

# **MID-COAST COUNCIL**

## **INSTRUMENT OF SUB-DELEGATION**

### **TO Director Liveable Communities**

On Monday, 20 November 2023, I Adrian Panuccio being the General Manager of the Mid-Coast Council (“**Council**”):

1. Revoke all previous sub-delegations of Functions to the Position.
2. Pursuant to section 378 of the LG Act sub-delegate to the Position to exercise and/or perform on behalf of Council:
  - a. the Functions identified in **Schedule 1**, subject to any condition or limitation specified in Schedule 1.
  - b. the Functions identified in **Schedule 2** that have been sub-delegated to the General Manager by the Council under, and in accordance with, the instrument of delegation to the Council.
3. Confer authority to the Position to carry out the Policy Authorities listed in **Schedule 3** and undertake any administrative actions necessary to carry out those Policy Authorities.
4. These sub-delegations and authorities are subject to, and are to be exercised in accordance with:
  - a. the requirements of the relevant Legislation;
  - b. any conditions or limitations set out in **Schedule 1** and **Schedule 3**; and
  - c. any resolution or policy, procedure or budget adopted from time to time by the Council.
5. These sub-delegations and authorities are effective from the date of the signature of the General Manager of the Council and remain in force until amended or revoked by the General Manager.

6. In this delegation:

- **“Functions”** means powers, authorities, duties and functions and anything ancillary or related to the exercise or performance thereof.
- **“Legislation”** means legislation enacted by the parliament of New South Wales and the parliament of the Commonwealth of Australia, including an Act, regulation made under an Act, by-law, rule or ordinance.
- **“LG Act”** means the *Local Government Act 1993* as amended.
- **“Position”** means the position of Director Liveable Communities and each person employed by the Council in that position from time to time.

## Schedule 1: Sub-delegated Functions

### Aged Care Act 1977

Function Code	Function	Condition/ Limitation (if any)
AC Act 000	<p><b>Aged Care Approved Provider –</b></p> <p>Authority to act on behalf of the Council as a local government authority Approved Provider for the purposes of the Aged Care Act 1997 (Cth) and associated legislation.</p> <p><b>Pursuant To –</b></p> <p>Aged Care Act 1977 (Cth)</p>	

### Aviation Transport Security Act 2004 (Cth)

Function Code	Function	Condition/ Limitation (if any)
ATS Act 001	<p><b>Transport Security Program –</b></p> <p>Authority on behalf of the Council as an aviation industry</p>	

	<p>participant to undertake all functions in relation to a transport security program in accordance with Part 2 of the Aviation Transport Security Act 2004 (Cth).</p> <p><b>Pursuant To –</b></p> <p>Part 2 and in particular ss18 and 22 and 23A and 26A</p>	
--	--	--

### Biodiversity Conservation Act 2016

Function Code	Function	Condition/ Limitation (if any)
BC Act 001	<p><b>Agreements –</b></p> <p>Authority on behalf of the council, being a public authority that owns or has the control and management of Crown land or lands of the Crown, to enter into a biodiversity stewardship agreement, conservation agreement or wildlife refuge agreement, or a joint management agreement.</p> <p><b>Pursuant To –</b></p> <p>ss5.9(2), 5.21(2) and 5.28(2) and clause 2.25 of the Biodiversity Conservation Regulation 2017.</p>	
BC Act 002	<p><b>Biodiversity Offsets –</b></p> <p>Authