 LGA	Delegate all of its powers and functions under the Act including any regulations made under this Act to the General Manager.	GM	Nil
S 10(1)	<p>Preservation of State records</p> <p>(1) The relevant authority –</p> <p>(a) is to keep proper records in respect of the business of the Government department, State authority or local authority for which the relevant authority is responsible; and</p> <p>(b) is to cause all such records to be preserved and accessible until they are dealt with in accordance with this Act; and</p> <p>(c) may, in the name of the Government department, State authority or local authority, take legal proceedings for the recovery of any such records if the relevant authority no longer has legal custody of them.</p>	GM	Nil

Building Act 2016 - AA - Building Act 2016

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
8	The Council delegate in accordance with section 8 of the Building Act 2016 its powers and functions, other than this power of delegation.	GM	Nil
11	All work must comply with Act and National Construction Code	GM	Appointment as Permit Authority

Building Act 2016 - AA - Building Act 2016

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
25	Functions of permit authority	GM	Appointment as Permit Authority
26	Powers of permit authority	GM	Appointment as a permit authority
81(3)	Effect of disagreement in relation to proposed protection work	GM	Appointment as a permit authority
109	Certificate of likely compliance (notifiable plumbing work)	GM	Appointment as a permit authority
110	Performing notifiable plumbing work	GM	Appointment as a permit authority
111	Inspection of notifiable plumbing work	GM	Appointment as a permit authority
112	Directions relating to non-compliant notifiable plumbing work	GM	Appointment as a permit authority
113	Completion of notifiable plumbing work	GM	Appointment as a permit authority
115	Certificate of completion (notifiable plumbing work)	GM	Appointment as a permit authority
138(2)	Non-compliance of building work	GM	Appointment as a permit authority
141	Determining application for building permit	GM	Appointment as a permit authority
142	Refusal of application for building permit	GM	Appointment as a permit authority
143	Granting of application for building permit	GM	Appointment as a permit authority
145	Conditions on building permit	GM	Appointment as a permit authority

Building Act 2016 - AA - Building Act 2016

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
147	Extension of duration of building permit	GM	Appointment as a permit authority
148	Permit building work must be performed in accordance with building permit	GM	Appointment as a permit authority
153	Certificate of completion (permit building work)	GM	Appointment as a permit authority
158	Determining application for certificate of likely compliance (permit plumbing work)	GM	Appointment as a permit authority
159	Refusing application for certificate of likely compliance (permit plumbing work)	GM	Appointment as a permit authority
160	Granting application for certificate of likely compliance (permit plumbing work)	GM	Appointment as a permit authority
162	Variation of certificate of likely compliance (permit plumbing work)	GM	Appointment as a permit authority
163	Revocation of certificate of likely compliance (permit plumbing work)	GM	Appointment as a permit authority
164(2)	Plumbing permit required before performing permit plumbing work	GM	Appointment as a permit authority
167(1)(2)	Determining application for plumbing permit	GM	Appointment as a permit authority
167(4)(5)	Determining application for plumbing permit	GM	Appointment as a permit authority
168	Refusal of application for plumbing permit	GM	Appointment as a permit authority
169	Granting of application for plumbing permit	GM	Appointment as a permit authority

Building Act 2016 - AA - Building Act 2016

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
171	Conditions on plumbing permit	GM	Appointment as a permit authority
173	Extension of duration of plumbing permit	GM	Appointment as a permit authority
174	Permit plumbing work must be performed in accordance with plumbing permit	GM	Appointment as a permit authority
175	Inspection of permit plumbing work	GM	Appointment as a permit authority
176	Directions relating to non-compliant permit plumbing work	GM	Appointment as a permit authority
178	Certificate of completion (permit plumbing work)	GM	Appointment as a permit authority
189	Demolition permit required before performing permit demolition work	GM	Appointment as a permit authority
191	Determining application for demolition permit	GM	Appointment as a permit authority
192	Refusal of application for demolition permit	GM	Appointment as a permit authority
193	Granting of application for demolition permit	GM	Appointment as a permit authority
195	Conditions on demolition permit	GM	Appointment as a permit authority
197	Extension of duration of demolition permit	GM	Appointment as a permit authority
198	Permit demolition work must be performed in accordance with demolition permit	GM	Appointment as a permit authority
203	Certificate of completion (permit demolition work)	GM	Appointment as a permit authority

Building Act 2016 - AA - Building Act 2016

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
226	Cancellation of occupancy permit	GM	Appointment as a permit authority
234	Cancellation of temporary occupancy permit	GM	Appointment as a permit authority
235	Fire hazards	GM	Appointment as a permit authority
237	Building notice	GM	Appointment as a permit authority
237	Building notice	GM	Appointment as a permit authority
238	Plumbing notice	GM	Appointment as a permit authority
239	Fire upgrading report	GM	Appointment as a permit authority
240	Fire upgrading notice	GM	Appointment as a permit authority
246	Building orders	GM	Appointment as a permit authority
247	Building order relating to illegal building work	GM	Appointment as a permit authority
248	Building order relating to fire hazards	GM	Appointment as a permit authority
249	Building order relating to dilapidated building	GM	Appointment as a permit authority
250	Plumbing orders	GM	Appointment as a permit authority
258	Application for permit of substantial compliance	GM	Appointment as a permit authority
259	Refusal of application for permit of substantial compliance	GM	Appointment as a permit authority

Building Act 2016 - AA - Building Act 2016

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
260	Grant of application for permit of substantial compliance	GM	Appointment as a permit authority
261	Conditions on permit of substantial compliance	GM	Appointment as a permit authority
265	Failure to comply with emergency, building or plumbing order	GM	Appointment as a permit authority
270	Recovery of compliance costs	GM	Appointment as a permit authority
275(3)	Compliance with Act in certain circumstances	GM	Appointment as a permit authority
290	Non-application of Plumbing Regulations	GM	Appointment as a permit authority
300	Payment of building administration fee	GM	Appointment as a permit authority
324	Infringement notices	GM	Authorisation 324 (4) - Any payments made in respect of an infringement notice – (a) are payable to a council if the notice was served by the relevant general manager or the relevant permit authority; or
299	Further information to be provided if requested	GM	Appointment as a permit authority

Dog Control Act 2000 - AA - Dog Control Act 2000

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Delegate all of its powers and functions under the	GM	With the exception of Sections 7;

Dog Control Act 2000 - AA - Dog Control Act 2000

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Act including any regulations made under this Act to the General Manager with the exception of Sections 7; 20; 21; 22; 23; 24; 25; and 26.		20; 21; 22; 23; 24; 25; and 26.

Environmental Management and Pollution Control Act 1994 - AA - Environmental Management and Pollution Control Act 1994

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
21	Appointment of Council officers	GM	Authorisation by General Manager

Financial Delegations - Council

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
4.1	Purchase of goods, services, works and payment of contracts - up to \$1,000,000	GM	In accordance with the Code for Tenders and Contracts and Purchasing & Procurement Policy. Subject to managing within budget and approved scope of project. Payments exceeding the approved budget shall be reported to Council for information at the first Council Meeting following the date when expenditure was incurred.
4.1	Contract Variations - any value	GM	Expenditure exceeding the approved budget shall be reported to Council for information at the first Council meeting following the date when expenditure was incurred.

Heavy Vehicle National Law Act 2013 - Heavy Vehicle National Law Act 2013

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
16(b)	Road Manager	GM	Nil
171	Period for which mass or dimension authority applies where limited consent	GM	Nil
172	Requirements for statement explaining adverse decision of road manager	GM	Nil
173	Amendment or cancellation on Regulator's initiative	GM	Nil

Historic Cultural Heritage Act 1995 - AA - Historic Cultural Heritage Act 1995

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
30	Effect of order	GM	Nil
33	Application of Planning Act to heritage works is subject to this Part	GM	Nil
34	Legal status of heritage works if no certificate of exemption, &c.	GM	Nil
40(2)	Consideration, &c., of application under delegation	GM	Nil

Land Use Planning and Approvals Act 1993 - AA - Land Use Planning and Approvals Act 1993

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
73	Bonds and guarantees	GM	Nil
73(A)	Planning authority may enter into agreements	GM	Nil

Litter Act 2007 - AA - Litter Act 2007

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
8A	Ex-officio authorised officers	GM	<p>8A. Ex-officio authorised officers</p> <p>Each of the following persons is an authorised officer by virtue of his or her office:</p> <p>(a) the Director;</p> <p>(b) a general manager;</p> <p>(c) a police officer.</p> <p>Appointment by General Manager</p>
	Delegate all of its powers and functions under the Act including any regulations made under this Act to the General Manager.	GM	Nil

Local Government Act 1993 - AA - Local Government Act 1993

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
19 (3) (5)	Corporation of councils (common seal)	GM	The Council authorises the General Manager to sign documents that require affixing of the Common Seal and furthermore all use of the

Local Government Act 1993 - AA - Local Government Act 1993

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			Common Seal must be reported to the Council at its next Ordinary Meeting. * Archived Minute Ref. 83/2019.
124(1)	Instalment payments - To permit a ratepayer to pay rates by instalments	GM	Council authorisation is given for the General Manager to delegate this power to the Director Corporate Services and other employees approved by the General Manager, who are required from time to time to administer rate collections and payments. (i) To comply with the provisions of the Local Government Act 1993 relating to rates being paid by instalments. (ii) To comply with any policies and procedures of the Council relating to rates being paid by instalments.

Strata Titles Act 1998 - AA - Strata Titles Act 1998

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
6 (1A)	Lodgement of plan for registration Plan must be endorsed with a certificate of approval issued by the council for the area in which the site is situated.	GM	Nil
12 (2) (b)	Disposal of interest in common property Council's approval is required by law, a certificate issued under the authority of the council certifying that the transaction has been approved by the council	GM	Nil
14 (2) (ab)	Authority to issue certificate for easements, covenants and	GM	Nil

Strata Titles Act 1998 - AA - Strata Titles Act 1998

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	profits a pendre		
19 (2) (b) (ii)	Authority to issue certificate of approval for amendment	GM	Nil
23 (2) (d)	Authority to issue certificate of two or more strata plans in which the scheme is situated	GM	Nil
27 (2) (d)	Authority to approve and certify the cancelation of strata plan	GM	Nil
30	To issue certificate of approval for strata plan; amendment to plan; consolidation of plans; cancellation of plans	GM	Nil

Tasmania Archives Act 1983 - Archives Act 1983 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
S 10(1)	Preservation of State records Council is to keep proper records of the business of the local authority for which that relevant authority is responsible	GM	Nil
S 11	Transfer of State records to Archives office Council is to transfer state records to archives office.	GM	Nil
S 15(3)	Conditions may be imposed on the making of State archives available for public inspection. Giving of notice to State Archivist and the imposition of conditions for availability for inspection.	GM	Nil

Tasmania Building Act 2016 & Regulations 2016 - Building Act 2016			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s.269(1)	Recovery of performance costs If a person fails to perform the work required by an order, council may enter land or a building and perform the required work.	GM	Nil
s.269(2)	Recovery of performance costs Make an application to recover the cost of performing any work, and to impose a charge on land.	GM	Nil

Tasmania Burial and Cremation Act 2019 - Burial and Cremation Act 2019 (Tas)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	COUNCIL AS CEMETERY MANAGER The Council delegates the following functions and powers of the Council in its capacity as cemetery manager pursuant to the Burial and Cremation Act 2019 (except the setting of fees), to the General Manager and authorises the General Manager to delegate those functions and powers.	GM	The ultimate responsibility for the cemetery will remain with the Council, as cemetery manager.
29(1)(c)	COUNCIL AS CEMETERY MANAGER Interment otherwise than in cemetery The general manager's written permission (and the landholder's and Director of Public Health) is required to inter human remains otherwise than in a cemetery	GM	Nil

Tasmania Burial and Cremation Act 2019 - Burial and Cremation Act 2019 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
29(4)	COUNCIL AS CEMETERY MANAGER Interment otherwise than in cemetery The general manager must ensure Council keep a record of the proposed interment and ensure it is included on any s337 LGA certificate issued by Council	GM	Nil
29(5)	COUNCIL AS CEMETERY MANAGER Interment otherwise than in cemetery Permission given by the general manager under section 29(1)(c) may be subject to any conditions necessary to ensure that the proposed interment will not be prejudicial to public health or public safety.	GM	Nil
34(1)	COUNCIL AS CEMETERY MANAGER Duties and powers of cemetery managers Keep a cemetery in accordance with the Act so as not to be prejudicial to public health or public safety	GM	Nil
34(2)	COUNCIL AS CEMETERY MANAGER Duties and powers of cemetery managers Ensure that as far as reasonably practicable the cemetery is maintained to prevent it from falling into disrepair, or from being defaced or damaged. Rectify any disrepair or defacement as soon as possible	GM	Nil
34(4)	COUNCIL AS CEMETERY MANAGER Duties and powers of cemetery managers Keep all prescribed records (as per 2002 Act - see Sch 1 part 2)	GM	Nil
34(5)	COUNCIL AS CEMETERY MANAGER	GM	Nil

Tasmania Burial and Cremation Act 2019 - Burial and Cremation Act 2019 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Duties and powers of cemetery managers Permit any person access free of charge at any reasonable time		
34(7)	COUNCIL AS CEMETERY MANAGER Duties and powers of cemetery managers A cemetery manager may (a) improve, embellish and enlarge a cemetery under the management of that manager; and (b) restrict interments in any portion of the cemetery, except as may be required by an exclusive right of burial; and (c) take any other action as may be required for the reasonable management and maintenance of the cemetery	GM	Nil
39(1)	COUNCIL AS CEMETERY MANAGER Monuments, &c. The cemetery manager may permit any vault or grave to be made or dug, and any monument to be erected or placed, in any portion of the cemetery on payment of the fee which has been fixed for doing so	GM	Nil
39(2)	COUNCIL AS CEMETERY MANAGER Monuments, &c. The cemetery manager may determine the position of any monument to be erected or placed according to its description, size and character and having regard to the general plan for ornamenting the cemetery in an appropriate manner	GM	Nil
39(3)	COUNCIL AS CEMETERY MANAGER Monuments, &c. The cemetery manager may enter into an agreement for the maintenance of a vault, grave or monument	GM	Nil

Tasmania Burial and Cremation Act 2019 - Burial and Cremation Act 2019 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
40(1)	<p>COUNCIL AS CEMETERY MANAGER</p> <p>Requirement to remove monuments</p> <p>The cemetery manager may provide notice to require a person to take down or remove a monument or to render it safe, if a monument has been erected or placed contrary to the terms and conditions on which the permission to erect or place it was granted or, in the opinion of the cemetery manager, it is unsafe</p>	GM	Nil
40(3)(c)	<p>COUNCIL AS CEMETERY MANAGER</p> <p>Removal of certain monuments in cemeteries</p> <p>To make enquiries to find a person who erected or placed a monument</p>	GM	Nil
40(3)(d)	<p>COUNCIL AS CEMETERY MANAGER</p> <p>Removal of certain monuments in cemeteries</p> <p>Render the monument safe or take the monument down and remove</p>	GM	Nil
40(3)(e)	<p>COUNCIL AS CEMETERY MANAGER</p> <p>Removal of certain monuments in cemeteries</p> <p>Recover in a court the reasonable cost of rendering the monument safe or taking a monument down and removing it</p>	GM	Nil
40(6)	<p>COUNCIL AS CEMETERY MANAGER</p> <p>Removal of certain monuments in cemeteries</p> <p>Provide notice of the removal of a monument and arrange for it to be re-erected if there is an agreement pursuant to s.40(4) which</p>	GM	Nil

Tasmania Burial and Cremation Act 2019 - Burial and Cremation Act 2019 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	meets the requirements of the Act		
41(2)	<p>COUNCIL AS CEMETERY MANAGER</p> <p>Exclusive right of burial</p> <p>Grant an exclusive right of burial. Note: The cemetery manager must issue a certificate of exclusive right under the Burial and Cremation Regulations 2015 R37.</p>	GM	Nil
42(2)	<p>COUNCIL AS CEMETERY MANAGER</p> <p>Notifications of possible cemeteries</p> <p>The general manager of a council is to notify the regulator as soon as practicable after becoming aware land within municipal area is a cemetery or contains more than one monument and is not covered by an entry in the register (section 14)</p>	GM	Nil
52(1)(a)	<p>COUNCIL AS CEMETERY MANAGER</p> <p>Sale of Cemetery - Notice</p> <p>Cemetery manager must publish notice of intention (in prescribed form see s 52(2)) to sell cemetery</p>	GM	Nil
52(1)(b)	<p>COUNCIL AS CEMETERY MANAGER</p> <p>Sale of Cemetery - Notice to Exclusive right holders</p> <p>Cemetery manager must notify in writing each person who holds exclusive right of burial or other exclusive write of intention to sell cemetery</p>	GM	Nil
52(1)(c)	<p>COUNCIL AS CEMETERY MANAGER</p> <p>Sale of Cemetery - Certificate of Compliance</p> <p>Cemetery manager must apply for certificate of compliance in respect of proposed sale</p>	GM	Nil

Tasmania Burial and Cremation Act 2019 - Burial and Cremation Act 2019 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
53	COUNCIL AS CEMETERY MANAGER Sale of Cemetery - Audit Cemetery manager must ensure audit undertaken within 6 months of issue of notice of intention to sell	GM	Nil
57	COUNCIL AS CEMETERY MANAGER Notification of decision to not sell cemetery If cemetery manager, having given notice, decides not to sell cemetery they must notify regulator	GM	Nil
58(1)	COUNCIL AS CEMETERY MANAGER Cemetery disclosure document Cemetery manager must provide disclosure document to proposed purchaser	GM	Nil
61	COUNCIL AS CEMETERY MANAGER Notification to purchase of cemetery If Council purchases a cemetery it must give notice to the regulator of the transfer with 30 days of it occurring	GM	Nil
63	COUNCIL AS CEMETERY MANAGER Closure of cemeteries for reasons of public health or public safety The general manager may given notice to cemetery manager that the whole or portion of cemetery is to be closed	GM	Nil
64	COUNCIL AS CEMETERY MANAGER Intention to close (no internments for 50 years or more) - notice/apply	GM	Nil

Tasmania Burial and Cremation Act 2019 - Burial and Cremation Act 2019 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	The cemetery manager must give notice of intention to close and apply to regulator for approval		
65(1)(a)	COUNCIL AS CEMETERY MANAGER Intention to close cemetery (no internments for 50 years or more) If the regulator approves the closure the cemetery manager must notify the holder of exclusive rights.	GM	Nil
65(1)(b)	COUNCIL AS CEMETERY MANAGER Close cemetery (no internments for 50 years or more) On receipt of notification from the regulator of approval to close the cemetery manager may close the cemetery	GM	Nil
66	COUNCIL AS CEMETERY MANAGER Effect of closure of cemetery Cemetery manager must forward all records to the State archivist and may take steps in relation to altering or moving tombstones in accordance with this section	GM	Nil
67	COUNCIL AS CEMETERY MANAGER Exclusive rights of burial in closed cemetery Cemetery manager must enter into an agreement with a person who holds an exclusive right of burial in a closed cemetery, and take action as agreed and prescribed in this section	GM	Nil
68	COUNCIL AS CEMETERY MANAGER Actions by cemetery manager in closed cemeteries The cemetery manager may apply to the regulator for approval to lay out a closed cemetery as a park or garden, and take related steps	GM	Nil

Tasmania Burial and Cremation Act 2019 - Burial and Cremation Act 2019 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
70	<p>COUNCIL AS CEMETERY MANAGER</p> <p>Removal of grave etc or human remains in closed cemeteries</p> <p>A cemetery manager must not remove a grave etc or human remains from a closed cemetery without giving public notice and preparing the statement prescribed in this section</p>	GM	Nil
71	<p>COUNCIL AS CEMETERY MANAGER</p> <p>Application to reduce time to take action in closed cemetery</p> <p>A cemetery manager may apply to take action under ss 66 or 68 even though 100 years has not passed</p>	GM	Nil
72	<p>COUNCIL AS CEMETERY MANAGER</p> <p>When land ceases to be cemetery</p> <p>Council can sell land that has ceased to be a cemetery but must comply with this section in relation to persons who hold an exclusive right of burial</p>	GM	Nil
72(6)	<p>COUNCIL AS CEMETERY MANAGER</p> <p>When land ceases to be cemetery</p> <p>A cemetery manager must notify regulator after dealing with land under this section</p>	GM	Nil
73	<p>COUNCIL AS CEMETERY MANAGER</p> <p>Declaration land is not a cemetery</p> <p>If Council intends to sell land subject to a declaration under this section it must notify the prospective purchaser of matters specified in this section</p>	GM	Nil
82	<p>Crematoria</p> <p>Closure of crematorium - public health or public safety</p>	GM	Nil

Tasmania Burial and Cremation Act 2019 - Burial and Cremation Act 2019 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	The general manager may give notice that a crematorium is to be closed on a particular date if prejudicial to public health or safety		
84	Crematoria Monuments containing cremated remains The person in charge of the monument must give notice of intention to remove remains and comply with other obligations under this section	GM	Nil
85	Crematoria Granting of exclusive rights in relation to monuments The person in charge of a monument may grant exclusive rights to place cremated remains in that monument in accordance with this section	GM	Nil
86	Crematoria Closure of monument The person in charge of a monument to be closed must grant a holder of exclusive rights in the monument exclusive rights in another monument	GM	Nil

Tasmania Burial and Cremation Regulations 2015 - Burial and Cremation Regulations 2015 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	COUNCIL AS CEMETERY MANAGER The Council delegates the following functions and powers of the Council in its capacity as cemetery manager pursuant to the Burial and	GM	The ultimate responsibility for the

Tasmania Burial and Cremation Regulations 2015 - Burial and Cremation Regulations 2015 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Cremation Act 2019 (except the setting of fees), to the General Manager and authorises the General Manager to delegate those functions and powers.		cemetery will remain with the Council, as cemetery manager.
27	COUNCIL AS CEMETERY MANAGER Issue of certificate of exclusive right of burial The cemetery manager must issue a certificate of exclusive right of burial	GM	Nil
28	COUNCIL AS CEMETERY MANAGER Amendment of certificate of exclusive right of burial The cemetery manager may amend a certificate of exclusive right of burial	GM	Nil
29	COUNCIL AS CEMETERY MANAGER Cancellation or transfer of certificate of exclusive right of burial The cemetery manager may cancel or transfer a certificate of exclusive right of burial	GM	Nil
30(3)	COUNCIL AS CEMETERY MANAGER Permission to inter human remains A cemetery manager may grant or refuse permission to inter human remains in a cemetery. The permission may be subject to conditions. Notice of the grant or refusal of permission is to be given	GM	Nil
39	COUNCIL AS CEMETERY MANAGER Plan of cemetery	GM	Nil

Tasmania Burial and Cremation Regulations 2015 - Burial and Cremation Regulations 2015 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	A cemetery manager must keep a plan of the cemetery showing the graves and plots set aside in respect of an exclusive right of burial		
40	COUNCIL AS CEMETERY MANAGER Register of Instruments A cemetery manager must keep a register of instruments as set out in this section	GM	Nil
42	COUNCIL AS CEMETERY MANAGER Driving in cemeteries A cemetery manager can give reasonable directions to a driver which it is an offence not to obey	GM	Nil
44	COUNCIL AS CEMETERY MANAGER Power of cemetery manager in relation to graves and plots A cemetery manager may take certain action in cemeteries in relation to the appearance of the cemetery and public health and safety	GM	Nil
45	COUNCIL AS CEMETERY MANAGER Power of cemetery manager to approve permanent items A cemetery manager may approve certain items or classes of items that may be permanently affixed to or next to a grave or plot	GM	Nil
46(1)	COUNCIL AS CEMETERY MANAGER Power of cemetery manager to remove persons A cemetery manager may require a person to leave and not re-enter a cemetery as set out in this section	GM	Nil
46(3)	COUNCIL AS CEMETERY MANAGER Power of cemetery manager to remove persons	GM	Nil

Tasmania Burial and Cremation Regulations 2015 - Burial and Cremation Regulations 2015 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	A cemetery manager may use reasonable force to remove from a cemetery or prevent the entry of a person into a cemetery in contravention of a requirement under section 46(1)		
47	<p>COUNCIL AS CEMETERY MANAGER</p> <p>Duty of cemetery manager on removal of monument</p> <p>A cemetery manager must take photos as prescribed if removing a monument and provide the photos to the heritage council</p>	GM	Nil

Tasmania Dog Control Act 2000 - Dog Control Act 2000 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
9(1)	<p>Application for registration</p> <p>Power to receive application for the registration of a dog.</p>	GM	Nil
10(1)	<p>Registration disc</p> <p>On the registration of a dog, the general manager is to –</p> <p>(a) allocate a registration number to the dog; and</p> <p>(b) issue to the owner a disc or tag clearly and durably marked with -</p> <p>(i) the name of the council; and</p>	GM	Nil

Tasmania Dog Control Act 2000 - Dog Control Act 2000 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	(ii) the registration number of the dog; and (iii) the expiry date of registration		
12(2)	Cancellation of registration Power of cancellation of registration.	GM	Nil
15(1)	Register A general manager is to keep a register in respect of registered dogs	GM	Nil
15(4)	Register A general manager may amend or cancel any item in the register in respect of registered dogs	GM	Nil
15A(3)	Implanting of microchips Implanting of microchips on seized dogs	GM	Nil
19AA(2)	Collection and analysis of a sample from a dog A general manager who receives a request under subsection (1) in relation to a dog may authorise – (a) an approved person to collect a non-intimate sample from the dog; or (b) a veterinary surgeon to collect an intimate or non-intimate sample from the dog.	GM	Nil
19AA(5)	Collection and analysis of a sample from a dog A general manager may authorise a qualified person to conduct analysis of a sample that has been collected in accordance with subsection (2) .	GM	Nil
19A(2)	Subsequent attack by dangerous dog The general manager may destroy a dog seized and detained under subsection (1).	GM	* only under the instruction of the General

Tasmania Dog Control Act 2000 - Dog Control Act 2000 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			Manager
19A(3)	<p>Subsequent attack by dangerous dog</p> <p>The general manager, by notice in writing served on the owner of the dog, is to notify the owner of the general manager's decision to destroy the dog.</p>	GM	Nil
19AC(3)	<p>Collection and analysis of a sample from a dog</p> <p>A general manager who receives a request under subsection 19AC(2) in relation to a dog may authorise a veterinary surgeon to collect an intimate or non-intimate sample from the dog.</p>	GM	Nil
27	<p>Signs</p> <p>A council is to erect and maintain signs sufficient to identify any exercise area, training area, prohibited area or restricted area</p>	GM	Nil
29	<p>Declaration of particular dangerous dog</p> <p>A general manager can serve a notice on the owner of a dog declaring that dog to be a dangerous dog</p>	GM	Nil
30	<p>Guard dogs</p> <p>The owner of a dog used to guard premises that are not residential must notify the general manager, by notice in writing, that the dog is a guard dog</p>	GM	Nil
30	<p>Guard dogs</p> <p>On receipt of notification under s30(1) the general manager is to declare the dog to be a dangerous dog</p>	GM	Nil
30	<p>Guard dogs</p> <p>The general manager may revoke a dangerous dog declaration if dog is</p>	GM	Nil

Tasmania Dog Control Act 2000 - Dog Control Act 2000 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	no longer a guard dog and is not a dangerous dog		
32A(3)	Dangerous dogs and restricted breed dogs to be de-sexed and microchipped Receiving of copy of a veterinary surgeon's certificate, stating that the dog has been de-sexed or implanted with a microchip	GM	Nil
34	Dangerous dog or restricted breed dog missing, dying, &c. If a dangerous dog or a restricted breed dog goes missing, strays or dies, or is lost, sold or given away to another owner, the owner or a person on behalf of the owner of that dog must notify the general manager	GM	Nil
34A	Application for approval to transfer ownership of dangerous dog or restricted breed dog A person who wishes to have ownership of a dangerous dog or a restricted breed dog transferred to him or her (the "prospective owner") is to apply to the general manager of the municipal area in which the prospective owner normally resides for approval to transfer ownership of the dog	GM	Nil
34B	Offence to transfer ownership of dangerous dog or restricted breed dog without approval Written approval Provide written approval to sell, or otherwise transfer ownership of, a dangerous dog or a restricted breed dog	GM	Nil
35(2)	Seizure and detention of dogs at large If a dog is seized and its owner is identifiable, the general manager is to notify in writing the owner of the dog that – (a) the dog has been seized and detained; and (b) the owner may reclaim the dog	GM	Nil

Tasmania Dog Control Act 2000 - Dog Control Act 2000 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
35(3)	<p>Seizure and detention of dogs at large</p> <p>If, after 5 working days after the notice has been given to the owner, the owner does not reclaim the dog, the general manager may sell, destroy or otherwise dispose of the dog</p>	GM	Nil
35(4)	<p>Seizure and detention of dogs at large</p> <p>If a dog is seized and its owner is not identifiable, the general manager, not less than 3 working days after its seizure, may –</p> <p>(a) sell, destroy or otherwise dispose of the dog if it is not a dangerous dog or a restricted breed dog; or</p> <p>(b) destroy the dog if it is a dangerous dog or a restricted breed dog</p>	GM	Nil
35(5)	<p>Seizure and detention of dogs at large</p> <p>The general manager is to take reasonable steps and make reasonable inquiries to identify the owner of a dog</p>	GM	Nil
35(6)	<p>Seizure and detention of dogs at large</p> <p>The general manager may cause a dog that is seized under this section to be implanted in an approved manner with an approved microchip</p>	GM	Nil
39A(1)	<p>Destruction of dangerous dog if enclosure not suitable</p> <p>The general manager is not to release a dangerous dog to its owner unless the general manager is of the opinion that the owner has a suitable enclosure or satisfactory alternative arrangements have been made</p>	GM	Nil
39A(2)	<p>Destruction of dangerous dog if enclosure not suitable</p> <p>If the owner of a dangerous dog does not have an enclosure referred to in subsection (1), the general manager may, by notice in writing served on the owner, require the owner to build, or have built, such an enclosure within 28 days after service of the notice</p>	GM	Nil

Tasmania Dog Control Act 2000 - Dog Control Act 2000 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
39A(3)	<p>Destruction of dangerous dog if enclosure not suitable</p> <p>The general manager may extend the 28 day period to build the enclosure if of the opinion that sufficient progress towards the completion of the enclosure has been made</p>	GM	Nil
39A(4)	<p>Destruction of dangerous dog if enclosure not suitable</p> <p>If the owner does not build, or have built, a suitable enclosure within the period specified in the notice or such other period as the general manager allows or does not make satisfactory alternative arrangements for housing the dog, the general manager may destroy the dog</p>	GM	Nil
39A(5)	<p>Destruction of dangerous dog if enclosure not suitable</p> <p>Before destroying a dog under section 39A, the general manager must, by notice in writing served on the owner, notify the owner of the general manager's intention to destroy the dog</p>	GM	Nil
41(2)	<p>Attacking dogs</p> <p>A person who restrains a dog under subsection (1) is to notify the general manager as soon as possible</p>	GM	Nil
42(3)	<p>Destruction of dog</p> <p>If a dog destroyed under subsection 42(1) was wearing a registration disc or any other means of identification, the general manager is to notify the dog's owner in writing of –</p> <p>(a) the destruction of the dog; and</p> <p>(b) the reasons for the destruction</p>	GM	Nil
47(1)	<p>Complaints relating to nuisance</p> <p>A person may make a complaint to the general manager in respect of a dog that is a nuisance</p>	GM	Nil

Tasmania Dog Control Act 2000 - Dog Control Act 2000 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
48(1)	Investigation of complaint On receipt of a complaint, the general manager is to investigate the subject matter of the complaint.	GM	Nil
48(2)(a)	Investigation of complaint If the general manager considers that the complaint has substance, the general manager may institute proceedings for an offence under section 46	GM	Nil
48(2)(b)	Investigation of complaint If the general manager considers that the complaint has substance, the general manager is to refund the fee that accompanied the complaint to the complainant	GM	Nil
49A	Abatement notices If a general manager is satisfied that a dog is creating a nuisance, the general manager may serve an abatement notice on the owner or person apparently in charge of the dog	GM	Nil
51(1)	Application for licences A person can apply to the general manager for a licence to keep more than 2 dogs or more than 4 working dogs	GM	Nil
51(3)	Application for licences The general manager can require a licence applicant to give public notice of application for licence to keep several dogs	GM	Nil
52	Objections to licence The general manager is to receive objections from persons residing or owning land within 200m of the boundary of premises to which a licence relates	GM	Nil

Tasmania Dog Control Act 2000 - Dog Control Act 2000 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
54	Refusing application The general manager may refuse to grant an application in certain circumstances	GM	Nil
55(1)	Granting application The general manager may grant an application for a licence to keep several dogs in certain circumstances	GM	Nil
55(2)	Granting application The general manager may issue a licence that has been granted specifying certain matters	GM	Nil
57(2)	Renewal of licence Refusal to renew a licence if Act or any other Act not being complied with, the premise is causing a nuisance or it is in the public interest that the licence not be renewed	GM	Nil
58(1)	Cancellation of licence The general manager may cancel a licence in certain circumstances	GM	Nil
58(2)	Cancellation of licence The general manager must give notice and consider representations prior to cancelling a licence	GM	Nil
73(6)	Entering land Giving of notice of entering of land and seizure of dog	GM	Nil
75	Use of tranquiliser devices The general manager may authorise a person to use a tranquiliser device to subdue or apprehend a dog	GM	Nil

Tasmania Dog Control Act 2000 - Dog Control Act 2000 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
80(2)(a)-(c)	<p>Fees</p> <p>A general manager may</p> <p>(a) waive a fee;</p> <p>(b) refund part or all of a fee; or</p> <p>(c) discount a fee</p>	GM	Nil
81	<p>Payment by instalments</p> <p>A general manager may allow a fee to be paid by instalments or any other means the general manager may consider appropriate</p>	GM	Nil
82	<p>Delegation</p> <p>The general manager may delegate to any person any of his or her functions or powers under this Act, other than this power of delegation</p>	GM	Nil

Tasmania Environmental Management and Pollution Control Act 1994 - Environmental Management and Pollution Control Act 1994 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Sec 22 LGA	<p>Delegation (of functions or powers) by Council</p> <p>All of Council's powers and functions under the Environmental Management and Pollution Control Act 1994</p>	GM	Delegation given by Council to General Manager.
Sec 64 LGA	<p>Delegation (of functions or powers) by general manager</p> <p>All of Council's powers and functions under the Environmental Management and Pollution Control Act 1994, may be delegated</p>	GM	Authorisation given by Council to General Manager.

Tasmania Environmental Management and Pollution Control Act 1994 - Environmental Management and Pollution Control Act 1994 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Sec 20A	Duty of council to prevent or control pollution In relation to activities other than prescribed activities, a council must use its best endeavours to prevent or control acts or omissions which cause or are capable of causing pollution.	GM	Delegation given by General Manager to Director of Department and Authorised Officer.
Sec 20B	Council may ask Board to exercise powers A council may ask the Board, in respect of an activity that is not a level 2 activity or a level 3 activity, to exercise any of the Board's powers relating to the following: an environmental audit, an environmental improvement programme, an environmental agreement and lodgement of financial assurance.	GM	Delegation given by General Manager to Director of Department.
Sec 21	Council officers A council may appoint an employee of the council to be a council officer	GM	Delegation given by General Manager to Director of Department.
Sec 22 (1A)	Registers of environmental management and enforcement instruments A council must keep a register containing particulars of any environment protection noise issues and any amendment or revocation of any notice.	GM	Delegation given by General Manager to Director of Department. Council is original source of power.
Sec 23 (1) (2)	Trade secrets If it appears to the Board or a council that – (a) any information that could be kept as a trade secret would be available to the public; and (b) the release of that information would be likely to cause financial loss to any person – the Board or council must consult with that person before including the information on any register kept	GM	Delegation given by General Manager to Director of Department.

Tasmania Environmental Management and Pollution Control Act 1994 - Environmental Management and Pollution Control Act 1994 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	under this Act.		
Sec 24 (1)	Assessment of permissible level 1 activities Council must refer application to the Board if directed to do so	GM	Authorisation given by Council to General Manager.
S 25(1)(b)	Assessment of permissible level 2 activities Planning Authority to refer the application to the board as soon as practicable, but any case within 21 days, after the date of lodgement of the application.	GM	
Sec 25A (1D)(a)	Assessment of applications for permits that are combined with applications for planning scheme amendments Giving of notice to the applicant of the determination of the Board to refuse to grant a permit	GM	Delegation given by Planning Authority to General Manager
Sec 27AC (5)	Directions in relation to permits in respect of EL activities Notify the Board of the grant of the permit and provide to the Board a copy of the permit	GM	Delegation given by Planning Authority to General Manager
Sec 27AD	Minor variations of planning permit and relation to EL activities Application to the Board for approval to amend a planning permit	GM	Delegation given by Planning Authority to General Manager
Sec 43	Power to requires information Notify the Director, EPA of the issue of an emergency order and provide a copy of the order	GM	Delegation given by Planning Authority to General Manager

Tasmania Environmental Management and Pollution Control Act 1994 - Environmental Management and Pollution Control Act 1994 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Sec 44 (4)	<p>Environment protection notices</p> <p>Where an environment protection notice is issued by a council officer, the council must, as soon as practicable and in any event within 7 days, advise the Director in writing of that fact and of any amendment or revocation of the notice.</p>	GM	Delegation given by General Manager to Director of Department.
Sec 46(4)	<p>Registration of environment protection notices</p> <p>The Recorder of Titles must register the environment protection notice as if it were a dealing, within the meaning of the Land Titles Act 1980 , lodged in accordance with that Act</p>	GM	Delegation given by General Manager to Director of Department
Sec 47(1)	<p>Action on non-compliance with environment protection notice</p> <p>The Director or, in the case of an environment protection notice served by a council officer, the council may take any action required by an environment protection notice if the requirements of the notice are not complied with.</p>	GM	Nil
Sec 47 (3) (4)	<p>Action on non-compliance with environment protection notice</p> <p>The reasonable costs and expenses incurred by the Director or a council in taking action under this section may be recovered by the Director or the council as a debt from the person who failed to comply with the requirements of the environment protection notice.</p> <p>Where an amount is recoverable from a person under this section, the Director or the council may, by notice in writing to the person, fix a period, being not less than 28 days from the date of the notice, within which the amount must be paid by the person.</p>	GM	Delegation given by General Manager to Director of Department.

Tasmania Environmental Management and Pollution Control Act 1994 - Environmental Management and Pollution Control Act 1994 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Sec 48 (1)	<p>Civil enforcement proceedings</p> <p>Where – (a) a person has engaged, is engaging or is proposing to engage in conduct in contravention of this Act; or (b) a person has refused or failed, is refusing or failing or is proposing to refuse or fail to take any action required by this Act; or (c) a person has caused environmental harm by contravention of this Act, any other Act or the repealed Act –</p> <p>the Director, a council or a person who has, in the opinion of the Appeal Tribunal, a proper interest in the subject matter may apply to the Appeal Tribunal for an order.</p>	GM	Delegation given by General Manager to Director of Department. Council is original source of power.
Sec 61	<p>Reports in respect of alleged contraventions</p> <p>Where a person reports to the Director or a council an alleged contravention of this Act, the Director or the council must, at the request of the person, advise the person as soon as practicable of the action (if any) taken or proposed to be taken by the Director or the council in respect of the allegation.</p>	GM	
Sec 64	<p>Recovery of technical costs associated with prosecutions</p> <p>Where a person is convicted of an offence against this Act, the court may, on application by the Director or a council, order the convicted person to pay to the Director or the council the reasonable costs and expenses incurred by the Director or the council in the taking of any samples or the conduct of tests, examinations or analyses in the course of the investigation and prosecution of the offence.</p>	GM	
Sec 74	<p>Environmental Impact Assessment Principles</p> <p>An environmental impact assessment may be</p>	GM	Delegation given by General Manager to Director of

Tasmania Environmental Management and Pollution Control Act 1994 - Environmental Management and Pollution Control Act 1994 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	required when an environmentally relevant activity is proposed to be undertaken by the public or the private sector.		Department.
Sec 94(3)	Provisions relating to seizure Where a thing has been seized or made subject to a seizure order under this Division, the thing must, if it has been seized, be held pending proceedings for an offence against this Act related to the thing seized unless the Director, Commissioner or the council, as the case may require, on application, authorizes its release to the person from whom it was seized, or to any person who had legal title to it at the time of its seizure.	GM	Delegation given by General Manager to Director of Department.
Sec 103	Fees imposed by councils In accordance with the provisions of the Local Government Act 1993, a council may impose fees in relation to any function or service carried out by the council under this Act.	GM	Nil

Tasmania Food Act 2003 - Food Act 2003 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Sec 22 LGA	Delegations (of functions or powers) by Council	GM	Delegation given by Council to General Manager. <hr/> To exercise all of Council's powers and functions contained in the Food Act 2003.
Sec 64	Delegations (of functions or powers) by general	GM	Authorisation given by Council to

Tasmania Food Act 2003 - Food Act 2003 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
LGA	manager		General Manager. <hr/> To delegate all of Council's powers and functions to an authorised officer for the purposes of the Food Act 2003.
Sec 101 (2)	Appointment of authorised officers	GM	Appointment by Council to Environmental Health Officer. <hr/> Appointment by Council to General Manager
Sec 33	Making of order An order may be made by a relevant authority to prevent or reduce the possibility of a serious danger to public health or to mitigate the adverse consequences of a serious danger to public health.	GM	Delegation given by General Manager to Director.
Sec 34 (2)	Nature of order An order may be varied or revoked by the relevant authority who made the order.	GM	Delegation given by General Manager to Director.
Sec 50 (2)	Forfeiture of item Items forfeited under this section may be destroyed, sold or otherwise disposed of.	GM	Delegation by General Manager to Director and Environmental Health Officer.
Sec 52 (1)	Return of forfeited item Council must return an item that has not been destroyed as soon as possible to the person it was seized from.	GM	Delegation by General Manager to Director and Environmental Health Officer.
Sec 53 (4) (2) (3)	Compensation to be paid in certain circumstances The enforcement agency is to pay such compensation as is just and reasonable in relation	GM	Delegation by General Manager to Director and Environmental Health Officer.

Tasmania Food Act 2003 - Food Act 2003 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	to any item seized under this Part by an authorised officer appointed by it		
Sec 55	Enforcement agency entitled to answer application The enforcement agency is entitled to appear as respondent at the hearing of an application made under Section 54.	GM	Delegation by General Manager to Director and Environmental Health Officer.
Sec 68 (2) (3)	Compensation If there were no grounds for the issuing of an order, the enforcement agency that issued the order is to pay such compensation as is just and reasonable.	GM	Delegation by General Manager to Director.
Sec 83H	Priority classification system and frequency of auditing	GM	Delegation by General Manager to Director and Environmental Health Officer.
Sec 87 (1) (5) (6) (7)	Registration of food business The Council may register a food business which is located within it's municipal area. If the council grants an application for registration, it must issue the applicant with a certificate of registration that sets out the conditions, if any, to which the registration is subject. If the council refuses an application for registration, the council must give notice of the refusal in writing to the applicant setting out the reasons for the refusal.	GM	Delegation by General Manager to Director and Environmental Health Officer.
Sec 89 (3) (5)	Renewal of registration The council may, after considering an application for renewal of registration grant the application, with or without conditions; or refuse the application. If the council refuses an application for renewal of registration, the council must give	GM	Delegation by General Manager to Director and Environmental Health Officer.

Tasmania Food Act 2003 - Food Act 2003 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	notice of the refusal in writing to the applicant setting out the reasons for the refusal.		
Sec 91	Variation of conditions, or suspension or cancellation, of registration of food businesses The council of the municipal area in which the food business is registered may vary the conditions of, or suspend or cancel, the registration of a food business under this Part.	GM	Delegation by General Manager to Director and Environmental Health Officer.
Sec 94	Register of food businesses to be maintained The Council is required to prepare and maintain a list which contains notified food businesses, registered food businesses, and food businesses whose registration is renewed.	GM	Delegation by General Manager to Director and Environmental Health Officer.
Sec 97	Functions of councils A council is to – (a) take adequate measures to ensure that the provisions of this Act are complied with; and (b) carry out any other function the Minister or Director of Public Health determines.	GM	Delegation by General Manager to Director and Environmental Health Officer.
Sec 98 (4)	Power of Director of Public Health to order council to perform functions A council may request the Director of Public Health to exercise any of its powers or perform any of its functions at the council's expense.	GM	Delegation by General Manager to Director and Environmental Health Officer.
Sec 100 (1) (2)	Reports by councils The council is to report to the Director of Public Health on the performance of functions under this Act. In addition, the council is to forward to the Director of Public Health details of any proceedings for an offence under this Act taken by	GM	Delegation by General Manager to Director and Environmental Health Officer.

Tasmania Food Act 2003 - Food Act 2003 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	an officer, employee or agent of the council.		
Sec 104(1)	Institution of proceedings Proceedings for an offence under this Act may only be instituted by the Minister, an authorised officer, council, or Director of Public Health. They may only be instituted within 3 years after the date on which the offence is alleged to have been committed or within 120 days after the date on which a sample is obtained.	GM	Delegation by General Manager to Director.
Sec 118 (1)	Infringement notices An authorised officer or council may serve an infringement notice on a person, other than a person under the age of 16 years, if of the opinion that the person has committed a prescribed offence.	GM	Delegation by General Manager to Director.

Tasmania Heavy Vehicle National Law Act 2013 - Heavy Vehicle National Law Act 2013 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
118(1)(b)	Granting consent for exemption on mass or dimension restriction.	GM	Nil
124(1)(b)	Granting consent for exemption (permit) on mass or dimension restriction.	GM	Nil
145(1)(b)	Granting consent for a class 2 heavy vehicle authorisation	GM	Nil
156(2)	Asking the Regulator for a longer period to decide whether to grant	GM	Nil

Tasmania Heavy Vehicle National Law Act 2013 - Heavy Vehicle National Law Act 2013 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	consent for a mass or dimension authority		
156(6)	Providing written statement explaining road manager's reasons not to give consent for a mass or dimension authority	GM	Nil
156A	Decide whether to grant consent, after considering the specific matters in s.156A & provide written reasons to the Regulator for the decision in relation to consent	GM	Nil
158	Deal with a request for consent and decide to give or not give consent for a mass or dimension authority	GM	Nil
159(2)	Notifying the Regulator that route assessment is required by the road manager in deciding whether to give consent and the fee payable	GM	Nil
160(1)	Specifying road condition(s) to which the granting of consent is subject	GM	Nil
160(2)	Providing the Regulator with a written statement explaining the road manager's decision to grant consent subject to road conditions	GM	Nil
161(1)	Specifying travel condition(s) to which the granting of consent is subject	GM	Nil
161(2)	Providing the Regulator with a written statement explaining the road manager's decision to grant consent subject to road conditions	GM	Nil
162(2)	Requesting specified vehicle condition(s) be imposed on the mass or dimension authority	GM	Nil
167(2)(b)	Giving notice to the Regulator of objection to the application of this section [which provides for expedited process for renewal of mass or dimension authority]	GM	Nil

Tasmania Heavy Vehicle National Law Act 2013 - Heavy Vehicle National Law Act 2013 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
169	Giving consent to the grant of a mass or dimension authority for a trial period or no more than 3 months	GM	Nil
170	Provide the Regulator with a written objection to a renewal of a mass or dimension authority	GM	Nil
174(2)	Asking the Regulator to amend or cancel the mass or dimension authority granted by Commonwealth Gazette notice due to adverse effect of heavy vehicles	GM	Nil
176(4)(c)	Provide consent to an amendment of a permit for a mass or dimension authority	GM	Nil
178(2)	Asking the Regulator amend or cancel the mass or dimension authority granted by Commonwealth Gazette notice due to adverse effect of heavy vehicles	GM	Nil
645	Decide a review of a reviewable decision under the Act	GM	Nil

Tasmania Historic Cultural Heritage Act 1995 - Historic Cultural Heritage Act 1995 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
S 36(2)	Permit application to be sent to and considered by Heritage Council The relevant planning authority must give a copy of the permit application to the heritage council as soon as practicable after the application day.	GM	Nil
S 37	Procedure if Heritage Council requires additional information to consider	GM	Nil

Tasmania Historic Cultural Heritage Act 1995 - Historic Cultural Heritage Act 1995 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>permit application</p> <p>Planning authority must as soon as practicable require the applicant for a permit application to provide additional information required by the Heritage Council and provide it to the Heritage Council.</p>		
S 38	<p>Procedure if Heritage Council has no interest in permit application</p> <p>Planning authority determination of permits applications. Notifying the Heritage Council and applicants of determinations and representations.</p>	GM	Nil
S 39	<p>Procedure if the heritage council wishes to be involved in determining discretionary permit application</p> <p>Determining discretionary permit applications. Notifying the Heritage Council and Applicants of determinations and representations.</p>	GM	Nil
S 39A	<p>Procedure if Heritage Council wishes to be involved in determining combined permit application</p> <p>Determining combined permit applications. Notifying the Heritage Council and Applicants of determinations and representations.</p>	GM	Nil
S 39B	<p>Provision of further information to Heritage Council</p> <p>Provide any further information received from permit applicant to Heritage Council.</p>	GM	Nil
S 50	<p>Notification of Recorder of Titles</p> <p>Planning authority must lodge for registration with the Recorder of Titles notice of heritage agreements that come into effect or the variation or termination of a heritage agreement.</p>	GM	Nil
S 89	<p>Assistance to Heritage Council</p> <p>A planning authority is to give all reasonable assistance to the Heritage Council to enable it to perform its functions and exercise its powers.</p>	GM	Nil

**Tasmania Land Use Planning and Approvals Act 1993 - Land Use Planning and Approvals Act 1993
(Tas)**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
S.12C	<p>PART 2A</p> <p>TASMANIAN PLANNING POLICIES</p> <p>Consult with the Minister regarding a draft of the Tasmanian Planning Policies, on behalf of the planning authority</p>	GM	Delegation given by Council to General Manager
Part 3 Generally	<p>PART 3 PLANNING SCHEMES</p> <p>As a consequence of any decision by the Council to initiate preparation of a planning scheme or a planning scheme amendment or to provide its views and opinions on any representation received on a draft planning scheme or draft amendment:</p> <p>i) authority to give such advice, consultation, referral or notification as required under this Part;</p> <p>ii) authority to initiate public notification of a draft scheme or draft amendment;</p> <p>iii) authority to submit a draft scheme or a draft amendment for approval if no representations are received during the exhibition period;</p> <p>iv) authority to modify a draft planning scheme or draft amendment if only to correct any error, remove an anomaly, clarify or simplify a provision, remove any inconsistency with other regulation, make procedural changes or to bring the planning scheme into conformity with a mandatory planning instruction;</p> <p>v) represent the Council and to give evidence and make submissions before any hearing conducted by the Tasmanian Planning</p>	GM	Delegation & authority to delegate given by Council to General Manager

**Tasmania Land Use Planning and Approvals Act 1993 - Land Use Planning and Approvals Act 1993
(Tas)**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Commission.		
Part 3A Generally	<p>LOCAL PLANNING SCHEDULE (LPS)</p> <p>In accordance with a decision of the planning authority (or a requirement of the Minister) to</p> <ul style="list-style-type: none"> a) prepare a draft LPS under s35; b) indicate its views and opinions in relation to each representation received on a draft LPS; c) indicate its satisfaction that a draft LPS meets the criteria in s34; d) make recommendations in relation to how a draft LPS should be determined in accordance with s35F; and e) conduct and respond on a review of the LPS 	GM	Delegation & authority to delegate given by Council to General Manager
Part 3A Generally Continued	<p>LOCAL PLANNING SCHEDULE (LPS)</p> <p>The following functions and powers of the planning authority are delegated –</p> <ul style="list-style-type: none"> a) prepare the required documentation for a draft LPS; b) submit the draft LPS to the Tasmanian Planning Commission (TPC) under s35(1); c) make any modifications to the draft LPS which may be instructed by the TPC under s35(5)(b); d) give notice under s35C of the exhibition of a draft LPS, including for any instruction issued by the TPC under s35B; e) undertake exhibition of the draft LPS in accordance with s35D; f) provide a report to the TPC pursuant to 	GM	

**Tasmania Land Use Planning and Approvals Act 1993 - Land Use Planning and Approvals Act 1993
(Tas)**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>s35F;</p> <p>g) prepare and submit any modifications required by the TPC to a draft LPS in accordance with s35K;</p> <p>h) give notice in accordance with s35M(2) of the approval of the LPS;</p> <p>i) provide a report to the TPC on the outcomes of a review of the LPS conducted by the planning authority in accordance with s35O, including provide notice of the review and receive comments from the public pursuant to s35P</p>		
Division 7	Special local provisions schedules	GM	Delegation & authority to delegate given by Council to General Manager
Part 3B General	<p>AMENDMENT OF THE LPS</p> <p>In accordance with a decision of the planning authority in relation to –</p> <p>a) preparation of a draft amendment to the LPS under s38 or 40D;</p> <p>b) preparation of a draft amendment under s38 and a draft permit under s40Y; and</p> <p>c) its views and opinions in relation to each representation received on a draft LPS and on any draft permit;</p> <p>d) its satisfaction that the draft LPS meets the criteria in s34; and</p> <p>e) recommendations in relation to how the draft LPS should be determined in accordance with s35F;</p>	GM	Delegation & authority to delegate given by Council to General Manager
Part 3B	AMENDMENT OF THE LPS	GM	Nil

**Tasmania Land Use Planning and Approvals Act 1993 - Land Use Planning and Approvals Act 1993
(Tas)**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
General Continued	<p>The following functions and powers of the planning authority are delegated –</p> <ul style="list-style-type: none"> a) give notice in accordance with s38(3) of a decision in relation to a request to initiate a draft amendment to the LPS; b) give notice in accordance with s40W of a decision under 40Y in relation to a request to consider a permit in combination with a request to initiate a draft amendment to the LPS; c) request additional information under s40 and s40U; d) provide any material requested by the TPC in accordance with s40A, 40B, or 40V; e) prepare the draft LPS amendment documents; f) certify a draft amendment to the LPS in accordance with s40F; "g) give notice in accordance with s40G of the exhibition of a draft amendment to the LPS, and including any exhibition of a permit application under s40Z; h) undertake exhibition of the draft amendment to the LPS in accordance with s40H, and including any permit application approved under 40Y; i) provide a report to the TPC in accordance with s40K and s42 if there are no representations making objection on the draft amendment to the LPS and to any permit application requested under 40T; j) provide a report to the TPC in accordance with s40K and s42 in relation to the planning authority's – 		

**Tasmania Land Use Planning and Approvals Act 1993 - Land Use Planning and Approvals Act 1993
(Tas)**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>i. views and opinions on each representation received during the exhibition period;</p> <p>ii. compliance to s34; and</p> <p>iii. its recommendations on how the draft LPS or the permit application under 40T should be determined;</p> <p>"k) make modifications to a draft LPS amendment if instructed by the TPC in accordance with s40O or 40P;</p> <p>l) re-exhibit a modified draft amendment to the LPS under s40G and 40H if instructed by TPC in accordance with s40P;</p> <p>m) give notice of an approved amendment to the LPS in accordance with s40S;</p> <p>n) grant an extension of time under s42C for a permit granted under s42B;</p> <p>o) correct a mistake under s42D in a permit granted under s42B; and</p> <p>p) make minor amendments in accordance with s43 to a permit granted under s42B</p>		
Part 4 Generally	<p>PART 4 ENFORCEMENT OF PLANNING CONTROL</p> <p>Authority to require the making of a permit application and to undertake actions and proceedings in pursuance of the Council's obligations as a planning authority to observe and enforce compliance of a planning scheme; including –</p> <p>i) to give such advice, consultation, referral or notification as required under this Part;</p> <p>ii) to represent the Council and to give</p>	GM	Delegation given by Council to General Manager and Director of Department.

**Tasmania Land Use Planning and Approvals Act 1993 - Land Use Planning and Approvals Act 1993
(Tas)**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>evidence before the Resource Management and Planning Appeal Tribunal in respect of any appeal against a decision on a planning permit;</p> <p>iii) to initiate legal proceedings for any use of land, development or act if:-</p> <ul style="list-style-type: none"> - contrary to a State Policy, planning scheme or special planning scheme; - an obstruction of a planning scheme or special planning scheme; or - a breach of a condition or restriction of a planning permit. 		
S.40G	<p>Notice of exhibition</p> <p>A planning authority, as soon as practicable after providing to the Commission under section 40F(4) a copy of a draft amendment of an LPS or receiving under section 35KB(4)(b)(i) a notice in relation to a draft amendment of an LPS, must ensure an exhibition notice in relation to the draft amendment of an LPS is published in accordance with this section, unless the planning authority receives a notice under section 40I(1) in relation to the draft amendment.</p>	GM	Nil
S.40U	<p>Additional information</p> <p>A planning authority, within 28 days from the day on which it receives from a person an application for a permit, may, by notice in writing, require the person to provide to the planning authority additional information before it considers the application.</p>	GM	Nil

**Tasmania Land Use Planning and Approvals Act 1993 - Land Use Planning and Approvals Act 1993
(Tas)**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
S.43(2)	Minor amendment of permit The planning authority may amend or refuse to amend the permit.	GM	Nil
S.43(6)	Minor amendment of permit If the planning authority amends a permit, it must, by notice in writing served on the following persons, notify them of the amendment: (a) the applicant for the amendment; (b) the owner of the land; (c) any person or body who or that made a representation; (d) the owner or occupier of any property which adjoins the land to which the permit relates.	GM	Nil
S.43(7)	Minor amendment of permit If the planning authority amends a permit that contains a condition or restriction that the Board of the Environment Protection Authority has required under section 25(5) of the Environmental Management and Pollution Control Act 1994 , the planning authority must, by notice in writing served on the Board, notify it of the amendment.	GM	Nil
S.43(9)	Minor amendment of permit If the planning authority amends a permit in respect of which the Commission has modified, deleted or added conditions or restrictions, the planning authority must, by notice in writing served on the Commission, notify it of the amendments made to the permit.	GM	Nil

**Tasmania Land Use Planning and Approvals Act 1993 - Land Use Planning and Approvals Act 1993
(Tas)**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
S.43(10)	<p>Minor amendment of permit</p> <p>If the planning authority amends a permit containing a condition or restriction which the Heritage Council has specified, the planning authority must, by notice in writing served on the Heritage Council, notify the Council of the amendment.</p>	GM	Nil
S.48AA	<p>Enforcement of major project permits</p> <p>A planning authority must, within the ambit of its power, enforce the observance of any condition or restriction to which a major project permit is subject.</p>	GM	Nil
s.48A	<p>Notice to remove signs</p>	GM	Nil
S.51	<p>Permits</p> <p>A person must not commence any use or development which requires a permit unless the planning authority which administers the scheme, the Commission, or the Tribunal, has granted a permit in respect of that use or development and the permit is in effect or a major project permit has been granted in respect of that use or the development and the permit is in effect.</p>	GM	Nil
S.52(1B)	<p>What if applicant is not the owner?</p> <p>If land in respect of which an application for a permit is required is Crown land, is owned by a council or is administered or owned by the Crown or a council and a planning scheme does not provide otherwise, the application must – (a) be signed by the Minister of the</p>	GM	Delegation given by General Manager to Director of Department. Original source of authority is General Manager.

**Tasmania Land Use Planning and Approvals Act 1993 - Land Use Planning and Approvals Act 1993
(Tas)**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Crown responsible for the administration of the land or by the general manager of the council; and (b) be accompanied by the written permission of that Minister or general manager to the making of the application.		
S.53(5A)	When does a permit take effect? Where a planning authority grants a permit, the permit takes effect on the day on which it is granted by the authority or, where there is a right of appeal against the granting of the permit, at the expiration of 14 days from the day on which the notice of the granting of the permit was served on the person who has the right of appeal.	GM	
S.54	Additional information A planning authority that receives an application for a permit (other than a permit referred to in section 40T) may require the applicant to provide it with additional information before it considers the application.	GM	Delegation given by Council to General Manager and Director of Department. Original source of authority is Planning Authority.
S.55	Correction of mistakes A planning authority may correct a permit granted by it if the permit contains – (a) a clerical mistake or an error arising from any accidental slip or omission; or (b) an evident material miscalculation of figures or an evident material mistake in the description of any person, thing or property referred to in the approval.	GM	Delegation given by Council to General Manager and Director of Department. Original source of authority is Planning Authority.
S.56	Minor amendments of permits issued by a planning authority	GM	Delegation given by Council to General Manager and Director of

**Tasmania Land Use Planning and Approvals Act 1993 - Land Use Planning and Approvals Act 1993
(Tas)**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	s 56(1A): planning authority that receives a request under ss(1) for amendment to permits, (a) within 28 days after the request was received, amend, or refuse to amend the permit and (b) must within 7 days (i) after amending the permit or (ii) after refusing to amend the permit, give notice of the refusal to the person who made the request		Department. Original source of authority is Planning Authority.
S.57(2)	Applications for discretionary permits The planning authority may, on receipt of an application for a permit to which this section applies, refuse to grant the permit	GM	Delegation given by Council to General Manager and Director of Department. Original source of authority is Planning Authority. If the proposed use or development is prohibited by the scheme.
S.57(3)	Applications for discretionary permits Unless the planning authority requires the applicant to give notice, the authority must give notice, as prescribed, of an application for a permit.	GM	Delegation given by Council to General Manager and Director of Department. Original source of authority is Planning Authority.
S.57(5)	Applications for discretionary permits Any person may make representations relating to the application during the period of 14 days commencing on the date on which notice of the application is given or such further period not exceeding 14 days as the planning authority may allow.	GM	
S.57(6)	Grant a discretionary permit with or without conditions	GM	Delegation given by Council to General Manager and Director of Department. Original source of authority is Planning Authority.

**Tasmania Land Use Planning and Approvals Act 1993 - Land Use Planning and Approvals Act 1993
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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			<p>If -</p> <p>a) there are no representations making objection to grant of a permit; or</p> <p>b) there are representations making objection on grounds that are not matters applicable for determination of the permit application</p>
S.57(6A)	<p>Applications for discretionary permits</p> <p>A further period agreed to by a planning authority and an applicant may be extended or further extended by agreement, in writing, between the planning authority and applicant at any time before the expiration of the period to be extended and, when so extended, is taken to be the further period referred to in that subsection.</p>	GM	<p>Delegation given by Council to General Manager and Director of Department. Original source of authority is Planning Authority.</p>
S.57A	Mediation	GM	<p>Delegation given by Council to General Manager and Director of Department. Original source of authority is Planning Authority.</p> <p>Authority to undertake mediation on any appeal arising out of a decision on a planning permit and to bind Council to agreements within the mediation on any matter that the Council has a proper power relevant to the permit application under LUPAA</p>
S.58	<p>Application for other permits</p> <p>This section applies to an application for a permit in respect of a use or development for which, under the provisions of a planning</p>	GM	<p>Delegation given by Council to General Manager and Director of Department. Original source of authority is Planning Authority.</p>

**Tasmania Land Use Planning and Approvals Act 1993 - Land Use Planning and Approvals Act 1993
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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	scheme, a planning authority is bound to grant a permit either unconditionally or subject to conditions or restrictions.		Grant of a permit if the use or development complies to all applicable regulatory requirements
S.59	<p>Failure to determine an application for a permit</p> <p>Notwithstanding the provisions of this Division, a planning authority may make a decision on an application for a permit to which section 57 or 58 applies at any time before the lodging of an application.</p>	GM	<p>Delegation given by Council to General Manager and Director of Department. Original source of authority is Planning Authority.</p> <p>Subject to the same qualifications as applied to a S.57 decision.</p>
S 60	Council responding and issuing notices relating to compliance with certain permit conditions	GM	Nil
S 60H(3)	<p>Minister may request information from council or relevant state entity</p> <p>A council, to which a notice is given under subsection (1) is to take all reasonable steps to provide to the Minister, within the period specified in the notice, the information specified in the notice.</p>	GM	Nil
S 60I(3)	<p>Council to give notice in relation to eligibility of major project proposals</p> <p>A council that is provided under this section with a major project proposal may notify the Minister, in writing within 28 days, and advise the Minister why the project is not a major project.</p>	GM	Nil
S 60S(4)(b)	Refund of ordinary permit where declaration of major project is made	GM	Nil

**Tasmania Land Use Planning and Approvals Act 1993 - Land Use Planning and Approvals Act 1993
(Tas)**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	The planning authority to which the application was made must, as soon as practicable, refund to the applicant half of any fees that the applicant has paid in respect of the application.		
S 60ZX(1)	Provision to Panel of further information A person to whom a request is made under section 60ZW(1) is to take all reasonable steps to provide to the Panel, as soon as practicable the information specified in the request.	GM	Nil
S.61	Appeals against planning decision	GM	Delegation given by Council to General Manager and Director of Department. Original source of authority is Planning Authority. Not if the decision of the Council is contrary to the written recommendation.
S.63	Obstruction of sealed schemes Initiate legal proceedings for obstruction of a planning scheme	GM	Delegation given by Council to General Manager and Director of Department. Original source of authority is Planning Authority.
S.63B(3)	Notice of suspected contravention, &c., may be given If a notice in relation to a contravention or failure, or likely contravention or failure, is given by to a planning authority, the planning authority must issue a notice in writing to the person as soon as practicable.	GM	Delegation given by Council to General Manager and Director of Department. Original source of authority is Planning Authority.

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
S.64	<p>Civil enforcement proceedings</p> <p>Where a person contravenes or fails or is likely to contravene or fail to comply with a provision of this Part, a person, other than the Commission or a planning authority, who has, in the opinion of the Appeal Tribunal, a proper interest in the subject matter may apply to the Appeal Tribunal for an order.</p>	GM	Delegation given by Council to General Manager and Director of Department. Original source of authority is Planning Authority.
S.65B(5)	<p>Notice of intention to issue enforcement notice</p> <p>The planning authority must notify in writing an owner of land, in relation to which a notice of intention to issue an enforcement notice is served under subsection (1), if the person on whom the notice is served is not the owner of the land.</p>	GM	Nil
S.65G	<p>Cancellation of permits</p>	GM	Delegation given by Council to General Manager and Director of Department. Original source of authority is Planning Authority.
S. 65I(2)	<p>Authorised officers</p> <p>A general manager of a council may authorise a person to be, for the purposes of this Act, an authorised officer in respect of the municipal area of the council.</p>	GM	Nil
Part 4 Generally	<p>Enforcement of planning control</p> <p>Authority to represent the planning authority or to appoint a person to represent the planning authority and to give evidence, on a</p>	GM	Delegation given by Council to General Manager and Director of Department. Original source of authority is Planning Authority.

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	planning appeal or other action, including any mediation, before the Resource Management and Planning Appeals Tribunal or any other body of competent jurisdiction.		Except where the Council makes such decision contrary to the written advice or recommendation of the Director Land and Environmental Services.
S.71	PART 5 AGREEMENTS Planning authority may enter into agreements	GM	Includes authority to negotiate the terms, conditions and duration of an agreement, with the condition that the final approval of an agreement shall be given by the General Manager.
S.74(3)	Duration of agreement An agreement may be ended by the planning authority with the approval of the Commission or by agreement between the authority and all persons who are bound by any covenant in the agreement.	GM	Delegation given by Council to General Manager and Director of Department. Original source of authority is Planning Authority.
S.75	Amendment of agreements	GM	Delegation given by Council to General Manager and Director of Department. Original source of authority is Planning Authority.
S.76	Agreement to be lodged with Commission	GM	Delegation given by Council to General Manager and Director of Department. Original source of authority is Planning Authority.
S.78	Registration of agreements, &c.	GM	Delegation given by Council to General Manager and Director of Department. Original source of authority is Planning Authority.

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Schedule 6	Savings and Transitional Provisions - Land Use Planning and Approvals Amendment (Tasmanian Planning Scheme) Act 2015	GM	<p>NOTE 1: The transitional provisions in Schedule 6 provide for the transition from the current process under LUPAA and the current schemes to the Tasmanian Planning Scheme and the processes in the new LUPAA</p> <p>NOTE 2: Planning Schemes remain in operation until the Local Provision Schedules come into effect</p> <p>NOTE 3: Where an application to amend a Scheme has been made prior the amended LUPAA coming into effect 17 December 2015 then the previous legislation continues to operate for the purposes of that legislation until the Local Provision Schedules come into effect. The provisions of the previous legislation are set after these notes and the Schedule 6 provisions and are shaded.</p> <p>NOTE 4: Where an application to amend a Scheme has been made prior the amended LUPAA coming into effect 17 December 2015 but has not been approved prior to the Local Provision Schedules come into effect the situation is different. In that case the provisions of the amended LUPAA apply. Council's have additional powers to alter a draft amendment in that situation as set out below under Sch 6(4) and (5).</p>
34(1)	Initiate amendment of planning scheme	GM	Delegation given by Council to General Manager

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
34(3)	Withdrawal of amendment of planning scheme	GM	Delegation given by Council to General Manager
34(4)	Notice of Withdrawal of amendment of planning scheme	GM	Delegation given by Council to General Manager
38(1)	Public exhibition of draft amendment	GM	Delegation given by Council to General Manager
39(2)	Representations to be provided to Commission in respect of draft amendments	GM	Delegation given by Council to General Manager
43J	Correction of mistake in permits referred to in s43H	GM	Delegation given by Council to General Manager
43K	Minor amendment of permits referred to in section 43H	GM	Delegation given by Council to General Manager

Tasmania Land Use Planning and Approvals Regulations 2014 - Land Use Planning and Approvals Regulations 2014 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Reg. 5	Notice of approval of Local Provisions Schedule	GM	Delegation given by Council to General Manager
Reg. 7	Advertisement of exhibition of draft amendment, &c (to a planning scheme)	GM	Delegation given by Council to General Manager
Reg. 8A	Notice of approval of Local Provisions Schedule	GM	Delegation given by Council to General Manager

Tasmania Land Use Planning and Approvals Regulations 2014 - Land Use Planning and Approvals Regulations 2014 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Reg. 9	Notice of application for permit	GM	Delegation given by Council to General Manager

Tasmania Litter Act 2007 - Litter Act 2007 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
S 8	Power of councils to appoint employees as authorised officers The general manager of a council may appoint an employee of the council to be an authorised officer for the purposes of this Act.	GM	This is an authorisation by the general manager to appoint an authorised officer.

Tasmania Local Government (Building and Miscellaneous Provisions) Act 1993 - Local Government (Building and Miscellaneous Provisions) Act 1993 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Sec 22 LGA	Delegation (of functions or powers) by Council	GM	Delegation given by Council to General Manager.
Sec 64 LGA	Delegation (of functions or powers) by general manager	GM	Authorisation given by Council to General Manager.
S.83	Approval of plan of subdivision.	GM	Delegation given by General Manager.
S.84	Council not to approve subdivision If – (a) any proposed lot has not the qualities of a	GM	Delegation given by General Manager.

**Tasmania Local Government (Building and Miscellaneous Provisions) Act 1993 - Local Government
(Building and Miscellaneous Provisions) Act 1993 (Tas)**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>minimum lot; or (b) it includes any lot or other block of land smaller than is required or permitted by a finally approved planning scheme; or</p> <p>(c) the subdivision includes any road or other works whereby drainage will be concentrated and discharged into any drain or culvert on or under any State highway</p>		
S.85	<p>Refusal of application for subdivision</p> <p>The council may refuse to approve a plan of subdivision if it is of the opinion the roads will not suit public convenience or the drainage of the roads will not be satisfactorily carried off amongst other things.</p>	GM	Delegation given by Council
S.86	<p>Security for payment</p> <p>Before approving a plan of subdivision, the council may</p> <p>(a) require security for payments and the execution of works; and</p> <p>(b) refuse to approve the application until such security is given.</p>	GM	Delegation given by General Manager.
S.89	<p>Approval of final plans</p> <p>The Council has 20 (business) days from the lodgment of final plans to make a determination on whether they comply.</p>	GM	Delegation given by Council
S.91 (3)	<p>Corrections to final plans</p> <p>The council or owner may object to the making of any correction within 7 days of receiving a notice under subsection (2).</p>	GM	Delegation given by Council
S.92	<p>Amendments to final plans</p> <p>If the Recorder of Titles under section 89 (5) requires</p>	GM	Delegation given by Council

**Tasmania Local Government (Building and Miscellaneous Provisions) Act 1993 - Local Government
(Building and Miscellaneous Provisions) Act 1993 (Tas)**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	an amendment to a final plan, the council if it considers that the amendment should not be approved, is to withdraw the plan and return it to the owner; or in any other case, notify the Recorder and the owner that it does not oppose the amendment.		
S.93	<p>Cancellation of final plans</p> <p>The council is to cancel its seal on a final plan if the plan is withdrawn from the Recorder of Titles; or the plan is rejected by the Recorder of Titles. The council is to return a plan cancelled under subsection (1) to the owner.</p>	GM	Delegation given by Council
S.96	<p>Dedication as highway</p> <p>If a sealed plan shows provision for widening or deviating a way on, or adjoining, land comprised in the plan, an obligation runs with that land to dedicate it as a highway if required to do so by the highway authority.</p>	GM, DIS	Delegation given by General Manager.
S.103	<p>Amendment of sealed plans</p> <p>When a plan has taken effect, it may be amended by the council of its own motion.</p>	GM	Delegation given by Council
S.104 (1)	Hearing in respect of amendment of plans	GM	Delegation given by General Manager.
S.105(2)	<p>Compensation in respect of amendments</p> <p>If compensation is payable under subsection (1) , the council may recover against the petitioner and any person heard or asking to be heard in support of the amendment to the extent to which they benefited by the amendment.</p>	GM	Delegation given by Council

**Tasmania Local Government (Building and Miscellaneous Provisions) Act 1993 - Local Government
(Building and Miscellaneous Provisions) Act 1993 (Tas)**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
S.107	<p>Access orders</p> <p>If the council considers that work of a substantial nature is needed to provide access for vehicles from a highway onto the block, it may refuse to seal the final plan under which the block is created until the owner has carried out the work specified in the order within the specified period or given the council security for carrying out that work if called upon by it to do so.</p>	GM	Delegation given by General Manager.
S.109 (6)	<p>Minimum lots</p> <p>If land may be used only as a place of business the restriction on its use – (a) is to be set out above the council's seal on the final plan of the subdivision; and (b) is enforceable by the council</p>	GM	Delegation given by General Manager.
S.110	<p>Adhesion orders</p> <p>The council may make an adhesion order if a block (a) has the qualities of a minimum lot; and (b) comprises 2 parcels or more that may, without the approval of any plan by the council, lawfully be sold separately so as to create a block which (i) would not have the qualities of a minimum lot; and (ii) is, or in the opinion of the council is likely to be, built on or bought for building.</p>	GM	Delegation given by General Manager.
S.112	<p>Purposes for which plan approved</p> <p>The council is to state on the plan one of the following purposes for which the plan is approved:</p> <p>(i) for the purpose of enabling the approved lot to form a single parcel;</p> <p>(ii) for the purpose of enabling a purchaser to acquire all the sub-minimum lots which together form the minimum lot shown on the plan;</p> <p>(iii) for the purpose of enabling the portions of the approved lot to form a single parcel or for enabling a</p>	GM	Delegation given by General Manager.

**Tasmania Local Government (Building and Miscellaneous Provisions) Act 1993 - Local Government
(Building and Miscellaneous Provisions) Act 1993 (Tas)**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	purchaser to acquire all the sub-minimum lots which together are to form the minimum lot, as well as for the purpose of giving effect to the subdivision		
S.113(4)	Bringing land under Land Titles Act 1980 If a plan of subdivision approved by the council and lodged in the office of the Recorder of Titles includes any adjoining land to be added that is not under the provisions of the Land Titles Act 1980 , the Recorder is not to take any further action upon the plan until applications to bring the land under those provisions have been made under section 11 of that Act .	GM	Delegation given by General Manager.
S.115	Exemption Council may exempt a subdivision from the operation of this Part.	GM	Delegation given by General Manager.
S.116	Limitation on requirement for public open space If the council requires an owner to increase the area for public open space so that the value of the total area approved for open space in the final plan exceeds the value of the area provided for open space in the plan of subdivision; or having failed to approve a plan for subdivision on a ground that the layout should be altered to include or omit public open space, subsequently approves a fresh plan in which the value of the total area of land reserved for public open space exceeds the value of all such land in the original plan – and the value of the area reserved for open space in the plan also exceeds the value of one-twentieth of the whole area comprised in the plan of subdivision, the council must purchase the excess as provided in this section.	GM	Delegation given by Council

**Tasmania Local Government (Building and Miscellaneous Provisions) Act 1993 - Local Government
(Building and Miscellaneous Provisions) Act 1993 (Tas)**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
S.117	Payment instead of increasing public open space Instead of requiring an owner to increase the area for public open space, the council, before approving a plan of subdivision may require security for the payment of an amount	GM	Delegation given by General Manager.
S.118	Council schemes Before the council disposes of lands in circumstances in which, if the disposition were that of a private person the plan would require approval under this Part, it is to prepare a plan of subdivision that it would approve if it were a private person's plan.	GM	Delegation given by General Manager.
Part 7	Long Service Leave and Employees Assurance Scheme	GM	Delegation given by General Manager.
241(1)	Preservation orders A council, on the recommendation of the National Trust of Australia (Tasmania) may by order – (a) prohibit the demolition of a building that is by itself or with others of historical or architectural interest or of special beauty; and (b) prohibit the alteration of or adding to the building except as the council may approve; and (c) require the owner to keep the building in good and tenantable repair.	GM	Delegation given by General Manager.
243	Preservation order is enforceable A preservation order – (a) operates as a covenant between the owner and the council that the owner, executors, administrators and assigns will comply with the order; and (b) runs with the land in equity; and (c) is enforceable by the council as if it were owner of all other lands in the municipal area and the tenants were natural persons holding of the council for life.	GM	Delegation given by General Manager.

**Tasmania Local Government (Building and Miscellaneous Provisions) Act 1993 - Local Government
(Building and Miscellaneous Provisions) Act 1993 (Tas)**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
S.244	<p>Registering preservation order</p> <p>On receipt of a sealed copy and certificate under subsection (1) the Recorder of Titles is to –</p> <p>(a) register the preservation order by entering a memorial on the folio of the Register identified by the certificate; and</p> <p>(b) endorse the memorial on the folio of the Register, under the Land Titles Act 1980, for the land.</p>	GM	Delegation given by General Manager.
S.246	<p>Advertising hoardings</p> <p>A person must not, within a municipal area, erect, put up, place or use or permit to be erected, put up, placed or used, any hoarding or similar structure for advertising purposes without a licence from the council.</p>	GM	Delegation given by General Manager.
S.247	<p>Removal of advertising hoardings</p> <p>Council may issue or refuse a licence to any person.</p>	GM	Delegation given by Council

**Tasmania Local Government (General) Regulations 2005 - Local Government (General) Regulations
2005 (Tas)**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
R.23 (2)(3)(4)(5)	<p>Public tenders</p> <p>A council, through a public tender process, may establish a standing contract in which a single tenderer or multiple tenderers may be contracted for a specified period to provide specified goods or services during that period without the need for a further tender process.</p>	GM	<p>Delegation given by Council (as original source of power) to General Manager.</p> <hr/> <p>The General Manager must invite tenders for any contract it intends to enter into for the supply or provision of goods and services as prescribed</p>

Tasmania Local Government (General) Regulations 2005 - Local Government (General) Regulations 2005 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			under Local Government Regulations 23 (2)(3)(4)(5).
R.24	<p>Open tenders</p> <p>The general manager is to ensure that prospective tenderers are provided with the following in order to make a tender: (a) details of the goods or services required; (b) details of the duration of the contract, including any extensions that are specified in the contract; (c) the criteria for evaluating tenders; (d) the method of evaluating tenders against the evaluation criteria; (e) any mandatory tender specifications and contract conditions; (f) a reference to the council's code relating to tenders and contracts.</p>	GM	<p>Delegation given by General Manager (as original source of power).</p> <hr/> <p>The General Manager is to invite tenders by publishing at least once a notice in a daily newspaper in accordance with Local Government Regulation 24.</p>
R.25	<p>Multiple use register</p> <p>A council may establish a multiple-use register of suppliers who meet criteria established by the council in respect of the supply of particular categories of goods or services.</p>	GM	<p>Delegation given by Council (as original source of power) to General Manager.</p> <hr/> <p>The General Manager may establish a multiple use register of suppliers in accordance with Local Government Regulation 25.</p>
R.26 (1)	<p>Multi stage tender</p> <p>A multiple-stage tender process is a process by which suppliers are evaluated through stages against criteria determined by the council.</p>	GM	<p>Delegation given by Council (as original source of power) to General Manager.</p> <hr/> <p>The General Manager may invite tenders for a contract for the supply of goods or services using a multiple-stage tender process in accordance with Local Government Regulation 26.</p>

Tasmania Local Government (Highways) Act 1982 - Local Government (Highways) Act 1982 (Tas)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s.124(1)	Delegation of powers, &c., by corporations All of Council's powers and functions contained in the Local Government (Highways) Act 1982	GM	Delegation given by Council to General Manager. Excludes sections 12(1), 15(3), 19(1)(c), 43, 46(2C), 61, 73, 80, 114(8), 124; and condition on s104(2) - must be in accordance with the annual schedule of fees and charges.
S.6	Making, widening, &c., of highways by corporations	GM	Delegation given by General Manager. Original source of power is the Corporation.
S.7	Limitation on opening of highways in cities and towns by private persons	GM	Delegation given by General Manager. Original source of power is the Corporation.
S.8	Maintenance of highways opened outside cities or towns by private persons	GM	Delegation given by General Manager. Original source of power is the Corporation.
S.10	Obligations on landowners opening highways	GM	Delegation given by General Manager. Original source of power is the Corporation.
S.11	Enforcement of obligations of landowners opening highways	GM	Delegation given by General Manager. Original source of power is the Corporation.
S.14	Closure and diversion of highways	GM	Delegation given by General Manager. Original source of power is the Corporation.
S.15	Dealing with sites of closed highways	GM	Delegation given by General Manager. Original source of

Tasmania Local Government (Highways) Act 1982 - Local Government (Highways) Act 1982 (Tas)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			power is the Corporation. With the exception of S. 15(3).
S.17	Definition of boundaries of highway	GM	Delegation given by General Manager. Original source of power is the Corporation.
S.19	Closure of local highways for public functions, &c.	GM	Delegation given by General Manager. Original source of power is the Corporation. In consultation with Commissioner of Police. Delegation excludes 19(1)(c)
S.20	Closure of parts of local highways for sale of goods, &c.	GM	Delegation given by General Manager. Original source of power is the Corporation. In consultation with Commissioner of Police & Transport Commission
S.21	General responsibility of corporations The corporation of a municipality is charged with the duty of maintaining the local highways in the municipality that are maintainable by the corporation as shown on its municipal map, and, in any particular case, it shall discharge that duty in such manner as, having regard to all the circumstances of the case, it considers practicable and appropriate.	GM	Delegation given by General Manager. Original source of power is the Corporation.
S.24	Highways on boundaries of municipalities Where 2 corporations would, apart from this subsection, each be liable to repair one side of a local highway that forms or follows the common boundary of the municipal districts of	GM	Delegation given by General Manager. Original source of power is the Corporation.

Tasmania Local Government (Highways) Act 1982 - Local Government (Highways) Act 1982 (Tas)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	those corporations, they are jointly liable to repair the whole width of that highway.		
S.25	General supplementary provisions as to carrying out of highway works	GM	Delegation given by General Manager. Original source of power is the Corporation.
S.26(4)	Obtaining of materials for highway works The corporation may enter land to obtain/remove material required for highway work, provided they gave 7 days written notice.	GM	Delegation given by General Manager. Original source of power is the Corporation.
S.27	Use of adjoining lands in carrying out highway works	GM	Delegation given by General Manager. Original source of power is the Corporation.
S.28	Shifting of apparatus, &c., in roads	GM	Delegation given by General Manager. Original source of power is the Corporation.
S.30	Improvement, &c., of highways	GM	Delegation given by General Manager. Original source of power is the Corporation.
S.31	Obstructions for prohibition or restriction of vehicular traffic	GM	Delegation given by General Manager. Original source of power is the Corporation. S. 31(1) requires approval from Transport Commission
S.32	Lighting (of a local highway or public place)	GM	Delegation given by General Manager. Original source of power is the Corporation.

Tasmania Local Government (Highways) Act 1982 - Local Government (Highways) Act 1982 (Tas)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
S.33	Lighting of private ways and courts	GM	Delegation given by General Manager. Original source of power is the Corporation.
S.34	Drainage works	GM	Delegation given by General Manager. Original source of power is the Corporation.
S.35	<p>Crossings over footpaths, table-drains, and gutters</p> <p>Where the corporation is of the opinion that works are necessary to be carried out in a highway under local management for the construction or repair of a vehicular crossing over a table-drain, gutter, or footpath at or opposite the entrance to land adjoining the highway, it may serve a written notice on the owner of the land requiring him to carry out those works within the time specified</p>	GM	Delegation given by General Manager. Original source of power is the Corporation.
S.36	Fencing of streets in towns	GM	Delegation given by General Manager. Original source of power is the Corporation.
S.37	Alterations, &c., of entrances to highways	GM	Delegation given by General Manager. Original source of power is the Corporation.
S.38	Removal of trees near highways	GM	Delegation given by General Manager. Original source of power is the Corporation.
S.39	Obligation of occupiers to cut back vegetation, &c.	GM	Delegation given by General Manager. Original source of power is the Corporation.

Tasmania Local Government (Highways) Act 1982 - Local Government (Highways) Act 1982 (Tas)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
S.40	Animal barriers on highways	GM	Delegation given by General Manager. Original source of power is the Corporation.
S.41	Prohibition of traffic likely to cause damage to highways	GM	Delegation given by General Manager. Original source of power is the Corporation.
S.42	Closure of dangerous highways	GM	Delegation given by General Manager. Original source of power is the Corporation.
S.44	Protection of bridges from excessive loading	GM	Delegation given by General Manager. Original source of power is the Corporation.
S.45(4)	Removal and disposal of abandoned articles Where it appears to the corporation that an article has, without lawful authority, been abandoned on a highway under local management, it may remove the article from the highway.	GM	Delegation given by General Manager. Original source of power is the Corporation.
S. 45(5)(6)(7)(8)(9)(10)(12)	Removal and disposal of abandoned articles Where an article has been removed from a highway under this section, the corporation may, subject to this section, dispose of it in such manner as it thinks fit	GM	Delegation given by General Manager.
S.46(2)	Permission to carry out various works in relation to highways Subject to any directions given by the corporation, its powers to grant a permission may be exercised on its behalf by its mayor or by some other person authorized by it for that	GM	Authorisation given by General Manager. Original source of power is the Corporation.

Tasmania Local Government (Highways) Act 1982 - Local Government (Highways) Act 1982 (Tas)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	purpose.		
S.46	<p>Permission to carry out various works in relation to highways</p> <p>A corporation may, in accordance with its by-laws, grant a person written permission to do any one or more of the following things:</p> <p>(a) open or break up the soil or pavement of a local highway;</p> <p>(b) make a drain leading to a local highway;</p> <p>(c) put or place a pipe or make a drain leading into a sewer or drain or other work of the corporation in or under a local highway;</p> <p>(d) make an excavation, vault or cellar in or under a local highway;</p> <p>(e) install, under a local highway, pipelines, pipe systems or other infrastructure required for the transmission, distribution or supply of natural gas or other gaseous fuels;</p> <p>(f) erect a hoarding or scaffolding for building or any other purpose in or on a local highway.</p>	GM	<p>Delegation given by General Manager. Original source of power is the Corporation.</p> <p>Delegation excludes S. 46(2C)</p>
S.50	Management of local highways not maintainable by the corporation	GM	Delegation given by General Manager. Original source of power is the Corporation.
S.51	Making good of back roads, lanes, &c., at frontagers' expense	GM	Delegation given by General Manager. Original source of power is the Corporation.
S.52	<p>Projections on to highways, &c.</p> <p>At such time as is agreed with the occupier of a building, or after giving at least 30 days' notice of its intention to do so, the corporation</p>	GM	Delegation given by General Manager. Original source of power is the Corporation.

Tasmania Local Government (Highways) Act 1982 - Local Government (Highways) Act 1982 (Tas)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	may remove or alter an obstruction to which this section applies that has been erected or placed against or in front of the building.		
S.53	Low-lying land near highways	GM	Delegation given by General Manager. Original source of power is the Corporation.
S.54	Names of highways, &c.	GM	Delegation given by General Manager. Original source of power is the Corporation.
S.55	Numbering of buildings, &c.	GM	Delegation given by General Manager. Original source of power is the Corporation.
S.59	Development of land in connection with highway improvements	GM	Delegation given by General Manager. Original source of power is the Corporation.
S.60 (3)	Restrictive covenants for benefit of highway A corporation may, at any time, by agreement with the person against whom there is enforceable a covenant, discharge the covenant or may agree to a variation of the covenant.	GM	Delegation given by General Manager. Original source of power is the Corporation.
S.62	Special provisions as to acquisition for widening or other alteration A corporation may take land for the widening or other alteration of a highway. Land shall not be taken under this section, unless (a) every part of it is within 3 metres of the boundary of an existing highway; and (b) no building is situated wholly or partly on the land or within 3	GM	Delegation given by General Manager. Original source of power is the Corporation.

Tasmania Local Government (Highways) Act 1982 - Local Government (Highways) Act 1982 (Tas)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	metres of its boundary		
S.63	<p>Letting of highways not presently used</p> <p>Where the corporation has acquired highway rights over any land, it may, if the land is not presently required to be opened as a highway, let that land to the owner of any adjoining land.</p>	GM	Delegation given by General Manager. Original source of power is the Corporation.
S.66	<p>Proof that street is subject to Part V</p> <p>The carriage-way of a street shall be deemed to have been well and sufficiently made only if it was made well enough to be an all-weather road for light or heavy traffic or both according to the standards accepted at the time of its making.</p>	GM	Delegation given by General Manager. Original source of power is the Corporation.
S.67 (2)	<p>Street works in streets not previously made up</p> <p>Where a street has not at any time been well and sufficiently made, the corporation may, in accordance with a scheme under this Part, carry out such street works as it considers necessary to put that street in a proper condition in substantial conformity with the standard requirements, recovering the cost of the works in the manner provided in this Part.</p>	GM	Delegation given by General Manager. Original source of power is the Corporation.
S.68	<p>Scheme of street construction</p> <p>Where the corporation intends to carry out street works in a street, it shall cause to be prepared a scheme for the carrying out of those works.</p>	GM	Delegation given by General Manager. Original source of power is the Corporation.
S.71	Notice of preparation of scheme	GM	Delegation given by General Manager. Original source of

Tasmania Local Government (Highways) Act 1982 - Local Government (Highways) Act 1982 (Tas)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			power is the Corporation.
S.72	Objection by owners (to the scheme)	GM	Delegation given by General Manager. Original source of power is the Corporation.
S.74	Execution of scheme Where a scheme comes into effect, the corporation may carry out, in accordance with the scheme, the street works specified in it.	GM	Delegation given by General Manager. Original source of power is the Corporation.
S.76	Payments by frontagers (under the scheme) When a scheme comes into effect, the corporation shall serve on each frontager written notice stating the sum for which he is liable under the scheme (exclusive of any additional costs and expenses charged to him under the scheme with his consent) and, subject to this section, the owner becomes liable to pay that sum to the corporation.	GM	Delegation given by Council. Original source of power is the Corporation.
S.77	State contribution Where a corporation has prepared a scheme for the carrying out of street works that comprise or include the construction of a carriage-way, the Minister for State Highways may, on the application of the corporation, undertake to make a contribution to the corporation of an amount equal to one-third of the cost of the construction of the carriage-way.	GM	Delegation given by General Manager. Original source of power is the Corporation.
S.79	Urgent works If it considers it urgently necessary to do so, a corporation may, without a scheme, carry out	GM	Delegation given by General Manager. Original source of power is the Corporation.

Tasmania Local Government (Highways) Act 1982 - Local Government (Highways) Act 1982 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	in a street any part of the works referred to in section 67 , and the cost of carrying out those works may be included in a scheme subsequently made by the corporation in respect of the remainder of those works carried out in that street, and, with any necessary modifications, this Part applies to the scheme as if the part of the works previously carried out were part of the works to be authorized by the scheme.		
S.81	Record of charges	GM	Delegation given by General Manager. Original source of power is the Corporation.
S.95	Establishment of controlled parking (a parking meter or voucher machine)	GM	Delegation given by General Manager. Original source of power is the Corporation.
S.96	Hours of operation of controlled parking	GM	Delegation given by General Manager. Original source of power is the Corporation.
S.99	Closure of parking spaces in certain cases	GM	Delegation given by General Manager to Authorised Officer: S99(7) allows GM to issue authorisations; Council delegation also covers this.
S.100(1A)	Infringement notices (in respect of an offence relating to a vehicle) A council clerk may serve an infringement notice on a person referred to in section 94A(5A) in respect of an offence relating to a vehicle or other thing if of the opinion that the vehicle or other thing has been used in the	GM	Delegation given by General Manager. Original source of power is the Council Clerk (GM).

Tasmania Local Government (Highways) Act 1982 - Local Government (Highways) Act 1982 (Tas)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	commission of an offence under section 97, 98 or 99.		
S.102	Removal of vehicles in certain cases from parking spaces	GM	Delegation given by General Manager. Original source of power is the Prescribed Authority - defined 102(2)
S.104	Permits for use of parking spaces without operation of meters or use of parking vouchers	GM	Delegation given by General Manager to Authorised Officer. Original source of power is the Corporation. S.104(2) must be in accordance with Annual Schedule of Fees and Charges
S.109	Lighting of certain State highways: Contributions by corporations to lighting of certain State highways	GM	Delegation given by General Manager. Original source of power is the Corporation.
S.110	Powers and duties of corporations in relation to State highways A corporation may exercise the powers conferred by section 30 in respect of a State highway in the municipality and, in relation to the exercise of those powers in respect of that highway, this Act has effect as if it were a local highway maintainable by the corporation.	GM	Delegation given by General Manager. Original source of power is the Corporation.
S.112	Liability of corporation to maintain road works carried out by the Crown	GM	Delegation given by General Manager.
S.114	Right of private persons opening new streets to obtain contributions	GM	Delegation given by General Manager. Original source of power is the Corporation.

Tasmania Local Government (Highways) Act 1982 - Local Government (Highways) Act 1982 (Tas)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			Delegation excludes S114(8)
S.119	<p>Determination of compensation</p> <p>Where a corporation or other person is entitled to be paid compensation under this Act, that compensation shall, unless provision is otherwise made for its determination, be determined by agreement between the parties or, in default of agreement, by action in a court of competent jurisdiction.</p>	GM	Delegation given by General Manager. Original source of power is the Corporation.

Tasmania Local Government Act 1993 - Local Government Act 1993 (Tas)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
S.22	Delegation (of functions or powers) by Council	GM	<p>Delegation from Council to General Manager.</p> <p>Subject to the rates and charges policies and procedures. Not to be subdelegated. See S.22.</p> <hr/> <p>To manage the affairs of the Council in accordance with the Tasmanian Local Government Act 1993 in relation to:</p> <p>S. 74 - Expenditure</p> <p>S. 75 - Investments</p> <p>S. 81 - Authorised deposit-taking institution accounts</p> <p>S. 175 - Purchase or lease of land - purchase of land requires Council approval prior to entering into a</p>

Tasmania Local Government Act 1993 - Local Government Act 1993 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			<p>Contract</p> <p>S. 176 - Acquisition of land</p> <p>S. 185 - Fences, land repairs and trees - compliance with notice</p> <p>S. 189 - Closure of local highways</p> <p>S. 197 - Sale or destruction of unclaimed animals</p> <p>S. 200 - Abatement notices</p> <p>S. 201 - Abatement of nuisance</p> <p>S. 205 - Fees and Charges</p> <p>S. 207 - Remission of fees and charges - to be authorised by the Council</p> <p>S. 209 - Council maps - correction of map</p> <p>S. 252 - Several owners - proceeding against</p>
S.20A	Powers of entry	GM	<p>Delegation given by General Manager.</p> <p>Note - this is delegating the power to authorise entry</p>
S.28D	Documents relating to agendas.	GM	Delegation given by General Manager.
S.28T(6)	<p>Code of conduct</p> <p>The general manager is to make a copy of the council's code of conduct available – (a) for public inspection, free of charge, at the public office of the council during ordinary office hours and on its website; and (b) for purchase at a reasonable charge.</p>	GM	<p>Delegation given by General Manager.</p> <hr/> <p>(6) The general manager is to make a copy of the council's code of conduct available –</p> <p>(a) for public inspection, free of charge, at the public office of the</p>

Tasmania Local Government Act 1993 - Local Government Act 1993 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			council during ordinary office hours and on its website; and (b) for purchase at a reasonable charge.
S.28T(7)	Code of conduct A council is to review its code of conduct within 3 months after each ordinary election.	GM	Delegation given by General Manager. (7) A council is to review its code of conduct within 3 months after each ordinary election.
S.28Y	Initial assessment of complaint by general manager	GM	Delegation given by General Manager. 28Y. Initial assessment of complaint by general manager (1) On receiving a code of conduct complaint, a general manager is to assess the complaint to determine whether it meets the requirements of section 28V. (2) Subsection (1) does not apply if the general manager is the complainant. (3) If the general manager determines that the code of conduct complaint does not meet the requirements of section 28V, he or she is to return the complaint to the complainant and notify the complainant, in writing – (a) that the complaint does not meet the requirements of section 28V for the reasons set out in the notice; and (b) that the complainant may lodge an amended or substituted complaint

Tasmania Local Government Act 1993 - Local Government Act 1993 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			<p>without payment of a further fee under section 28V(3)(g) –</p> <p>(i) within the period specified in section 28V for lodging a code of conduct complaint; or</p> <p>(ii) if the complaint is returned to the complainant after the end of that period or less than 14 days before the end of that period, within 14 days after receiving the returned complaint.</p>
S.28ZK	Notification of determination of code of conduct complaint	GM	<p>28ZK. Notification of determination of code of conduct complaint</p> <p>(1) In this section –</p> <p>addendum means an addendum to a determination report referred to in section 28ZJ(2);</p> <p>determination report means the written determination of a code of conduct complaint by the Code of Conduct Panel as required by section 28ZJ without any addendum.</p> <p>(2) Within 28 days after determining a code of conduct complaint, the Code of Conduct Panel is to provide a copy of its determination report to –</p> <p>(a) each complainant; and</p> <p>(b) each councillor against whom the complaint is made; and</p> <p>(c) the general manager of the relevant council; and</p> <p>(d) the Director.</p> <p>(3) If the Code of Conduct Panel has</p>

Tasmania Local Government Act 1993 - Local Government Act 1993 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			<p>produced an addendum, it is to provide a copy of it to –</p> <p>(a) if the complainant is a councillor, that complainant; and</p> <p>(b) each councillor against whom the complaint is made; and</p> <p>(c) the general manager of the relevant council; and</p> <p>(d) the Director.</p> <p>(4) If the general manager receives a determination report but no addendum, the general manager is to ensure that a copy of the determination report is tabled at the first meeting of the relevant council at which it is practicable to do so and which is open to the public.</p> <p>(5) If the general manager receives a determination report and also an addendum, the general manager is to ensure –</p> <p>(a) that a copy of the determination report without the addendum is tabled at the first meeting of the relevant council at which it is practicable to do so and which is open to the public; and</p> <p>(b) that a copy of the determination report with the addendum is tabled at the first meeting of the relevant council at which it is practicable to do so and which is closed to the public.</p>
S.55D	Register of pecuniary interests of members of audit panel	GM	Delegation given by General Manager

Tasmania Local Government Act 1993 - Local Government Act 1993 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	The general manager is to keep a register of the interests of members of audit panels. The general manager is to enter into the register the details of an interest of a member of audit panel when notified as specified in section 55C(4)		
s.56B	Gifts and donations register The general manager is to keep a register of the gifts and donations referred to in section 56A(1) that have been received by councillors.	GM	Delegation given by General Manager
S. 72	Providing Annual report A council must prepare an annual report.	GM	Delegation given by General Manager
S.72B	Notice of AGM A council must hold an Annual General Meeting on a date that is not later than 15 December in each year; and is not before 14 days after the date of the first publication of a notice under subsection (2). A council must publish a notice in a daily newspaper circulating in the municipal area or other prescribed newspaper specifying the date, time and place of the Annual General Meeting.	GM	Delegation given by Council. <hr/> 72B. Annual General Meeting (1) A council must hold an Annual General Meeting on a date that – (a) is not later than 15 December in each year; and (b) is not before 14 days after the date of the first publication of a notice under subsection (2). (2) A council must publish a notice in a daily newspaper circulating in the municipal area or other prescribed newspaper specifying the date, time and place of the Annual General Meeting. (3) If a quorum of the council is not present at an Annual General Meeting –

Tasmania Local Government Act 1993 - Local Government Act 1993 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			<p>(a) the Annual General Meeting is to be reconvened and held within 14 days; and</p> <p>(b) a notice is to be published in a daily newspaper circulating in the municipal area specifying the date, time and place of the Annual General Meeting.</p> <p>(4) Only electors in the municipal area are entitled to vote at an Annual General Meeting.</p> <p>(5) A motion at an Annual General Meeting is passed by a majority of votes taken by a show of hands or by any other means of ascertaining the vote the council determines.</p> <p>(6) A motion passed at an Annual General Meeting is to be considered at the next meeting of the council.</p> <p>(7) The general manager is to keep minutes of the Annual General Meeting.</p>
S.74	<p>Expenditure</p> <p>A council may expend its funds for the purpose of exercising its powers or carrying out its functions under this or any other Act within the estimates adopted under section 82.</p>	GM	<p>Delegation given by General Manager.</p>
S.75	<p>Investments</p> <p>A council may invest any money –</p> <p>(a) in any manner in which a trustee is authorised by law to invest trust funds; and</p> <p>(b) in any investment the Treasurer</p>	GM	<p>Delegation given by General Manager. In accordance with Council's investment policies as reviewed from time to time.</p> <hr/> <p>To comply with the provisions of the</p>

Tasmania Local Government Act 1993 - Local Government Act 1993 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	approves.		Local Government Act 1993 relating to investments. To ensure that all surplus funds, specific or otherwise, are invested in order to yield maximum return and to accord with projected cash flows while at the same time ensuring that the funds of the Council are safe.
s. 76	Writing off bad debts A council may write off any debts owed to the council if there are no reasonable prospects of recovering the debt; or if the costs of recovery are likely to equal or exceed the amount to be recovered.	GM	Can only be given to the GM (s 22(2)(ba).
S. 77	Grants and benefits A council may make a grant or provide a pecuniary benefit or a non-pecuniary benefit that is not a legal entitlement to any person, other than a councillor, for any purpose it considers appropriate.	GM	Can only be given to the GM (s 22(2)(C).
S.81	Authorised deposit-taking institution accounts A council may establish and maintain in its corporate name such authorised deposit-taking institution accounts as it considers necessary.	GM	Delegation given by General Manager. Note - this applies to all account signatories <hr/> To comply with the provisions with the Local Government Act 1993 relating to deposit-taking institution accounts.
S.84(1)(3)(4)	Financial Statements The general manager is to prepare and forward to the Auditor-General a copy of the	GM	Delegation given by General Manager. This section will be affected by Part 4

Tasmania Local Government Act 1993 - Local Government Act 1993 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	council's financial statements for each financial year in accordance with the Audit Act 2008 .		<p>of Local Government (Miscellaneous Amendment) Act 2013 which is yet to commence</p> <hr/> <p>To prepare, within 90 days after the end of a financial year, financial statements for the Council relating to that financial year and submit a copy to the Auditor-General as soon as practicable.</p> <p>To comply with the provisions of the Local Government Act 1993 relating to the preparation of financial statements.</p>
S.92(2)(3)	<p>Adjustment of amount payable</p> <p>The general manager is to issue a supplementary notice in accordance with section 122 in respect of any amount payable as a result of an adjustment under this section. The general manager may refund or give credit for any amount paid in respect of a rate in excess of the amount payable as a result of an adjustment under this section.</p>	GM	<p>Delegation given by General Manager. In accordance with Rates and Charges Policy.</p> <hr/> <p>To comply with the provisions of the Local Government Act 1993 relating to the notification of the variation of a rate.</p>
S.110	Record of Rates	GM	<p>Delegation given by General Manager.</p> <hr/> <p>To comply with the provisions of the Local Government Act 1993 relating to the keeping of records of rates.</p>
S.111	<p>Ownership</p> <p>If the general manager is of the opinion that a person may or may not be the owner of land, the general manager may require that person to make a statutory declaration in</p>	GM	<p>Delegation given by General Manager.</p> <p>Note - Not delegated any further</p>

Tasmania Local Government Act 1993 - Local Government Act 1993 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	respect of his or her interest in that land.		If the General Manager is of the opinion that a person may or may not be the owner of the land, the General Manager may require that person to make a statutory declaration in respect of his or her interest in that land.
S. 124	<p>Instalment payments</p> <p>A Council may permit a ratepayer to pay in instalments. The Council may decide that any rates are payable by instalments.</p>	GM	Delegation given by Council
S.126	<p>Conditions of postponement</p> <p>A council may grant a postponement of the payment of rates for a specified period if satisfied that such payment would cause hardship.</p>	GM	<p>Delegation given by Council</p> <p>Can only be given to the GM (s 22(2)(ab).</p>
S.127	<p>Postponement ceases to operate</p> <p>A council may, at any time, revoke a postponement of payment of rates by giving 60 days notice in writing to the ratepayer of the date on which the postponement ceases to operate.</p>	GM	<p>Delegation given by Council</p> <p>Can only be given to the GM (s 22(2)(ab).</p>
S.129	<p>Remission of rates</p> <p>The general manager is to keep a record of the details of any remission granted under this section.</p>	GM	<p>Delegation given by General Manager</p> <p>Can only be given to the GM (s 22(2)(b).</p>
S.132(4)	<p>Certificate of liabilities</p> <p>On receipt of an application, the general</p>	GM	Delegation given by General Manager.

Tasmania Local Government Act 1993 - Local Government Act 1993 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	manager is to issue a certificate containing the details referred to in subsection (1) .		To comply with the provisions of the Local Government Act 1993 and any requirements of the General Manager relating to the issue of a certificate of liability.
Div 10 S.133-135	Recovery A Council can recover debts due to unpaid rates.	GM	Delegation given by Council Can only be given to the GM (s 22(2)(a).
S. 139A	Register of Money The general manager is to keep a register of any money remaining after payments and discharges are made under section 139.	GM	Delegation given by General Manager. Any money received on a sale of land is to comply with the provisions of the Local Government Act 1993.
S.175	Purchase or lease of land A council may purchase or lease land for any purpose which it considers to be of benefit to the council or the community.	GM	Delegation given by General Manager. Restricted to leasing of land to Council and for a maximum of three years; and does not include purchase of land.
S.176	Acquisition of land A council may acquire land for prescribed purposes in accordance with the Land Acquisition Act 1993.	GM	Delegation given by General Manager. Restricted to the delegated provisions of S.37(d) (e) (ea) of the Local Government (General) Regulations 2005 To comply with the provision of the Local Government Act 1993 relating to the acquisition of property. To comply with the annual Plan and Estimates relating to the acquisition of property. To comply with any policies of the Council relating to the acquisition of

Tasmania Local Government Act 1993 - Local Government Act 1993 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			property. (Note: This delegation does not include the approval for and the method of, the acquisition of land.)
S.182	Fencing land The general manager, by notice in writing served on the owner or occupier of land, may require the owner or occupier to fence the land	GM	Delegation given by General Manager.
S.183	Land reinstated The general manager, by notice in writing, may require the owner or occupier to rehabilitate land from which soil, rock, sand or material has been extracted at any time after the commencement of this Act.	GM	Delegation given by General Manager. <hr/> To comply with Section 183 of the Local Government Act 1993.
S.185	Compliance with notice A person served with a notice under this Division must undertake any work required to be done under the notice in accordance with the terms of the notice and within the period specified in the notice.	GM	Delegation given by General Manager. <hr/> To comply with Section 185 of the Local Government Act 1993.
S.189	Closure of local highways (markets) A council in respect of land or premises under its control or management may allow any person to operate a market subject to any terms and conditions it determines or operate a market itself; and close a local highway or part of a local highway to general traffic for that purpose.	GM	Delegation given by Council Note - delegated to GM only <hr/> To comply with Section 189 of the Local Government Act 1993.

Tasmania Local Government Act 1993 - Local Government Act 1993 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
S.190(3)	<p>Objections</p> <p>A council is to consider any objection before closing a local highway or part of a local highway.</p>	GM	Delegation given by Council
S.193	<p>Establishment of pounds</p> <p>A council may establish pounds for the detention of stray animals.</p>	GM	Delegation given by Council
S.194	<p>Impounding of animals</p> <p>The general manager may impound any animal found straying or at large on any highway; or on any land owned by, or under the control of, the council.</p>	GM	Delegation given by General Manager.
S.195	<p>Notice of impounding</p> <p>If an animal has not been claimed by its owner or a person on behalf of the owner within 48 hours of it being impounded, the general manager is to give notice to the owner of the animal.</p>	GM	<p>Delegation given by General Manager.</p> <hr/> <p>To comply with Section 195 of the Local Government Act 1993.</p>
S.196	<p>Fees, costs and charges</p> <p>The owner of an impounded animal is liable to pay the fees, costs and charges incurred by the council in respect of the impounding, maintenance and treatment of the animal.</p>	GM	<p>Delegation given by General Manager.</p> <hr/> <p>The General Manager by notice in writing is to notify the owner of an impounded animal of the fees, costs and charges payable in respect of the impounding, maintenance and treatment of the animal.</p> <p>To comply with Section 196 of the Local Government Act 1993.</p>
S.197	Sale or destruction of unclaimed animals	GM	Delegation given by General

Tasmania Local Government Act 1993 - Local Government Act 1993 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			Manager.
S.198	<p>Destruction of animals</p> <p>The general manager may arrange for an impounded animal to be destroyed if, in the opinion of a qualified veterinary surgeon, the animal is seriously diseased; or so injured or disabled as to be apparently in continual pain. The owner must be notified within 14 days.</p>	GM	Delegation given by General Manager.
S.200	<p>Abatement notices</p> <p>If a council is satisfied that a nuisance exists, the general manager must serve a notice on – (a) any person whose act or default contributes to or causes the nuisance whether or not that act or default occurs wholly or only partly in the municipal area; or (b) if the person cannot be ascertained or found, on the owner or occupier of the land on, or from which, the nuisance arises.</p>	GM	Delegation given by General Manager.
S.201	<p>General manager may take necessary action</p> <p>The general manager may take the necessary action to abate a nuisance if – (a) there is an immediate danger to any person or property; or (b) the person causing the nuisance cannot be ascertained or found; or (c) an abatement notice has not been complied with.</p>	GM	Delegation given by General Manager.
S.207	<p>Remission of fees and charges</p> <p>A council may remit all or part of any fee or charge paid or payable under this Division.</p>	GM	<p>Delegation given by General Manager.</p> <p>Limited to \$500</p> <p>Delegation from Council to GM</p>

Tasmania Local Government Act 1993 - Local Government Act 1993 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			(different condition to GM delegation to officer)
S.240	Appearances in court	GM	<p>Delegation given by General Manager.</p> <hr/> <p>On behalf of the Council institute and carry on any proceedings which the Council may institute and carry on under the Local Government Act 1993 or any other Act.</p>
S. 261(1)	<p>List of Electors</p> <p>The general manager is to – (a) prepare and keep a list of electors from the electoral roll kept under section 258 (1) as at the time of closure referred to in section 260 ; and (b) certify that the list is correct.</p>	GM	<p>Delegation given by General Manager.</p> <p>Delegate to most appropriate role</p> <hr/> <p>Prepare and keep a list of electors from the electoral role kept under Section 238(1) as at the time of closure refer to in Section 260 and certify that the list is correct.</p>
S.333A	<p>Tender</p> <p>A council must invite tenders for any contract it intends to enter into for the supply or provision of goods or services valued at or above the prescribed amount.</p>	GM	Delegated by Council
S.337	<p>Council land information certificate</p> <p>A person may apply in writing to the general manager for a certificate in respect of information relating to land specified and clearly identified in the application.</p>	GM	Delegation given by General Manager. Sub-clause (8) in accordance with Council's Schedule of Fees and Charges
S.344	Rounding off rates, &c.	GM	Delegation given by General

Tasmania Local Government Act 1993 - Local Government Act 1993 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			<p>Manager.</p> <p>Note - not delegated any further</p> <hr/> <p>To comply with Section 344 of the Local Government Act 1993.</p>

Tasmania Monetary Penalties Enforcement Act 2005 - Monetary Penalties Enforcement Act 2005 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s.22 LGA	<p>Delegation (of functions or powers) by Council</p> <p>The General Manager is authorised to delegate all the functions and powers delegated by the Council as set out in this delegations register.</p>	GM	Nil
17(2)	<p>Options for dealing with infringement notice issued by fee-paying public sector body</p> <p>Council may approve or refuse to approve an application under s 17 and must notify the alleged offender of that approval or refusal.</p>	GM	Nil
18(1)	<p>Referral to Director of infringement notice issued by fee-paying public sector body</p> <p>Council may refer an infringement notice served by it to the Director for enforcement.</p>	GM	Nil
23	<p>Withdrawal of infringement notice</p> <p>The Council may withdraw an infringement notice served by it. The Council is required to advise the offender in writing and advise the Director MPES if the notice was referred to MPES.</p>	GM	Nil
28(3)-(4)	<p>Application to fee-paying public sector body for variation of payment conditions</p>	GM	Nil

Tasmania Monetary Penalties Enforcement Act 2005 - Monetary Penalties Enforcement Act 2005 (Tas)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Council must take the applicant's representations into account before determining the period within which the amount is to be paid. If the applicant fails to comply, it can be referred to the Director for enforcement.		
39(1)	Hearing of offence by court - commencement of proceedings If, an alleged offender elects to have any of the offences set out in an infringement notice heard and determined by a court, within the required time, Council may commence proceedings for all of the offences in that notice.	GM	Nil
40(3)	Application to court to set aside conviction Council may consent to an application to set aside the conviction.	GM	Nil
40(5)(c)	Application to court	GM	Nil

Tasmania Place Names Act 2020 - Place Names Act 2020 (Tas)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
S. 11(2)	Naming of roads, streets, &c. As a responsible authority the council has a responsibility to name, alter or revoke a name of a place.	GM	Delegation given by Council
S. 11(3)	Naming of roads, streets, &c. The responsible authority for a place referred to in	GM	Delegation given by Council

Tasmania Place Names Act 2020 - Place Names Act 2020 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	section 4(1)(c) must ensure that any naming action, performed in respect of the place, complies with – (a) the relevant provisions of the guidelines; and (b) this Act and any other applicable Act; and (c) the relevant procedures of the responsible authority.		
S. 11(4)	Naming of roads, streets, &c. As soon as practicable after performing a naming action in respect of a place, the responsible authority for the place is to submit details of the action to the Registrar for recording in the register.	GM	Delegation given by Council

Tasmania Public Health Act 1997 - Public Health Act 1997 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Sec 22 LGA	Delegation (of functions or powers) by Council All of council's powers and functions contained in the Public Health Act 1997.	GM	Delegation given by Council to General Manager. Except s.185(1)
Sec 64 LGA	Delegation (of functions or powers) by general manager All of council's powers and functions contained in the Public Health Act 1997, may be delegated	GM	Authorisation given by Council to General Manager. Except s.185(1)
Sec 11 (1)(2)	Appointment of Officer	GM	Nil

Tasmania Public Health Act 1997 - Public Health Act 1997 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Sec 32 (1) (2)	Production of records	GM	Delegation given by General Manager to Director of Department.
Sec 33 (a) (b)	Production of things A council or an authorised officer may require a person to produce for inspection any thing in the person's possession if – (a) the council or the officer reasonably believes that it may disclose evidence of the commission of an offence under this Act; or (b) it is otherwise necessary for the purposes of this Act.	GM	Nil
Sec 34 (a) (b)	Production of licence A council or an authorised officer may – (a) require a person to produce for inspection any licence the person holds or should hold; and (b) examine, remove and take photographs or copies of, or extracts or notes from, any licence.	GM	Nil
Sec 35	Photographs, sketches, measurements and recordings For the purposes of this Act, a council or an authorised officer may: (a) take any photograph, film or video recording; and (b) take any copy of, or extract from, any record; and (c) take any measurements; and (d) make any sketches or drawing; and (e) make any other recording by any other means.	GM	Nil
Sec 36 (1) (2)	Information requirements A council or an authorised officer may require a person to – (a) give his or her full name and residential address; (b) give details of any licence, permit or exemption under this Act;	GM	Nil

Tasmania Public Health Act 1997 - Public Health Act 1997 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>(c) provide any information relating to public health reasonably required for the purposes of this Act.</p> <p>A council or an authorised officer may require any person to give information about that person's or another person's activities in respect of any matter under this Act.</p>		
Sec 57	<p>Council immunisation programs</p> <p>A council must develop and implement an approved program for immunisation in its municipal area.</p>	GM	Delegation given by General Manager to Director of Department.
Sec 77 (1) (3)	Grant or refusal of licence (for a place of assembly)	GM	Delegation given by General Manager to Director of Department, Medical Officers of Health and Environmental Health Officers.
Sec 78	Issue of licence (for a place of assembly)	GM	Delegation given by General Manager to Director of Department, Medical Officers of Health and Environmental Health Officers.
Sec 81(4)	<p>Renewal of licence (for a place of assembly)</p> <p>A council may grant the application subject to any conditions; or refuse to grant the application.</p>	GM	Delegation given by General Manager to Director of Department, Medical Officers of Health and Environmental Health Officers.
Sec 82	<p>Variation of licence (for a place of assembly)</p> <p>A council, on its own volition or on application, may vary a place of assembly licence by omitting, adding, substituting or amending any condition of</p>	GM	Delegation given by General Manager to Director of Department, Medical Officers of Health and Environmental Health Officers.

Tasmania Public Health Act 1997 - Public Health Act 1997 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	the licence.		
Sec 83	Cancellation of licence (for a place of assembly) A council may cancel a place of assembly licence	GM	Delegation given by General Manager to Director of Department, Medical Officers of Health and Environmental Health Officers.
Sec 84 (2)	Overcrowding A council, an authorised officer, a police officer, a person authorised by the Commissioner for Licensing or a person authorised by the State Fire Commissioner may – (a) cause the doors of a place of assembly to be closed; (b) evacuate the place of assembly; or (c) cause any event occurring at that place of assembly to be cancelled in circumstances referred to in paragraph (b) .	GM	Delegation given by General Manager to Director of Department.
Sec 87	Closure order	GM	Delegation given by General Manager to Director of Department, Medical Officers of Health and Environmental Health Officers.
Sec 88	Service of closure order	GM	Delegation given by General Manager to Director of Department, Medical Officers of Health and Environmental Health Officers.
Sec 89	Revocation of closure order	GM	Delegation given by General Manager to Director of Department, Medical Officers of Health and Environmental Health Officers.

Tasmania Public Health Act 1997 - Public Health Act 1997 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Sec 92 (1) (4) (6)	<p>Rectification notice</p> <p>A council, on the advice of an environmental health officer or building surveyor, is to serve a rectification notice in an approved form.</p> <p>If a person fails to comply with a notice, the council may cause any necessary work to be carried out at that person's expense.</p> <p>A council, upon the certificate of an environmental health officer or building surveyor that the condition of the premises is no longer, or is not likely to become, offensive, injurious or prejudicial to health, is to revoke a rectification notice.</p>	GM	Delegation given by General Manager to Director of Department, Medical Officers of Health and Environmental Health Officers.
Sec 97	Grant or refusal of registration of premises	GM	Delegation given by General Manager to Director of Department, Medical Officers of Health and Environmental Health Officers.
Sec 98	Issue of certificate of registration of premises	GM	Delegation given by General Manager to Director of Department, Medical Officers of Health and Environmental Health Officers.
Sec 101	Renewal of registration of premises	GM	Delegation given by General Manager to Director of Department, Medical Officers of Health and Environmental Health Officers.
Sec 102	Variation of registration of premises	GM	Delegation given by General Manager to Director of Department, Medical Officers of Health and Environmental

Tasmania Public Health Act 1997 - Public Health Act 1997 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			Health Officers.
Sec 103	Cancellation of registration of premises	GM	Delegation given by General Manager to Director of Department, Medical Officers of Health and Environmental Health Officers.
Sec 106	Grant or refusal of licence (to carry out any public health risk activity)	GM	Delegation given by General Manager to Director of Department, Medical Officers of Health and Environmental Health Officers.
Sec 107	Issue of licence (to carry out any public health risk activity)	GM	Delegation given by General Manager to Director of Department, Medical Officers of Health and Environmental Health Officers.
Sec 110	Renewal of licence (to carry out any public health risk activity)	GM	Delegation given by General Manager to Director of Department, Medical Officers of Health and Environmental Health Officers.
Sec 111	Variation of licence (to carry out any public health risk activity)	GM	Delegation given by General Manager to Director of Department, Medical Officers of Health and Environmental Health Officers.
Sec 112	Cancellation of licence (to carry out any public health risk activity)	GM	Delegation given by General Manager to Director of Department, Medical Officers of Health and Environmental

Tasmania Public Health Act 1997 - Public Health Act 1997 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			Health Officers.
Sec 115	Grant or refusal of registration of regulated system	GM	Delegation given by General Manager to Director of Department, Medical Officers of Health and Environmental Health Officers.
Sec 116	Issue of certificate of registration (of a regulated system)	GM	Delegation given by General Manager to Director of Department, Medical Officers of Health and Environmental Health Officers.
Sec 119 (1) (3)	Notice to comply with direction	GM	Delegation given by General Manager to Director of Department, Medical Officers of Health and Environmental Health Officers.
Sec 121	Renewal of registration (of any regulated system)	GM	Delegation given by General Manager to Director of Department, Medical Officers of Health and Environmental Health Officers.
Sec 122	Variation of registration (of any regulated system)	GM	Delegation given by General Manager to Director of Department, Medical Officers of Health and Environmental Health Officers.
Sec 123	Cancellation of registration (of any regulated system)	GM	Delegation given by General Manager to Director of Department, Medical Officers of Health and Environmental

Tasmania Public Health Act 1997 - Public Health Act 1997 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			Health Officers.
Sec 128	Notification of quality of water	GM	Delegation given by General Manager to Director of Department, Medical Officers of Health and Environmental Health Officers.
Sec 129 (1)	Orders relating to water quality	GM	Delegation given by General Manager to Director of Department, Medical Officers of Health and Environmental Health Officers.
Sec 130 (1) (3)	Monitoring and review (of the quality of water within the municipal area)	GM	Delegation given by General Manager to Director of Department, Medical Officers of Health and Environmental Health Officers.
Sec 131	Samples An authorised officer or a council may take a sample from any water. Any sample taken under this section is to be analysed and tested in accordance with the requirements of the Director.	GM	Delegation given by General Manager to Director of Department.
Sec 135	Grant or refusal of registration (as a supplier of water)	GM	Delegation given by General Manager to Director of Department, Medical Officers of Health and Environmental Health Officers.
Sec 136	Issue of certificate of registration (as a supplier of water)	GM	Delegation given by General Manager to Director of Department, Medical Officers of Health and Environmental

Tasmania Public Health Act 1997 - Public Health Act 1997 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			Health Officers.
Sec 136AA	Renewal of Registration (as a supplier of water)	GM	Delegation given by Council to General Manager
Sec 136B	Variation of registration (as a supplier of water)	GM	Delegation given by General Manager to Director of Department, Medical Officers of Health and Environmental Health Officers.
Sec 136C	Cancellation of registration (as a supplier of water)	GM	Delegation given by General Manager to Director of Department, Medical Officers of Health and Environmental Health Officers.
136H	Issue of certificate of registration (as a water carrier)	GM	Delegation given by Council to General Manager
136I	Renewal of registration (of water carrier)	GM	Delegation given by Council to General Manager
136K	Variation of registration (of water carrier)	GM	Delegation given by Council to General Manager
136L	Cancellation of registration (of water carrier)	GM	Delegation given by Council to General Manager
Sec 144	Registers kept by Councils A council is to keep – (a) a register of registered regulated systems; and	GM	Delegation given by General Manager to Director of Department, Medical Officers of Health and Environmental

Tasmania Public Health Act 1997 - Public Health Act 1997 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	(b) a register of registered users and suppliers of water from private water sources; and (c) a register of registered premises used for public health risk activities."		Health Officers.
Sec 148 (1)	Requirement for information The Director, any council or an authorised officer may require a person to provide information relating to public health which is reasonably needed for the purposes of this Act.	GM	Delegation given by General Manager to Director of Department.
Sec 152 (1)	Costs incurred in exercising power Council may exercise a power or perform a function under this Act that a person or public authority fails to do - at the expense of that person or body.	GM	Delegation given by General Manager to Director of Department, Medical Officers of Health and Environmental Health Officers.
Sec 158 (1)	Proceedings Proceedings for an offence under this Act may only be instituted by – (a) the Minister or a person authorised by the Minister; or (b) an authorised officer; or (c) a nominated officer in relation to proceedings for an offence under Part 4 ; or (d) a police officer; or (e) a council.	GM	Delegation given by General Manager to Director of Department.
Sec 169 (1)	Infringement notices An authorised officer or a council may serve an infringement notice on a person if of the opinion that the person has committed a prescribed offence.	GM	Delegation given by General Manager to Director of Department.

Tasmania Public Health Act 1997 - Public Health Act 1997 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Sec 190 (1) (3) (4)	<p>Sale or disposal of forfeited things</p> <p>A council may sell, destroy or otherwise dispose of any thing forfeited if an application is not made to have the item back or the application is refused. The council can grant or refuse an application. If the application is granted, council is to sell the forfeited thing to the applicant for an amount equal to its estimated market value.</p>	GM	Delegation given by General Manager to Director of Department.
Sec 191 (3)	<p>Return of and access to seized things</p> <p>Council may grant an application or refuse it under this section.</p>	GM	Delegation given by General Manager to Director of Department.
Sec 192 (1)	<p>Sale or disposal of seized things</p> <p>Council may sell or otherwise dispose of any thing seized under this Act if there is no appeal made under s 160, the seizure is upheld or the thing poses an immediate health threat.</p>	GM	Delegation given by General Manager to Director of Department.

Tasmania Public Interest Disclosure Act 2002 - Public Interest Disclosure Act 2002 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
S 62B	<p>Delegation by Principal officer</p> <p>The principal officer may by instrument in writing delegate to a public</p>	GM	Delegation of powers in s

Tasmania Public Interest Disclosure Act 2002 - Public Interest Disclosure Act 2002 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	interest disclosure officer specified in the instrument the performance or exercise of such of his or her functions or powers under this Act (other than this power of delegation) as are specified in the instrument, and may, by instrument in writing, revoke wholly or in part any such delegation.		62A
S 29B	Referral of disclosure to Integrity Commission Where a public body believes a disclosure relates to misconduct defined in the Integrity Commission Act 2009, the public body may refer the disclosure to the Integrity Commission.	GM	Nil
S 29D(1)	Notice of referral If public body refers a disclosure to the Integrity Commission, they must notify the person who made that disclosure of the referral.	GM	Nil
S 33(1)	Determination by public body of disclosure as to public interest disclosure Public body to determine whether disclosure is a public interest disclosure within 45 days.	GM	Nil
S 34(1)	Procedure where public body determines disclosure to be public interest disclosure Notifications where disclosure is determined a public interest disclosure.	GM	Nil
S 35(1)	Procedure where public body determines disclosure not to be public interest disclosure Notifications where disclosure is deemed not to be public interest disclosure.	GM	Nil
S 64	Matters that do not have to be investigated	GM	Nil

Tasmania Public Interest Disclosure Act 2002 - Public Interest Disclosure Act 2002 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	A public body may decide not to investigate a disclosure.		
S 65(1)	Decisions by public body not to investigate Notification of decision not to investigate.	GM	Nil
S 68	Referral to Ombudsman by public body A public body may refer the investigation of a disclosed matter to the Ombudsman if the public body considers that its own investigation is being obstructed or that it is otherwise not within the capacity of the public body to complete the investigation.	GM	Nil
S 70	Provision of information to Ombudsman Public body must give the Ombudsman in writing any information it has in respect to a disclosed matter.	GM	Nil
S 72(1)	Notice of referral Notice to be given where public body refers an investigation to the Ombudsman.	GM	Nil
S 74	Information about progress of investigation Public body must at the request of the person who made the disclosure or the Ombudsman, give all reasonable information about the investigation with 28 days.	GM	Nil
S 76(1)	Report on investigation Public body must notify the Ombudsman and the relevant person on completing an investigation of a disclosed matter.	GM	Nil
S 77(1)	Report to person making disclosure Public body must inform the person who made the disclosure of the findings.	GM	Nil

Tasmania Public Interest Disclosure Act 2002 - Public Interest Disclosure Act 2002 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
S 77A(2)	Investigations to be completed within 6 months A public body may apply to the Ombudsman for an extension of up to 6 months in which to complete the investigation.	GM	Nil
S 77A(4)	Investigations to be completed within 6 months If investigation is not complete within time specified in 77A(1), public body must refer the disclosure to the Ombudsman.	GM	Nil

Tasmania Right to Information Act 2009 - Right to Information Act 2009 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s.22 LGA	Delegation (of functions or powers) by Council Functions and powers of Council as a public authority under the Right to Information Act 2009.	GM	Delegation given by Council to General Manager.
S.10	Electronic information If information is stored in an electronic form, a Minister or public authority may refuse an application if – (a) the information cannot be produced using the normal computer hardware and software and technical expertise of the public authority; and (b) producing it would substantially and unreasonably divert the resources of the public authority from its usual operations	GM	Original source of authority is Public Authority. Can be delegated by General Manager. A delegation may be for a period not exceeding 3 years
S.12	Information to be provided apart from Act. This Act does not prevent and is not intended to discourage a public authority or a Minister from	GM	Original source of authority is Public Authority. Can be delegated by General Manager.

Tasmania Right to Information Act 2009 - Right to Information Act 2009 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	publishing or providing information, otherwise than as required by this Act.		A delegation may be for a period not exceeding 3 years
S.13 (5) (6) (7) (8)	<p>Application for assessed disclosure of information</p> <p>Provision of information to applicant for assessed disclosures of information.</p> <p>Negotiation with the applicant to redirect the application.</p> <p>If requested to do so or if it is appropriate, the public authority must make available general information.</p>	GM	<p>Original source of authority is Public Authority. Can be delegated by General Manager.</p> <p>A delegation may be for a period not exceeding 3 years</p>
S.14 (1)	<p>Transfer of applications (for assessed disclosure of information)</p> <p>Transfer an application for disclosure of information to the more appropriate public authority along with any information they may need.</p>	GM	<p>Original source of authority is Public Authority. Can be delegated by General Manager.</p> <p>A delegation may be for a period not exceeding 3 years</p>
S.15	Time within which applications for assessed disclosure of information are to be decided	GM	<p>Original source of authority is Public Authority. Can be delegated by General Manager.</p> <p>A delegation may be for a period not exceeding 3 years.</p>
S.16	<p>Charges for information</p> <p>All applications for assessed disclosure of information must be accompanied by an application fee of 25 fee units. The application fee may be waived if –</p> <p>(a) the applicant is impecunious; or</p> <p>(b) the applicant is a Member of Parliament acting in connection with his or her official duty; or</p> <p>(ba) the applicant is a journalist acting in</p>	GM	<p>Original source of authority is Public Authority. Can be delegated by General Manager.</p> <p>A delegation may be for a period not exceeding 3 years.</p>

Tasmania Right to Information Act 2009 - Right to Information Act 2009 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	connection with their professional duties; or (c) the applicant is able to show that he or she intends to use the information for a purpose that is of general public interest or benefit.		
S.17	Deferment of provision of information	GM	Original source of authority is Public Authority. Can be delegated by General Manager. A delegation may be for a period not exceeding 3 years.
S.18	Provision of information	GM	Original source of authority is Public Authority. Can be delegated by General Manager. A delegation may be for a period not exceeding 3 years.
S.19	Requests may be refused if resources unreasonably diverted	GM	Original source of authority is Public Authority. Can be delegated by General Manager. A delegation may be for a period not exceeding 3 years.
S.20	Repeat or vexatious applications may be refused	GM	Original source of authority is Public Authority. Can be delegated by General Manager. A delegation may be for a period not exceeding 3 years.
S.21 (1)	Decision to be made on behalf of public authority by authorised person A decision in respect of an application for information made to a public authority is to be made by –	GM	Original source of authority is Principal Officer (GM). Can be delegated by General Manager. A delegation may be for a period not exceeding 3 years.

Tasmania Right to Information Act 2009 - Right to Information Act 2009 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	(a) the responsible Minister; or (b) the principal officer of the public authority; or (c) a delegated officer.		
S.21 (2)	Decision to be made on behalf of public authority by authorised person A person who makes a decision in accordance with this Act is to act impartially in making that decision.	GM	Original source of authority is Public Authority, Principal Officer (GM) and Delegated Officer. Can be delegated by General Manager. A delegation may be for a period not exceeding 3 years.
S.22	Reasons to be given (when a decision in relation to an application for information is made)	GM	Original source of authority is Public Authority. Can be delegated by General Manager. A delegation may be for a period not exceeding 3 years.
S.23	Other responsibilities of principal officer	GM	Original source of authority is Public Authority. Can be delegated by General Manager. A delegation may be for a period not exceeding 3 years.
S.33	Public Interest Test In this Division, information is exempt information if the principal officer of the public authority or Minister considers, after taking into account all relevant matters, that it is contrary to the public interest to disclose the information.	GM	Original source of authority is Principal Officer (GM). Can be delegated by General Manager. A delegation may be for a period not exceeding 3 years.
S.36 (2)	Personal information of person If (a) an application is made for information under this Act; and (b) the information was provided to a	GM	Original source of authority is Principal Officer (GM). Can be delegated by General Manager.

Tasmania Right to Information Act 2009 - Right to Information Act 2009 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>public authority or Minister by a third party; and (c) the principal officer or Minister decides that disclosure of the information concerned may be reasonably expected to be of concern to the third party – the principal officer or Minister is to, by notice in writing to the third party –</p> <p>(d) notify that person that the public authority or Minister has received an application for the information; and (e) state the nature of the information that has been applied for; and (f) request that, within 15 working days from the date of the notice, the person provide his or her view as to whether the information should be provided.</p>		A delegation may be for a period not exceeding 3 years.
S.36 (3) (5)	<p>Personal information of person</p> <p>If a public authority or Minister, after receipt of a person's view, decides to provide the information, the public authority or Minister must, by notice in writing given to that person, notify that person of the decision. See subsection 5 for caveats.</p>	GM	<p>Original source of authority is Public Authority. Can be delegated by General Manager.</p> <p>A delegation may be for a period not exceeding 3 years.</p>
S.37 (2)	<p>Information relating to business affairs of third party</p> <p>If – (a) an application is made for information under this Act; and</p> <p>(b) the information was provided to a public authority or Minister by a third party; and (c) the principal officer or Minister decides that disclosure of the information concerned may be reasonably expected to be of substantial concern to the third party – the principal officer or Minister must, before deciding whether the disclosure of the information under this Act would be likely to expose the third party that provided the information to substantial harm to the third party's competitive position, by notice in writing given to</p>	GM	<p>Original source of authority is Principal Officer (GM). Can be delegated by General Manager.</p> <p>A delegation may be for a period not exceeding 3 years.</p>

Tasmania Right to Information Act 2009 - Right to Information Act 2009 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>the third party –</p> <p>(d) notify the third party that the public authority or Minister has received an application for the information; and</p> <p>(e) state the nature of the information applied for; and</p> <p>(f) request that, within 15 working days from the date of the notice, the third party provide the third party's view as to whether the information should be provided.</p>		
S.37 (3) (5)	<p>Information relating to business affairs of third party</p> <p>If a public authority or Minister, after receipt of a third party's view, decides to disclose the information, the public authority or Minister must, by notice in writing given to the third party, notify the third party of the decision. See subsection 5 for caveats.</p>	GM	<p>Original source of authority is Public Authority. Can be delegated by General Manager.</p> <p>A delegation may be for a period not exceeding 3 years.</p>
S.43 (4) (5)	<p>Internal review (of a decision in respect of an application)</p>	GM	<p>Original source of authority is Principal Officer (GM). Can be delegated by General Manager.</p> <p>A delegation may be for a period not exceeding 3 years.</p>

Tasmania Roads and Jetties Act 1935 - Roads and Jetties Act 1935 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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Tasmania Roads and Jetties Act 1935 - Roads and Jetties Act 1935 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Sec 22 LGA	Delegation (of function or powers) by Council All of council's powers and functions contained in the Roads and Jetties Act 1954.	GM	Delegation given by Council to General Manager.
Sec 22 LGA	To agree with the Minister for the maintenance or reconstruction of a State highway or a subsidiary road otherwise than in accordance with s.11(1)	GM	Delegation given by Council to General Manager
Sec 22 LGA	To carry out the Council's power to move, keep or impound any vehicle causing an obstruction or danger etc and related action pursuant to s.48B	GM	Delegation given by Council to General Manager
Sec 64 LGA	Delegation (of function or powers) by general manager All of council's powers and functions contained in the Roads and Jetties Act 1954, may be delegated	GM	Authorisation given by Council to General Manager.
S11	Maintenance of State highways, &c. in cities, &c. (1)(b) the remainder of the State highway or subsidiary road, including drainage and shoulders but not culverts and bridges, shall be maintained and reconstructed by the local authority.	GM	Delegation given by General Manager.
S11(2)	To agree with the Minister for the maintenance or reconstruction of a State highway or a subsidiary road otherwise than in accordance with s.11(1)	GM	Delegation given by Council to General Manager
S28	Acquisition of land for quarry, &c.	GM	Delegation given by General

Tasmania Roads and Jetties Act 1935 - Roads and Jetties Act 1935 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Any road authority may purchase or take land required by it for the purposes of a quarry or gravel-pit in the same manner and subject to the like conditions as it may acquire land for constructing, widening, or altering a road.		Manager.
S29	<p>Intention to acquire land may be abandoned if compensation excessive</p> <p>Where a road authority has given notice of its intention to take land for any of the purposes hereinbefore set forth, and the compensation in respect thereof is determined, if the road authority deems it inexpedient to pay the amount thereof, it may, within 21 days after receiving notice of the amount of compensation so determined, withdraw the notice of intention to take the land on payment of the costs of the reference and determination.</p>	GM	Delegation given by General Manager.
S32	<p>Entry by council upon land and staking out of same</p> <p>Whenever a road authority intends to take any land for the purposes of this Act, it shall be lawful for the road authority, after having given 7 days' notice in writing to the occupier thereof, to enter upon such land and to stake out the same in such manner as it thinks necessary or expedient</p>	GM	Delegation given by General Manager.
S33	Rental of land (for the purpose of obtaining materials therefrom for the construction or maintenance of any road or street)	GM	Delegation given by General Manager.
S34	<p>Use of uncultivated land for temporary road</p> <p>Any road authority may make use of any uncultivated land for the purpose of constructing a temporary road whilst any road is being reconstructed, widened, diverted, altered, improved, or repaired without making compensation for the same.</p>	GM	Delegation given by General Manager.

Tasmania Roads and Jetties Act 1935 - Roads and Jetties Act 1935 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
S35	Taking of timber, &c., from land (for making, repairing, or fencing any road, or for any other purposes of this Act)	GM	Delegation given by General Manager.
S36	<p>Quarries, &c. to be fenced and filled up or otherwise secured</p> <p>The road authority shall cause all quarries and pits which have been opened up or used upon any land by it to be fenced or otherwise secured and kept so fenced or secured so long as the same shall continue open and in use; and upon ceasing to use the same shall, if required by the owner or occupier of such land, cause the same to be filled up, sloped down, or otherwise secured.</p>	GM	Delegation given by General Manager.
S37	<p>Fences to be restored</p> <p>Where in the exercise of any of the powers conferred upon a road authority by this Part any fence has been temporarily taken down, the same shall, upon completion of the work necessitating such taking down, be well and sufficiently restored by the road authority.</p>	GM	Delegation given by General Manager.
S38	<p>Deviations to be fenced</p> <p>Where any road has been diverted, the road authority shall, if required by the owner or occupier of any land through which such road passes, cause such road to be well and sufficiently fenced where it so passes.</p>	GM	Delegation given by General Manager.
S39	Entry upon adjoining lands for road maintenance or reconstruction	GM	Delegation given by General Manager.
S40	<p>Power to make drains on adjoining lands</p> <p>The road authority may make, cleanse, and keep open all drains or watercourses which it may deem</p>	GM	Delegation given by General Manager.

Tasmania Roads and Jetties Act 1935 - Roads and Jetties Act 1935 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	necessary in and through any land adjoining or near to any road of which it has the construction or maintenance.		
S41	<p>Timber growing near roads may be cut down: Consent of owner required in certain cases</p> <p>The road authority may cut down and remove any indigenous timber growing or standing within 23 metres of the centre of any road of which it has the care, control, or management, making good all damage or injury to the fences, hedges, ditches, walls, or any other thing upon the land on which such timber may be growing or standing.</p>	GM	Delegation given by General Manager.
S42	<p>Hedges, &c., obstructing view of traffic to be cut or trimmed</p> <p>Where the road authority is of opinion that it is necessary, for the prevention of danger arising from obstruction to the view of persons using such road, that any fence, construction, hedge, tree, or vegetation erected, constructed, growing, or planted on land adjoining such road, or any road intersecting or junctioning with such road, should be reduced in height or otherwise cut or trimmed, the road authority may give to the owner or occupier of such land 21 days' notice in writing to reduce the height of or cut or trim such fence, construction, hedge, tree, or vegetation to such an extent or in such a manner as the road authority shall think necessary for the purpose aforesaid and shall specify in such notice.</p>	GM	Delegation given by General Manager.
S44	<p>Culverts to be constructed by owners at entrances to lands adjoining roads</p> <p>The road authority may give to the owner of any land adjoining any road a notice in writing requiring such owner, within a time to be specified in the notice, to construct to the satisfaction of the road authority</p>	GM	Delegation given by General Manager.

Tasmania Roads and Jetties Act 1935 - Roads and Jetties Act 1935 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	across the table-drain or gutter of such road, at or opposite to any entrance to such land which is used or intended to be used for vehicular traffic to or from such land, a culvert of such a nature and of such dimensions as shall be specified in the notice, and as will allow the free passage through such culvert of any water which may reasonably be expected to flow along such table-drain or gutter and into such culvert when so constructed.		
S45	<p>Power of Minister in certain cases to erect gates across roads</p> <p>If and when such road shall thereafter come under the care, control, or management of a council, the council shall continue to maintain such gate, or such gate and cattle-guard, as the case may be.</p>	GM	Delegation given by General Manager.
S46	<p>Damage caused by overweight vehicles</p> <p>Any person from whom such expenses are or may be recoverable under this section may enter into an agreement with the road authority for the payment to it of compensation in respect of such expenses, and, upon such person paying such compensation, he shall not be liable to any proceedings under this section.</p>	GM	Delegation given by General Manager.
S47	<p>Road metal, &c., may be placed on side of road</p> <p>The road authority may cause road metal or other materials, or any vehicle or plant used for the purpose of or in connection with the construction or maintenance of any road, to be stacked, deposited, or left upon such road at a distance from the centre thereof of not less than 3 metres in the case of a State highway, and not less than 2.5 metres in the case of a country road.</p>	GM	Delegation given by General Manager.
S47A	Warning gantries for bridges with overhead members	GM	Delegation given by General

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Subject to subsection (2) , a road authority may erect on a part of a road under its control that forms an approach to a bridge with overhead members such warning gantries and crash-beam gantries as the authority considers necessary for the protection of that bridge.		Manager.
S48	<p>Power of road authority, with the consent of the Governor, to permit tramway or railway along or across road</p> <p>The road authority may, with the consent of the Governor, grant authority to any person to lay down, construct, and maintain a tramway or railway along or across any road under its control subject to such terms and conditions as may be recommended by the council and approved by the Governor.</p>	GM	Delegation given by General Manager.
S48A	<p>Removal and disposal of abandoned articles</p> <p>Where it appears to the road authority that an article has, without lawful authority, been abandoned on a State highway or subsidiary road, the road authority may remove the article from that highway or road.</p>	GM	Delegation given by General Manager.
S48B	<p>Power to remove vehicles causing obstruction or danger</p> <p>A road authority may move, keep or impound any vehicle (and anything in, on or attached to the vehicle)</p>	GM	Delegation given by Council to General Manager
S49	<p>Obstructing roads: Notice to remove obstructions</p> <p>The road authority may give to any person making or erecting any building or fence, or causing or permitting any obstruction or encroachment, or making any drain, sink, or watercourse in contravention of any of the provisions of subsections (1) or (2) in respect of any road under its care, control, or management, 21 days'</p>	GM	Delegation given by General Manager.

Tasmania Roads and Jetties Act 1935 - Roads and Jetties Act 1935 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	notice in writing to take down the above.		
S50B	Excavations A person must not make any excavation, vault or cellar beneath a street in a town without the consent of the appropriate council.	GM	Delegation given by General Manager.
S51	Laying down timber, &c., on roads unless he be authorized by the road authority having the care, control, or management of such road so to do.	GM	Delegation given by General Manager.

Tasmania Strata Titles Act 1998 - Strata Titles Act 1998 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
S 31(2A)	Application for, and grant of, certificate of approval The Council must within 30 days of receiving an application issue or refuse to issue a certificate of approval	GM	Nil
S 31(2B)	Application for, and grant of, certificate of approval The Council may give the applicant notice requiring further information in order to determine the application	GM	Nil
31(3)	Application for, and grant of, certificate of approval The Council may issue a certificate of approval for a strata plan after satisfying itself of certain matters.	GM	Nil
31(4)	Application for, and grant of, certificate of approval	GM	Nil

Tasmania Strata Titles Act 1998 - Strata Titles Act 1998 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	The Council must return sketches, plans and models if it refuses to issue a certificate of approval.		
31(6)	Application for, and grant of, certificate of approval The Council must refuse to issue a certificate of approval if it considers the proposal is actually a subdivision	GM	Nil
S 31AA	Requirement for staged development scheme Where an application for a certificate of approval is made wholly or partly in respect of vacant land, the council may refuse the application on the ground that an application for a staged development scheme under section 38 should be made.	GM	Delegation given by Council
36(1)	Application for council approval (in relation to a staged development scheme)	GM	Nil
37(1)(a)	Approval of scheme in principle Before giving in principle approval for a staged development scheme Council can require specified changes to the scheme	GM	Nil
37(1)(b)	Approval of scheme in principle Before giving in principle approval for a staged development scheme Council can require the demolition or alteration of buildings on the site	GM	Nil
37(2)(a)	Approval of scheme in principle Council can approve staged development scheme unconditionally	GM	Nil
37(2)(b)	Approval of scheme in principle Council can approve the staged development scheme subject to specified conditions	GM	Nil

Tasmania Strata Titles Act 1998 - Strata Titles Act 1998 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
37(2)(c)	Approval of scheme in principle Council can refuse to approve the staged development scheme	GM	Nil
37(4)	Approval of scheme in principle Council to issue certificate of approval If Council approves the proposed staged development scheme it must issue a certificate of approval	GM	Nil
41(2)	Progressive development The council may refuse to approve a particular stage in a staged development scheme if an earlier stage of the scheme has not been completed as required under the terms of the registered scheme.	GM	Nil
42(2)	Application for variation of scheme The application is to be made in the first instance to the council for the area in which the site is situated.	GM	Nil
42(5)	Application for variation of scheme The Council may dispense with the consent of a present or prospective owners of lots in the staged development scheme in relation to a proposed variation if satisfied of certain matters	GM	Nil
42(6)	Application for variation of scheme The Council may approve unconditionally, subject to specified conditions or refuse an application to vary a variation to a staged development scheme	GM	Nil
45	Injunction Council (as an "interested person" under the Act) can apply for a mandatory injunction requiring the developer of a staged development	GM	Nil

Tasmania Strata Titles Act 1998 - Strata Titles Act 1998 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	scheme to complete the scheme		
54(1)(a)	Approval of scheme Before giving in principle approval for a community development scheme Council can require specified changes to the scheme	GM	Nil
54(1)(b)	Approval of scheme Before giving in principle approval for a community development scheme Council can require the demolition or alteration of buildings on the site	GM	Nil
54(2)(a)	Approval of scheme Council can approve community development scheme unconditionally	GM	Nil
54(2)(b)	Approval of scheme Council can approve the proposed community development scheme subject to specified conditions	GM	Nil
54(2)(c)	Approval of scheme Council can refuse to approve the community development scheme	GM	Nil
54(4)	Approval of scheme If Council approves the proposed community development scheme it must issue a certificate of approval	GM	Nil
57(2)	Progressive development The Council may refuse to approve a particular stage of a community development scheme in certain circumstances	GM	Nil
58(2)	Application for variation of scheme The application is to be made in the first instance to the council for the	GM	Nil

Tasmania Strata Titles Act 1998 - Strata Titles Act 1998 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	area in which the site is situated.		
58(5)	<p>Application for variation of scheme</p> <p>The Council may dispense with the consent of a present or prospective owners of lots in the community development scheme in relation to a proposed variation if satisfied of certain matters</p>	GM	Nil
58(6)	<p>Application for variation of scheme</p> <p>The Council may approve the variation unconditionally, or approve the variation subject to specified conditions or refuse to approve the variation</p>	GM	Nil
61	<p>Injunction</p> <p>Council (as an "interested person" under the Act) can apply for a mandatory injunction requiring the developer of a community development scheme to complete the scheme</p>	GM	Nil
65(a)	<p>Assignment of interest in land subject to scheme</p> <p>If the owner of land subject to a registered community development scheme proposes to sell or dispose of land subject to the scheme the owner must give written notice of the proposed transaction to the council for the area in which the site is situated</p>	GM	Nil
65(b)(i)	<p>Assignment of interest in land subject to scheme</p> <p>If the owner of land subject to a registered community development scheme proposes to sell or dispose of land subject to the scheme the person who is to acquire title to the land in consequence of the transaction must give to the council a written undertaking to develop the land in accordance with the registered scheme</p>	GM	Nil
65(b)(ii)	<p>Assignment of interest in land subject to scheme</p> <p>If the owner of land subject to a registered community development scheme proposes to sell or dispose of land subject to the scheme the</p>	GM	Nil

Tasmania Strata Titles Act 1998 - Strata Titles Act 1998 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	person who is to acquire title to the land in consequence of the transaction must give the council any security required by the council, within 28 days after notice of the transaction was given to the council, for the development of the land in accordance with the scheme.		
142(2)(b)	Recording of certain orders	GM	Nil

Survey Co-ordination Act 1944 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
S 4(2)	Public authorities to compile and forward to Surveyor-General lists of existing plans (2) Every public authority shall, upon being so required by the Surveyor-General, appoint a fit and proper person as the proper officer of that authority for the purposes of this Act	GM	This is the delegation of councils' power to appoint a 'proper officer'.
S 5	Public authorities to give notice of intention to commence new surveys	GM	Nil

Tasmania Traffic Act 1925 - Traffic Act 1925 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
S 43(2)	Removal of things obstructing public streets an authorised person may remove, take and detain articles placed or left in public	GM	S 43(1) authorised person means - (b) in the case of a public street in a municipal area, a person who is an employee or agent of the responsible council and has the approval of that council to exercise

Tasmania Traffic Act 1925 - Traffic Act 1925 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	streets to the obstruction, annoyance or danger of other persons.		power under this section within that area.
S 43(3)(4)(5)	Removal of things obstructing public streets A relevant authority must notify articles owner of removal and/or dispose of articles not removed.	GM	s 43(1) relevant authority means - (b) in relation to an authorised person who is an employee or agent of a council, that council.

Tasmania Urban Drainage Act 2013 - Urban Drainage Act 2013 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Sec 22 LGA	Delegation (of functions or powers) by Council	GM	Nil
Sec 64 LGA	Delegation (of functions or powers) by general manager	GM	Nil
S 5(6)	Council to provide adequate public storm water system Council to provide public stormwater system. If found not to, they must comply with the orders in notice of default.	GM	Nil
S 5(4)	Council to provide adequate public storm water system A council may appeal to the Appeal Tribunal against an order under subsection 5(3) within the period specified in the order.	GM	Nil
S 7	Service of notice relating to negotiations for provisions of stormwater services	GM	Nil

Tasmania Urban Drainage Act 2013 - Urban Drainage Act 2013 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
S 11(1)	Power of council to adopt stormwater systems General manager may agree with a person who has a private storm water system or is proposing to construct stormwater system that if it is constructed in accordance with the terms of the agreement that the council will declare the works to be vested in the council.	GM	Nil
S 11(4)	Power of council to adopt stormwater systems General manager may require person constructing a drain to construct it in a different way.	GM	Nil
S 11(8)	Power of council to adopt stormwater systems Where a council imposes a requirement under s 11(4) they must pay extra costs incurred by person constructing the drain.	GM	Nil
S 12	Council to maintain maps	GM	Nil
S 13	Protection of stormwater assets General manager granting consent as to protection of stormwater assets. Issuing of notices requiring removal where consent has not been granted.	GM	Nil
S 13(4)	Protection of stormwater assets If a person fails to carry out the works required in the notice within the specified period, the council may demolish, remove or remedy the building or construction and carry out any works necessary for restoring or reinstating the public stormwater system.	GM	Nil
S 13(5)(b)	Protection of stormwater assets If the council carries works under s 13(4) expenses are recoverable in a court of a competent jurisdiction.	GM	Nil

Tasmania Urban Drainage Act 2013 - Urban Drainage Act 2013 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
S 14	Interference with public stormwater systems General manager granting consent as to interference with stormwater systems. Issuing of notices requiring removal where consent has not been granted.	GM	Nil
S 14(4)	Interference with public stormwater systems If a person fails to comply with the notice issued under 14(2) within the specified period, the council may demolish, remove or remedy the works and carry out any works necessary for restoring or reinstating the infrastructure.	GM	Nil
S 14(5)(b)	Interference with public stormwater systems If the council carries works under s 14(4) expenses are recoverable in a court of a competent jurisdiction.	GM	Nil
S 15(13)	Power of authorised officers to carry out work on or adjoin to public land A council must make good, to the satisfaction of the authority responsible for the land, any damage caused by the exercise of powers under this section as soon as practicable.	GM	Nil
S 16(9)	Power of authorised officers to enter private land The council must make good any damage caused by the exercise of powers under this section as soon as practicable or pay reasonable compensation for the damage.	GM	Nil
S 17	Power to undertake construction of public stormwater systems Without the permission of the relevant general manager, a person must not discharge, or cause or permit to be discharged, stormwater into any system other than the public stormwater system.	GM	Nil
S 18(3)	Discharge of matter into public stormwater system	GM	Nil

Tasmania Urban Drainage Act 2013 - Urban Drainage Act 2013 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	General Manager must give permission to discharge matter into public stormwater systems.		
S 20	Limits on connection point General manager to provide approval in relation to limits on connection points for public and private storm water systems.	GM	Nil
S 21(1)	Requirement to connect General manager may serve notice requiring connection to public storm water systems.	GM	Nil
S 21(3)	Requirement to connect Where notice has been served, council may recover costs if it is not complied with.	GM	Nil
S 22(1)	Requirement to disconnect General manager may serve notice to property owner requiring the removal of existing connections between the property and public storm water systems and recover costs where notice is not complied with.	GM	Nil
S 22(3)	Requirement to disconnect Where notice has been served, council may recover costs if it is not complied with.	GM	Nil
S 23(2)(a)	Property owners not to direct stormwater onto neighbouring properties General manager to issue notice giving property owner creating nuisance 28 days to stop.	GM	Nil
S 23(2)(b)	Property owners not to direct stormwater onto neighbouring properties If a property owner does not comply with a notice under s 23(2)(a) the council can carry out such works that are necessary to rectify the	GM	Nil

Tasmania Urban Drainage Act 2013 - Urban Drainage Act 2013 (Tas)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	nuisance.		
S 23(3)	Property owners not to direct stormwater onto neighbouring properties Any costs incurred under 23(2)(b) are recoverable in a court of competent jurisdiction.	GM	Nil

Tasmania Vehicle & Traffic Act 1999 - Vehicle & Traffic Act 1999 (Tas)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Sec 56C (2) (3) (4) (5)	Certain activities prohibited on public streets (i.e. selling goods, or a business, calling, or employment) Permits for this section may be issued by the general manager of the council in which the public street is located (the ""relevant council"") and any person may apply in writing for such a permit.	GM	Delegation given by General Manager to Director of Department.

Tasmania Weed Management Act 1999 - Weed Management Act 1999 (Tas)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
34(3)	Appointment of inspectors The council, with the approval of the Secretary, may appoint any person as an inspector for the purpose of the Act.	GM	Approval of the Secretary required.
66(a)	Payments to council or Consolidated Fund Any payments made in respect of an infringement	GM	Nil

Tasmania Weed Management Act 1999 - Weed Management Act 1999 (Tas)

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	<p>notice –</p> <p>(a) are payable to a council, if the notice was served by an inspector appointed under section 34 (3) ; or</p> <p>(b) are payable into the Consolidated Fund if the notice was served by an inspector appointed under section 34(1) .</p>		

In accordance with the Council's resolution at its 15 May 2023 Ordinary Council Meeting:

“■ Cr Carpenter moved and Cr Beswick seconded, “That the Council, in accordance with section 22 of the Local Government Act 1993:

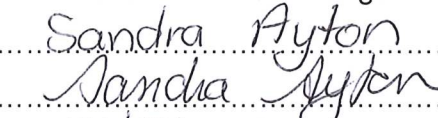
- 1 Delegate its functions and powers as listed in the Schedule of Delegations - Council to the General Manager – May 2023 (a copy being appended to and forming part of the minutes) to the General Manager;
- 2 Authorise the General Manager under section 64 of the Local Government Act 1993 to delegate any of the above delegated functions and powers to an employee of Council with the appropriate qualifications, skills and experience (subject to any conditions or limitations; or unless otherwise specified by a particular Act); and
- 3 As of 18 April 2023, revoke its previous delegations to the General Manager under the Schedule of Delegations - Council to the General Manager – April 2021 (a copy being appended to and forming part of the minutes).”

Carried unanimously”

I acknowledge as Mayor of the Central Coast Council, that the General Manager be delegated the functions and powers as listed in the Schedule of Delegations - Council to the General Manager – May 2023.

Name (print) Cheryl Fuller
Signature 
Date 17/5/2023

I acknowledge that I have read and accept the delegated the functions and powers as listed in the Schedule of Delegations - Council to the General Manager – May 2023.

Name (print) Sandra Ayton
Signature 
Date 17/5/2023

Schedule of Delegations – Council to the General Manager – May 2023

Date Ordinary Council Meeting - 15 May 2023
Minute Ref No: 143/2023



**SCHEDULE OF DOCUMENTS FOR AFFIXING OF
THE COMMON SEAL**

Period: 18 April to 15 May 2023

Nil

A handwritten signature in black ink that reads 'Sandra Ayton'.

Sandra Ayton
GENERAL MANAGER



SCHEDULE OF CONTRACTS AND AGREEMENTS

(Other than those approved under the common seal)

Period: 18 April to 15 May 2023

Agreements

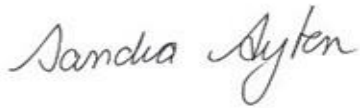
- . 2023 Stadium Agreement
North West Tasmania Thunder Basketball Club Inc. and Central Coast Council
Arrangement for support and collaboration between parties
Commencement date: 17 April 2023
Duration: one basketball season
- . Memorandum of Understanding
Hensoldt Australia Pty Ltd and Central Coast Council
Mutual Cooperation for Development of Content for the Tasmanian Science Centre at HIVE
Commencement date: 19 April 2023
Duration: 3 years
- . Memorandum of Understanding
Turners Beach Community Garden Inc. and Central Coast Council
Permitted activities, guidelines and responsibilities of parties in relation to the community gardens
Commencement date: 26 April 2023
Duration: ongoing
- . Master Services Agreement, Datascope Services Agreement and Statement of Work – Antenno Implementation
Datacom Solutions Pty Ltd and Central Coast Council
Datascope Antenno – public mobile app
Date signed: 28 April 2023
Duration: ongoing

Contracts

- . Contract No. 11/2022–2023 – dated 20 April 2023
PDA Surveyors, Engineers & Planners
Design and contract management services for road safety improvements at Ironcliffe Road, Penguin
Contract amount: \$506,000 (inc. GST)

- . Contract No. 12/2022-2023 – dated 27 April 2023
Tasmanian Consultancy Services
Design of structures relating to the rectification, rehabilitation and prevention of flood damage at Gunns Plains Road and Lowana Road, Gunns Plains
Contract amount: \$166,705 (inc. GST) (Stage 1 only)

- . Contract No. 13/2022-2023 – dated 1 May 2023
AJ & M Construction
Design and construction of Heybridge Recreation Ground
Contract amount: \$1,129,276.95 (inc. GST)

A handwritten signature in dark ink, reading "Sandra Ayton". The signature is written in a cursive, flowing style.

Sandra Ayton
GENERAL MANAGER



**SCHEDULE OF CORRESPONDENCE RECEIVED ADDRESSED TO
MAYOR AND COUNCILLORS**

Period: 18 April to 15 May 2023

- . A letter from the Mayor of Glenorchy City Council seeking support for her candidacy in the upcoming election for President of the Local Government Association of Tasmania.
- . A letter from the Mayor of Break O'Day Council seeking support for his candidacy in the upcoming election for President of the Local Government Association of Tasmania.
- . A letter from Toast for Kids Charity seeking support for their current awareness campaign.
- . A letter from the Director of Local Government regarding the Model Code of Conduct for councillors.
- . A letter from a ratepayer regarding issues arising from a development application approved by the Council in 2012.

A handwritten signature in cursive script that reads 'Sandra Ayton'.

Sandra Ayton
GENERAL MANAGER

Central Coast Council
List of Development Applications Determined
Period from: 1 April 2023 to 30 April 2023

Application Number Display	Address	DA Type	Proposed use	Application Date	Decision Date	Day determined	Cost Of Works
DA2022253	1648 Preston Road PRESTON,TAS,7315	Discretionary	Residential – single dwelling and demolition of existing dwelling	7/09/2022	20/04/2023	68	\$940,124.00
DA2022280	106 Lobster Creek Road WEST ULVERSTONE,TAS,7315	Discretionary	Landfill and new bund wall – Reliance on C7.0 Natural Assets Code and C9.0 Attenuation Code	7/10/2022	18/04/2023	32	\$150,000.00
DA2022302	24 & 26 Main Road PENGUIN,TAS,7316	Discretionary	Residential – single dwelling	10/11/2022	20/04/2023	52	\$200,000.00
DA2022355	14C Beach Road ULVERSTONE,TAS,7315	Discretionary	Residential – single dwelling and front fence with electronic gate	22/12/2022	12/04/2023	29	\$1,255,000.00
DA2023029	43 Main Street ULVERSTONE,TAS,7315	Discretionary	Subdivision – 2 Residential lots and demolition of existing outbuildings	17/02/2023	12/04/2023	35	\$10,000.00
DA2023039	20 Dial Street ULVERSTONE,TAS,7315	Discretionary	Residential – second storey single dwelling extensions – Setbacks and building envelope for all dwellings	23/02/2023	17/04/2023	32	\$360,000.00
DA2023056	477 Stubbs Road FORTH,TAS,7310	Discretionary	Residential – demolition of existing dwelling and outbuilding and construction of new single dwelling	9/03/2023	12/04/2023	28	\$800,000.00
DA2023058	Brookvale Road (CT121101/6) ULVERSTONE,TAS,7315	Discretionary	Residential – single dwelling	10/03/2023	17/04/2023	31	\$620,000.00
DA2023060	3 Arcadia Avenue TURNERS BEACH,TAS,7315	Discretionary	Residential – shed	14/03/2023	18/04/2023	32	\$15,000.00
DA2023063	19 Grove Street ULVERSTONE,TAS,7315	Discretionary	Residential and Visitor Accommodation – Discretionary uses	21/03/2023	26/04/2023	27	\$0.00
DA2023066	U 3/2 Walker Street ULVERSTONE,TAS,7315	Permitted	Residential – awning	23/03/2023	12/04/2023	14	\$9,130.00

Unsealed Roads Policy

May 2023



CENTRAL COAST COUNCIL

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POLICY

The Unsealed Roads Policy supports the Council's vision and strategic objectives of appropriately managing assets and to provide the community with a Policy for sealing of unsealed roads servicing properties within the Central Coast municipal area.

To achieve this the Council recognises that assets must be planned, provided, maintained and renewed so that they continue to meet the service delivery needs of the community, within the context of providing best value to the community.

PURPOSE

The purpose of this Policy is to establish a set of criteria for the assessment and selection of unsealed roads for sealing.

It provides a systematic method of prioritising the sealing or otherwise of unsealed rural roads using a measurable and transparent assessment framework.

The Policy only applies to unsealed roads in the rural areas.

PROCESS

All unsealed roads will be assessed using the numerical scoring system set out in the Unsealed Roads Guidelines.

Roads reaching the threshold score will be added to the works schedule for consideration of sealing in an appropriate year.

When a request is received to seal a road, it will be re-assessed to ascertain if any changes have been made that would affect its score based on the Unsealed Roads Guidelines. If the re-assessed score reaches the threshold score it will be added to the works schedule for consideration of sealing in an appropriate year. If the threshold score is not reached, it will not be considered for sealing.

The applicant will be advised of the process and upon completion of the assessment will be advised of the outcome.

There are also "Special Circumstances" where the sealing of a section of a road may be approved. The treatment of such circumstances is outlined in the Unsealed Roads Guidelines.

SCOPE

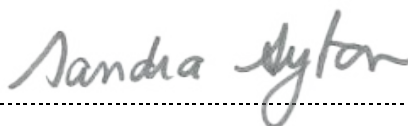
This Policy applies to Council owned and managed unsealed rural roads.

RELATED DOCUMENTS

- . Unsealed Roads Guidelines – May 2023
- . ARRB – Unsealed Roads Best Practice Guide – 2023
- . Central Coast Strategic Plan 2014–2024

Date of approval: 15/05/2023

Approved by:

A handwritten signature in dark ink, reading "Sandra Ayton", written over a horizontal dashed line.

Sandra Ayton
GENERAL MANAGER

Unsealed Roads Guidelines

May 2023



Schedule of Changes and Amendments

Version	Date	Changes/Amendment
Draft	Sept 2009	Draft prepared by Council officers
V1.00	Aug 2010	Endorsed by the Council at its meeting 16 August 2010
V2.00	June 2019	Endorsed by the Council at its meeting 15 July 2019
V.3.00	May 2023	Endorsed by the Council at its meeting May 2023

- NB: 1 Primary number changes to Versions (e.g. V1.00 to V2.00) will be made when the document undergoes its regular review and when significant changes are made to standards and guidelines
- 2 Secondary number changes (V1.00 to V1.01) will apply to minor amendments that do not materially impact the document and are intended only to clarify or update issues.

Document Control						
Rev No	Date	Revision Details	Typist	Author	Verifier	Approver

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1 INTRODUCTION

These Guidelines have been prepared by the Central Coast Council to support the Unsealed Roads Policy. The Unsealed Roads Policy supports the Council's vision and strategic objectives of appropriately managing assets and to provide the community with a Policy for sealing of unsealed roads servicing properties within the Central Coast municipal area.

The Policy only applies to unsealed roads in the rural areas.

To achieve this the Council recognises that assets must be planned, provided, maintained and renewed so that they continue to meet the service delivery needs of the community, within the context of providing best value to the community.

2 PURPOSE

The purpose of these Guidelines is to establish a set of criteria for the assessment and selection of unsealed roads for sealing.

It provides a systematic method of prioritising the sealing or otherwise of unsealed rural roads using a measurable and transparent assessment framework.

3 PROCESS

All unsealed roads will be assessed using the numerical scoring system set out in Part 4 – Assessment. A record of the assessment and scores will be maintained in a spreadsheet, copy included as Appendix B.

Roads reaching the threshold score will be added to the works schedule for consideration of sealing in future works programs.

A total of 150 points has been selected as the threshold score for a road to be listed for inclusion and/or consideration for sealing.

When a request is received to seal a road, it will be reassessed to ascertain if any changes have been made that would affect its score. The reassessment will be conducted by an officer of the Infrastructure Services Department and will be reviewed by the Road Asset Management Team. If the threshold score is reached the road will be listed for consideration of sealing in an appropriate year. If the threshold score is not reached the road will not be considered for sealing.

The applicant will be advised of the process and upon completion of the assessment will be advised of the outcome.

There are also “Special Circumstances” where the sealing of a section of a road may be approved. The treatment of such circumstances is outlined in Part 5 – Special Circumstances.

The process is summarised in the flowchart and checklist included in Appendix A.

4 ASSESSMENT

A survey of all gravel roads was undertaken by Council staff in 2005. Information on approximate traffic volumes, road safety, drainage, pavement condition, total number of residents, number affected by dust, signage, maintenance issues, strategic significance, and reconstruction constraints were recorded.

In order to ensure transparency and for the results to stand-up to public scrutiny a method to score and prioritise the roads was further developed by the Asset Management Group.

The criteria and weightings adopted for the assessment are as follows:

CRITERIA	WEIGHTING	SCORING POINTS
Traffic Volumes.	7	0 points 0–25 vpd 1 point 25–50 vpd 2 points 50–100 vpd 3 points 100–150 vpd 5 points >150 vpd Add one additional point for every 10% of commercial vehicles.
Strategic Significance. Tourist facility/focus, land development (abutting or servicing), complete a sealed road link, etc.	6	0 Nil 1 Low 2 3 Medium 4 5 High
Maintenance Considerations. Take into account relative maintenance costs.	8	1 Low 2 3 Medium 4 5 High

Safety Considerations. Actual/potential accidents, vertical/horizontal alignment issues, sight distance problems, school bus route.	10	0 Nil 1 Low 2 3 Medium 4 5 High (add 1 point if school bus route).
Number of Houses.	6	Number of houses along a particular section of road within 100m of the road per km. One additional point per house.
Distance of House from Road.	6	0 Points >100m 1 Point 50–100m 2 Points 25–50m 3 Points 15–25m 5 Points 0–15m Add one point for each additional house located within 100m from the road.
Domestic Water Supply.	7	3 points – water tanks in use. 0 Points – reticulated or bore water supply.
Owner/Occupier Concerns.	8	1–5 points Issues to be considered are: Health issues, e.g. asthma etc. Effect of dust on business. Type of material used on road, e.g. high dust.

A preliminary assessment of all unsealed roads was conducted by the Council's Road Asset Management Team in June 2010 using a desktop survey. The ten highest scoring roads and all roads known to have had recent complaints were reassessed onsite to confirm final scores. The score for each criteria is obtained by multiplying the points and the weighting. Total score is the sum of the criteria scores.

Final scores shown in the table at Appendix B have been adopted.

5 SPECIAL CIRCUMSTANCES

The only instance when sealing of a section of road not meeting the criteria will be considered is when there are business or serious consequences associated with not sealing that section. Examples of this would include a dairy next to a gravel road where the dust might contaminate the milk supply, or where a requirement is placed on an agricultural business by a head contract that might not allow its produce to be sold if not compliant, e.g. supply of fruit or other above-ground crop.

If the special circumstances is met then there are two options to progress.

Option 1

In these instances, consideration for sealing will need to be treated individually on merit. A request for Sealing of Unsealed Road – Special Circumstances Form - Appendix E – would be required from the applicant. If approved, funding of the project would be at the Council's expense if the applicant is prepared to wait for the sealing works to be programmed. If the applicant wishes to expedite the sealing works, then they can choose to invoke Option 2 and funding will need to be provided by the applicant prior to works proceeding.

Option 2

In these instances, consideration for sealing will need to be treated individually on merit and would be jointly funded on a 50% contribution from the applicant. A request for Sealing of Unsealed Road – Special Circumstances Form would be required from the applicant. Where the cost implications to the Council are greater than \$10,000, a report is to be forwarded to the Council for approval. The minimum length to be sealed for any application is 200m. Without widening or upgrade this would cost approximately \$50,000 (2023).

6 DUST SUPPRESSION

During 2008–2009 trials for dust suppression products were conducted on several roads. These trials proved to be unsuccessful. As a result, it is believed that bitumen sealing is the only means of dust suppression to be utilised in the future and only when the Guideline criteria are met. This is supported by a quotation from the Australian Road and Research Board (ARRB) Group – Unsealed Roads manual which states:

“Short of sealing a road, there are no known ways to eliminate dust emissions effectively on a long-term basis by using a single process or just one application of a dust suppressant.”

7 FUNDING

Successful applications for sealing of a road or road section will be listed for consideration in future works programs and assessed annually with other competing priorities. Funding will be provided from the Rural Roads portion of the Capital Program.

8 DOCUMENT REVIEW

This document will be reviewed in conjunction with the Unsealed Roads Policy.

9 REFERENCES AND STANDARDS

Unsealed Roads Policy – May 2023

ARRB – Unsealed Roads Best Practice Guide – 2023

Appendix A: Process Flowchart

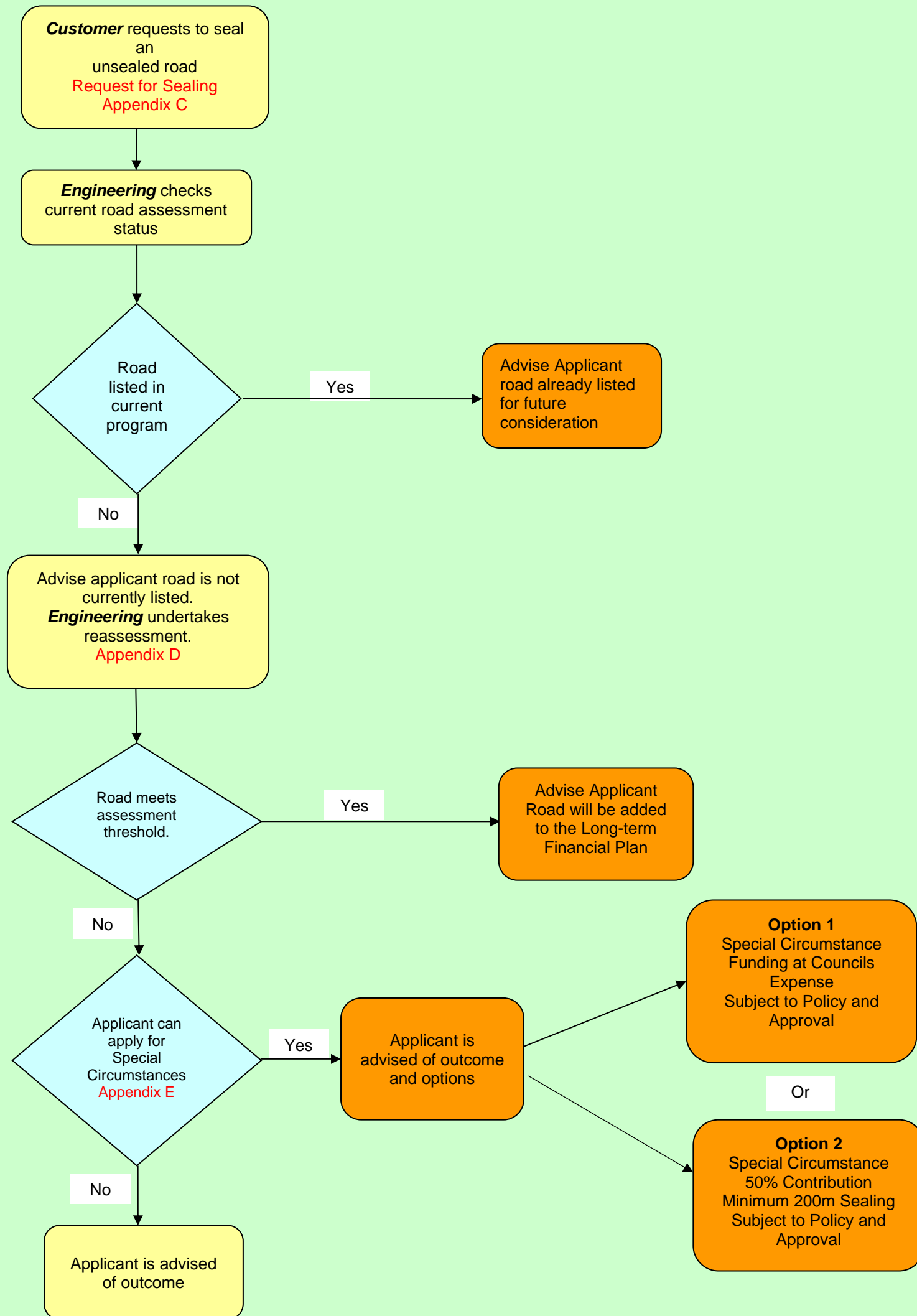
Appendix B: Assessment Spreadsheet

Appendix C: Request for Sealing

Appendix D: Re-assessment Form

Appendix E: Special Circumstance Form

UNSEALED ROADS GUIDELINES Process Flowchart



UNSEALED ROADS GUIDELINES

Workflow Checklist

Workflow Checklist (To be used with Flowchart)	Yes	No
Customer requests to seal an unsealed road Request for Sealing Form (Appendix C) received	<input type="checkbox"/>	<input type="checkbox"/>
Engineering check current assessment status of unsealed Road	<input type="checkbox"/>	<input type="checkbox"/>
If currently not listed for sealing Engineering undertakes reassessment (Appendix D) If the reassessment meets sealing threshold, add the road to LTFP for sealing. Advise applicant of the outcome	<input type="checkbox"/>	<input type="checkbox"/>
If road meets threshold add to the Long Term Financial Plan and Advise Applicant.	<input type="checkbox"/>	<input type="checkbox"/>
If Applicant wants to apply for Special Circumstances Applicant to complete Appendix E	<input type="checkbox"/>	<input type="checkbox"/>
If the request qualifies for Special Circumstances Confirm Option 1 or Option 2	<input type="checkbox"/>	<input type="checkbox"/>
Option 1 Funding by council subject to approval and funding	<input type="checkbox"/>	<input type="checkbox"/>
Option 2 Joint contribution subject to approval and funding	<input type="checkbox"/>	<input type="checkbox"/>
Applicant is advised of outcome	<input type="checkbox"/>	<input type="checkbox"/>
Office name and signoff (Internal Office Process Status)	Status Stamp	

Length	ROAD ID	NAME	APPROX. VOL Sealing Cost	Volume Score	W	T	Strategic Significance	W	T	Maint. Considerations	W	T	Safety Considerations	W	T	Number of Houses	W	T	Distance to house	W	T	Domestic water supply	W	T	owner/loc. Concerns	W	T	Total Weighted Points	
0.73	D1002	BIENEFELTS ROAD	<50	3	7	21	0	6	0	5	8	8	40	3	10	30	6	8	36	7	6	42	3	7	21	2	8	16	206
1.85	C7808	HAYWOODS ROAD	<100	1	7	7	3	6	18	2	8	16	1	10	10	2	8	12	5	6	30	3	7	21	4	8	32	146	
1.84	D0193	HARVEYS ROAD	<100	2	7	14	1	6	0	1	8	16	3	10	30	3	6	18	4	6	24	3	7	21	2	8	16	139	
6.202	D0855	SMITHS PLAINS ROAD	>150	3	7	21	4	6	24	3	8	24	1	10	10	1	6	6	1	6	6	3	7	21	2	8	16	138	
1.245	D0692	PURTONS ROAD	<100	3	7	28	1	6	0	3	8	16	1	10	40	1	6	6	1	6	6	3	7	21	1	8	8	119	
13.39	C7521	LOWANNA ROAD	>150	3	7	21	4	6	24	3	8	24	4	10	40	1	6	6	1	6	6	3	7	21	0			115	
2.50	C8558	DIAL ROAD	<20	5	7	35	4	6	24	3	8	24	1	10	10	0	6	6	0	6	6	0	7	0	1	8	8	101	
1.28	C7588	FRENCHS ROAD	<20	0	7	0	2	6	12	2	8	16	0	10	0	3	6	18	4	6	24	3	7	21	1	8	8	99	
0.76	C7558	PATONS ROAD	<20	1	7	7	0	6	0	1	8	8	2	10	20	5	6	30	2	6	12	3	7	21	0	8	0	98	
3.48	D0248	ISANDULA ROAD	<100	3	7	21	4	6	24	2	8	16	3	10	30	0	6	0	0	6	0	0	7	0	0	8	0	91	
0.41	C7576	TRAVELERS LANE	<50	1	7	7	0	6	0	1	8	8	0	10	0	4	6	24	5	6	30	3	7	21	0	8	0	90	
0.43	D0769	WYNWOOD ROAD	<50	0	7	0	0	6	0	1	8	8	0	10	0	3	6	18	7	6	42	3	7	21	0	8	0	89	
1.94	C7798	LOWANNA ROAD	<20	1	7	7	2	6	12	1	8	8	1	10	10	2	8	12	3	6	18	3	7	21	0	8	0	88	
0.87	D1205	JAMIESONS ROAD	<20	0	7	0	1	6	6	1	8	8	1	10	10	3	6	18	4	6	24	3	7	21	0	8	0	87	
1.152	D0107	CANNONS ROAD	<50	8	7	0	0	6	0	1	8	8	0	10	0	2	8	12	4	6	24	3	7	21	1	8	8	73	
0.757	D0170	BRETTS ROAD	<50	1	7	7	0	6	0	1	8	8	0	10	0	3	6	18	5	6	30	3	7	21	0	8	0	84	
4.818	C7505	LOVETEA ROAD	<100	1	7	7	0	6	0	2	8	16	1	10	10	2	8	12	3	6	18	3	7	21	0	8	0	84	
1.72	D0633	STORYS ROAD	<50	2	7	14	0	6	0	1	8	8	1	10	10	2	8	12	3	6	18	3	7	21	0	8	0	83	
2.07	D0652	BREARLEYS ROAD	<20	1	7	7	0	6	0	2	8	16	0	10	0	1	6	6	5	6	30	3	7	21	0	8	0	80	
1.03	D0655	SMITHS ROAD	<50	0	7	0	0	6	0	1	8	8	0	10	0	3	6	18	5	6	30	3	7	21	0	8	0	77	
0.85	D0840	CHAMBERS ROAD	<50	0	7	0	0	6	0	1	8	8	0	10	0	2	6	12	6	6	36	3	7	21	0	8	0	77	
0.91	C7727	CLARKES ROAD	<20	0	7	0	0	6	0	1	8	8	0	10	0	3	6	18	5	6	30	3	7	21	0	8	0	77	
0.86	D0138	JORDANS ROAD	<50	0	7	0	0	6	0	1	8	8	0	10	0	2	6	12	6	6	36	3	7	21	0	8	0	77	
0.525	D0000	MANNINGS JETTY ROAD	<50	0	7	0	0	6	0	1	8	8	0	10	0	2	6	12	6	6	36	3	7	21	0	8	0	77	
0.79	D0879	BARRETTS ROAD	<50	0	7	0	0	6	0	1	8	8	1	10	10	1	6	6	5	6	30	3	7	21	0	8	0	75	
0.4	D1166	FERRY BRIDGE ROAD	<50	0	7	0	0	6	0	1	8	8	0	10	0	2	6	12	6	6	36	3	7	21	0	8	0	73	
0.85	D0203	ELLIS ROAD	<50	1	7	7	0	6	0	1	8	8	0	10	0	2	8	12	4	6	24	3	7	21	0	8	0	72	
1.02	D0644	MCKENNAS ROAD	<50	0	7	0	0	6	0	1	8	8	0	10	0	3	6	18	4	6	24	3	7	21	0	8	0	71	
1.26	D1069	LINGS ROAD	<20	1	7	7	2	6	12	1	8	8	1	10	10	1	6	6	1	6	6	3	7	21	0	8	0	70	
2.42	D0796	CHILCOTTS ROAD	<50	0	7	0	0	6	0	1	8	8	1	10	10	2	8	12	3	6	18	3	7	21	0	8	0	69	
1.09	D0374	THOMPSONS ROAD	<50	2	7	14	1	6	6	1	8	8	0	10	0	1	6	6	2	6	12	3	7	21	0	8	0	67	
0.99	C7550	PLAINS ROAD	<20	2	7	14	2	6	12	1	8	8	0	10	0	1	6	6	1	6	6	3	7	21	0	8	0	67	
0.72	C7772	FELDLINGS ROAD	<50	1	7	7	0	6	0	1	8	8	0	10	0	2	8	12	3	6	18	3	7	21	0	8	0	66	
3.98	D0694	GAUNTS ROAD	<50	1	7	7	0	6	0	2	8	16	1	10	10	1	6	6	1	6	6	3	7	21	0	8	0	66	
1.06	D0659	COBBETTS ROAD	<50	0	7	0	0	6	0	1	8	8	0	10	0	2	6	12	6	6	36	3	7	21	0	8	0	65	
1.468	C7675	COOKES ROAD	<20	0	7	0	0	6	0	1	8	8	0	10	0	1	6	6	5	6	30	3	7	21	0	8	0	65	
0.51	D2077	LEES ROAD	<20	0	7	0	0	6	0	1	8	8	0	10	0	2	6	12	4	6	24	3	7	21	0	8	0	65	
0.42	C7549	HALLS ROAD	<20	0	7	0	0	6	0	1	8	8	0	10	0	2	6	12	4	6	24	3	7	21	0	8	0	65	
0.34	D0727	WOODCHOICES ROAD	<20	0	7	0	0	6	0	1	8	8	0	10	0	2	6	12	4	6	24	3	7	21	0	8	0	65	
0.232	D0303	BELLINGERS ROAD	<20	0	7	0	0	6	0	1	8	8	0	10	0	1	6	6	5	6	30	3	7	21	0	8	0	65	
0.26	C7594	CORBETTS ROAD	<20	0	7	0	0	6	0	1	8	8	0	10	0	2	6	12	4	6	24	3	7	21	0	8	0	65	
1.3	C7796	BARRERS ROAD	<20	1	7	7	0	6	0	1	8	8	0	10	0	1	6	6	1	6	6	3	7	21	0	8	0	60	
0.265	C8010	SILVER RISE	<20	1	7	7	0	6	0	1	8	8	0	10	0	2	6	12	2	6	12	3	7	21	0	8	0	60	
1.05	D0507	MCPHERSONS ROAD	<20	0	7	0	0	6	0	1	8	8	0	10	0	2	6	12	3	6	18	3	7	21	0	8	0	59	
0.57	D0689	ROCKLIFFS ROAD	<50	0	7	0	0	6	0	1	8	8	0	10	0	2	8	12	3	6	18	3	7	21	0	8	0	59	
0.76	D0316	PORTERS ROAD	<50	0	7	0	0	6	0	1	8	8	0	10	0	2	6	12	3	6	18	3	7	21	0	8	0	59	
0.78	D0621	CHISHOLM ROAD	<50	0	7	0	0	6	0	1	8	8	0	10	0	2	6	12	3	6	18	3	7	21	0	8	0	59	
0.67	C7646	WYLLIES ROAD	<20	0	7	0	0	6	0	1	8	8	0	10	0	2	6	12	3	6	18	3	7	21	0	8	0	59	
0.23	C7510	KAINES ROAD	<20	0	7	0	0	6	0	1	8	8	0	10	0	1	6	6	4	6	24	3	7	21	0	8	0	59	
2.01	D0510	WARRINGA ROAD	<20	1	7	7	0	6	0	1	8	8	1	10	10	1	6	6	1	6	6	3	7	21	0	8	0	58	
1.73	D0471	DENNIS ROAD	<20	1	7	7	0	6	0	1	8	8	1	10	10	1	6	6	1	6	6	3	7	21	0	8	0	58	
1.35	D0125	SALTWATERS ROAD	<50	0	7	0	0	6	0	1	8	8	0	10	0	1	6	6	1	6	6	3	7	21	2	8	16	57	
1.136	D0219	GUNNS PLAINS ROAD	<20	0	7	0	0	6	0	1	8	8	1	10	10	1	6	6	2	6	12	3	7	21	0	8	0	57	
0.992	C7316	IRONCLIFFE ROAD	<20	1	7	7	3	6	18	4	8	32	0	10	0	0	6	0	6	0	0	7	0	0	8	0	57		
0.1	D1111	GRASSMERE ROAD	<20	0	7	0	0	6	0	1	8	8	0	10	0	1	6	6	2	6	12	3	7	21	1	8	8	55	
1.94	D0623	TONGS ROAD	<20	1	7	7	0	6	0	1	8	8	0	10	0	1	6	6	2	6	12	3	7	21	0	8	0	54	
1.13	D0332	HAYS ROAD	<50	0	7	0	0	6	0	1	8	8	0	10	0	1	6	6	3	6	18	3	7	21	0	8	0	53	
0.305	D0390	BENNELLS ROAD	<20	0	7	0	0	6	0	1	8	8	0	10	0	2	6	12	2	6	12	3	7	21	0	8	0	53	
0.304	NBMC	JACKSONS ROAD	<20	0	7	0	0	6	0	1	8	8	0	10	0	1	6	6	3	6	18	3	7	21	0	8	0	53	
0.3	C7591	WHITEHOUSES ROAD	<20	0	7	0	0	6	0	1	8	8	0	10	0	2	6	12	2	6	12	3	7	21	0	8	0	53	
0.86	C7471	ETCHELERS ROAD	<50	0	7	0	0	6	0	1	8	8	1	10	10	1	6	6	1	6	6	3	7	21	0	8	0	51	
1.721	D0112	ALLISON ROAD	<50	2	7	14	3	6	18	1	8	8	1	10	10	0	6	0	6	0	6	0</							

0.44	D1221	ROOMANS ROAD	<50	0	7	0	0	6	0	1	8	8	0	10	0	1	6	6	1	6	6	3	7	21	0	8	0	41
0.05	C8140	DENNIS ROAD	<20	0	7	0	0	6	0	1	8	8	0	10	0	1	6	6	1	6	6	3	7	21	0	8	0	41
0.48	D0824	WALLACES ROAD	<50	0	7	0	0	6	0	1	8	8	0	10	0	1	6	6	1	6	6	3	7	21	0	8	0	41
0.32	C8022	FIDLERS ROAD	<20	0	7	0	0	6	0	1	8	8	0	10	0	1	6	6	1	6	6	3	7	21	0	8	0	41
0.31	D0400	LASTS ROAD	<20	0	7	0	0	6	0	1	8	8	0	10	0	1	6	6	1	6	6	3	7	21	0	8	0	41
*0.25	C7468	SUSHAMES ROAD		1	7	7	3	6	18	2	8	16	0	10	0	0	6	0	0	6	0	0	7	0	0	8	0	41
0.49	D1030	ANSELL ROAD	<20	0	7	0	0	6	0	1	8	8	0	10	0	1	6	6	1	6	6	3	7	21	0	8	0	41
0.41	D0308	JONES ROAD	<20	0	7	0	0	6	0	1	8	8	0	10	0	1	6	6	1	6	6	3	7	21	0	8	0	41
0.14	C8198	JONES ROAD	<20	0	7	0	0	6	0	1	8	8	0	10	0	1	6	6	1	6	6	3	7	21	0	8	0	41
0.47	C7662	OLLARDS ROAD	<20	0	7	0	0	6	0	1	8	8	0	10	0	1	6	6	1	6	6	3	7	21	0	8	0	41
0.45	D0808	STOTTS ROAD	<20	0	7	0	0	6	0	1	8	8	0	10	0	1	6	6	1	6	6	3	7	21	0	8	0	41
0.4	D0222	SUGARLOAF ROAD	<20	0	7	0	0	6	0	1	8	8	0	10	0	1	6	6	1	6	6	3	7	21	0	8	0	41
0.31	D1198	WEEKERS ROAD	<20	0	7	0	0	6	0	1	8	8	0	10	0	1	6	6	1	6	6	3	7	21	0	8	0	41
0.21	D0699	MCCULLOCHS ROAD	<50	0	7	0	0	6	0	1	8	8	0	10	0	1	6	6	1	6	6	3	7	21	0	8	0	41
0.15	D1373	SATHER & OTHERS	<20	0	7	0	0	6	0	1	8	8	0	10	0	1	6	6	1	6	6	3	7	21	0	8	0	41
0.125	C7785	GARDINERS ROAD	<20	0	7	0	0	6	0	1	8	8	0	10	0	1	6	6	1	6	6	3	7	21	0	8	0	41
sealed	D0439	LITTLES ROAD	<50		7	0		6	0		8	0		10	0	6	6	36		6	0		7	0		8	0	36
0.217	C8002	SARAH ROAD	<20	1	7	7	3	6	18	1	8	8	0	10	0	0	6	0	0	6	0	0	7	0	0	8	0	33
1.2	D0578	CULLEN'S ROAD	<20	0	7	0	1	6	6	1	8	8	1	10	10	0	6	0	0	6	0	0	7	0	0	8	0	24
* sealed 0.52	C7963	REYNOLDS ROAD	<50		7	0		6	0		8	0		10	0	4	6	24		6	0		7	0		8	0	24
0.06	C7730	JANSENS ROAD	<20	0	7	0	0	6	0	3	8	24	0	10	0	0	6	0	0	6	0	0	7	0	0	8	0	24
sealed 0.04	C7659	DUFFS ROAD (1.3km - OHV)	<20	0	7	0	0	6	0	3	8	24	0	10	0	0	6	0	0	6	0	0	7	0	0	8	0	24
0.09	C8153	HESCUTTS ROAD	<20	0	7	0	0	6	0	1	8	8	0	10	0	1	6	6	1	6	6	0	7	0	0	8	0	20
1.49	C7502	COPEES ROAD	<20	0	7	0	0	6	0	1	8	8	1	10	10	0	6	0	0	6	0	0	7	0	0	8	0	18
0.65	C7578	MIDDLEYS ROAD	<20	1	7	7	0	6	0	1	8	8	0	10	0	0	6	0	0	6	0	0	7	0	0	8	0	15
0.275	D1053	BANNONS BRIDGE ROAD	<20	1	7	7	0	6	0	1	8	8	0	10	0	0	6	0	0	6	0	0	7	0	0	8	0	15
1.8	D0691	PETTIS ROAD	<20	0	7	0	0	6	0	1	8	8	0	10	0	0	6	0	0	6	0	0	7	0	0	8	0	8
1.19	D0918	ANDERSONS ROAD	<20	0	7	0	0	6	0	1	8	8	0	10	0	0	6	0	0	6	0	0	7	0	0	8	0	8
1.01	D1140	BROWNS ROAD	<20	0	7	0	0	6	0	1	8	8	0	10	0	0	6	0	0	6	0	0	7	0	0	8	0	8
0.84	D0653	JACKS ROAD	<20	0	7	0	0	6	0	1	8	8	0	10	0	0	6	0	0	6	0	0	7	0	0	8	0	8
0.91	C7594	BENNETTS ROAD	<20	0	7	0	0	6	0	1	8	8	0	10	0	0	6	0	0	6	0	0	7	0	0	8	0	8
0.09	D0581	DIPROSE ROAD	<20	0	7	0	0	6	0	1	8	8	0	10	0	0	6	0	0	6	0	0	7	0	0	8	0	8
0.8	D1315	MOTTS ROAD	<50	0	7	0	0	6	0	1	8	8	0	10	0	0	6	0	0	6	0	0	7	0	0	8	0	8
0.97	D0604	FILLEULS ROAD	<10	0	7	0	0	6	0	1	8	8	0	10	0	0	6	0	0	6	0	0	7	0	0	8	0	8
0.76	D0647	HINGTONS ROAD	<20	0	7	0	0	6	0	1	8	8	0	10	0	0	6	0	0	6	0	0	7	0	0	8	0	8
0.72	D0690	WINGS ROAD	<20	0	7	0	0	6	0	1	8	8	0	10	0	0	6	0	0	6	0	0	7	0	0	8	0	8
0.3	C7853	STAFFORDS ROAD	<20	0	7	0	0	6	0	1	8	8	0	10	0	0	6	0	0	6	0	0	7	0	0	8	0	8
0.62	D1289	HEALDS ROAD	<20	0	7	0	0	6	0	1	8	8	0	10	0	0	6	0	0	6	0	0	7	0	0	8	0	8
? 0.56	D1182	OLD BANDULA ROAD	<20	0	7	0	0	6	0	1	8	8	0	10	0	0	6	0	0	6	0	0	7	0	0	8	0	8
0.11	C8137	MCKENNA'S ROAD	<50	0	7	0	0	6	0	1	8	8	0	10	0	0	6	0	0	6	0	0	7	0	0	8	0	8
0.47	D0811	WOODCHOPPERS ROAD	<50	0	7	0	0	6	0	1	8	8	0	10	0	0	6	0	0	6	0	0	7	0	0	8	0	8
0.35	C7840	BLOOM'S ROAD	<20	0	7	0	0	6	0	1	8	8	0	10	0	0	6	0	0	6	0	0	7	0	0	8	0	8
0.26	C7484	RADCLIFFS ROAD	<10	0	7	0	0	6	0	1	8	8	0	10	0	0	6	0	0	6	0	0	7	0	0	8	0	8
0.36	D0772	SHARMANS ROAD	<20	0	7	0	0	6	0	1	8	8	0	10	0	0	6	0	0	6	0	0	7	0	0	8	0	8
0.34	D0604	WATTLESGROVE ROAD	<20	0	7	0	0	6	0	1	8	8	0	10	0	0	6	0	0	6	0	0	7	0	0	8	0	8
0.24	C7497	MCHUGH'S ROAD	<20	0	7	0	0	6	0	1	8	8	0	10	0	0	6	0	0	6	0	0	7	0	0	8	0	8
0.23	C8200	BONNIEYS ROAD	<20	0	7	0	0	6	0	1	8	8	0	10	0	0	6	0	0	6	0	0	7	0	0	8	0	8
0.22	C8276	LOYETEA PEAK ROAD	<50	0	7	0	0	6	0	1	8	8	0	10	0	0	6	0	0	6	0	0	7	0	0	8	0	8
0.08 sealed by owner	C8218	WESCOMBES ROAD	<20	0	7	0	0	6	0	1	8	8	0	10	0	0	6	0	0	6	0	0	7	0	0	8	0	8
0.21	D0617	PEARCES ROAD	<20	0	7	0	0	6	0	1	8	8	0	10	0	0	6	0	0	6	0	0	7	0	0	8	0	8
0.17	D1124	MCCULLOCHS ROAD	<20	0	7	0	0	6	0	1	8	8	0	10	0	0	6	0	0	6	0	0	7	0	0	8	0	8
0.14	D0235	COXS ROAD	<10	0	7	0	0	6	0	1	8	8	0	10	0	0	6	0	0	6	0	0	7	0	0	8	0	8
0.14	D0849	WINGS ROAD off Warriga	<20	0	7	0	0	6	0	1	8	8	0	10	0	0	6	0	0	6	0	0	7	0	0	8	0	8
0.125	C8007	MOSSY LANE	<20	0	7	0	0	6	0	1	8	8	0	10	0	0	6	0	0	6	0	0	7	0	0	8	0	8
0.06	D1179	BELLCHAMBERS ROAD	<20	0	7	0	0	6	0	1	8	8	0	10	0	0	6	0	0	6	0	0	7	0	0	8	0	8
0.532	D1027	GOULDS ROAD	<20	7	0			6	0		8	0		10	0	1	6	6		6	0		7	0		8	0	6
2.4	D0701	THIRTEEN MILE ROAD	<20	0	7	0	0	6	0	0	8	0	0	10	0	0	6	0	0	6	0	0	7	0	0	8	0	0
1.2 to be closed 0.18 to be sealed 0.191	C7565	KIRKENS ROAD	<20	0	7	0	0	6	0	0	8	0	0	10	0	0	6	0	0	6	0	0	7	0	0	8	0	0
0.191	D1137	STAN WING LOOKOUT ROAD	<20		7	0		6	0		8	0		10	0	0	6	0		6	0		7	0		8	0	0
0.191	C9181	LEATHERWOOD DRIVE	<20		7	0		6	0		8	0		10	0		6	0		6	0		7	0		8	0	0
Sealed 0.12	D0086	FLETCHERS ROAD	<50		7	0		6	0		8	0		10	0		6	0		6	0		7	0		8	0	0
Sealed 0.06	D1292	MOTTON RECREATION GROUND	<50		7	0		6	0		8	0		10	0		6	0		6	0		7	0		8	0	0
0.25	C7594	CORBETTS ROAD	<20	1	7	7	0	6	0	1	8	8	1	10	10	4	6	24	6	6	36	3	7	21	1	8	8	114
1.468	C7675	COOKES ROAD	<20	1	7	7	0	6	0	1	8	8	0	10	0	3	6	18	5	6	30	3	7	21	0	8	0	84
1.28	C7688	FRENCHS ROAD	<20	1																								

UNSEALED ROADS GUIDELINES REQUEST FOR SEALING

I/We hereby request to be included on Council's Unsealed Road Sealing Program:

Name: _____

Property Address: _____

Postal Address: _____

Telephone No: _____ Email: _____

Location and extent of sealing request: _____

Reason(s) for request? _____

Signed: _____ Date: _____

PRIVACY STATEMENT:

The personal information collected on this form will only be used for the administration of Council's unsealed roads assessment. This information may be disclosed to Councillors and Council Officers responsible for determining priorities on this program. If you have any enquiries regarding Council's Privacy Policy, please contact the Council's Director Corporate Services on (03) 6429 8900.

*Please return to: Infrastructure Services Department
 Central Coast Council
 P O Box 220
 ULVERSTONE TAS 7315*

UNSEALED ROADS GUIDELINES Re-Assessment Form

Applicant Name: _____ Date: _____

Location and extent of sealing request: _____

CRITERIA	SCORING POINTS	WEIGHT	SCORE	TOTAL
Traffic Volumes	0 0-25 vpd 1 25-50 vpd 2 50-100 vpd 3 100-150 vpd 5 >150 vpd Add one additional point for every 10% of commercial vehicles.	7		
Strategic Significance Tourist facility/focus, land development (abutting or servicing), complete a sealed road link, etc.	0 Nil 1 Low 2 3 Medium 4 5 High	6		
Maintenance Considerations Take into account relative maintenance costs.	1 Low 2 3 Medium 4 5 High	8		
Safety Considerations Actual/potential accidents, vertical/horizontal alignment issues, sight distance problems (add 1 point if school bus route)	0 Nil 1 Low 2 3 Medium 4 5 High	10		
Number of Houses	Number of houses along a particular section of road within 100m of the road. One additional point per house.	6		
Distance of House from Road	0 >100m 1 50-100m 2 25-50m 3 15-25m 5 0-15m Add one point for each additional house located within 100m from the road.	6		
Domestic Water Supply	3 - water tanks in use. 0 - reticulated or bore water supply.	7		
Owner/Occupier Concerns	1-5 points Issues to be considered are: Health issues, e.g. asthma, effect of dust on business, type of material used on road	8		
TOTAL WEIGHTED POINTS				

Signed: _____ Date: _____

SEALING OF UNSEALED ROADS – SPECIAL CIRCUMSTANCES FORM

I/We hereby request for the gravel road named below to be assessed for sealing:

Road Name: _____

Applicants Name: _____

Property Address: _____

Postal Address: _____

Is this your principal residence? _____

Telephone No: _____ (Home) _____ (Work)

Please list the special circumstances you may have and provide appropriate evidence to support the information: _____

Would you be willing to contribute 50% of the cost of works towards the Sealing Program?

No (Option 1)

☐

Yes (Option 2)

(Please tick box)

☐

Signed: _____ Date: _____

Print Name: _____

PRIVACY STATEMENT:

The personal information collected on this form will only be used for the administration of Council's Sealing of Unsealed Roads Program. This information will be disclosed to Councillors and Council Officers responsible for determining priorities on this program. If you have any enquiries regarding Council's Privacy Policy please contact Council's Director Corporate Services on (03) 6429 8900.

Please return to:

*Infrastructure Services Department
Central Coast Council
P O Box 220, Ulverstone 7315*

SCHEDULE OF STATUTORY DETERMINATIONS MADE UNDER DELEGATION

Period: 1 April 2023 to 30 April 2023

Building Permits and Certificates

Building Permits – Category 4	Number Issued	Cost of Works
Additions / Alterations	1	35,000
Demolition Permits	0	0
New Dwellings	48	15,900,000
Outbuildings	0	0
Units	0	0
Other	0	0
Permit of Substantial Compliance	1	900,000
Notifiable Works – Category 3	Number Issued	Combined \$ Amount
Additions / Alterations	4	373,000
Demolition Permits	0	0
New Dwellings	8	3,024,000
Outbuildings	2	47,500
Units	2	750,000
Other	3	27,000

Plumbing Permits and Certificates

Plumbing Permits – Category 4	Number Issued	–
Plumbing Permit	2	
Notifiable Works – Category 3		
Certificate of Likely Compliance	11	

Fire Abatements Notices

Fire Abatement Notices Issued	Property Cleared by Contractor
0	0

SCHEDULE OF OTHER REGULATORY SERVICES STATUTORY RESPONSIBILITIES

Period: 1 April 2023 to 30 April 2023

Dogs Impounded by Central Coast Council

Number of Dogs Impounded	Dogs Claimed	Dogs Surrendered
4	4	

Animal Licences, Offences, Permits

Licence, Offence, Permits	Number Issued
Barking dog complaints	2
Declaration of dangerous dogs	0
Dog attacks on livestock / wildlife	0
Kennel licences issued	0
Kennel licences renewed	0
Permits under <i>Animal Control By-law No.1 of 2018</i>	0
Unregistered dogs located by Compliance	9
Wandering livestock	0

Dog Infringement Notices Issued

Off-lead in On-Lead Locations	Cautions Issued	Infringements Issued
Buttons Beach		0
Midway Beach		0
Penguin Beach		0
Turners Beach		3
Other Public locations		0
Other Dog Offences		
Dog attack on guinea pig		2
Dog attack on person		1

Food Business Registrations

Food Business Registration Type	Number of Registrations Issued	Number of Registrations Renewed
Fixed	0	Not Reportable
Mobile	1	Not Reportable
Not Notifiable	1	Not Reportable
Temporary	1	Not Reportable

Patrols of Free Camping Areas

Camping Area	Patrols Conducted	Cautions Issued
Bannons Park	4	0
Forth Recreation Ground	8	0
Halls Point [Closed Area]	2	0
Nicholson Point	7	0
Penguin Surf Life Saving Precinct	2	0

Traffic Infringement Notices for Parking Offences

Traffic Infringement Location	Number Issued	Percentage
Alexandra Road	0	0
Bannons Carpark	0	0
Coles/Furner's Carpark	0	0
Crescent Street, Ulverstone	0	0
King Edward Street, Ulverstone	0	0
Main Road, Penguin	0	0
North Reibey Street Carpark	0	0
Reibey Street	0	0
Victoria Street	0	0
Wongi Lane	0	0
Other	0	0



Sandra Ayton
GENERAL MANAGER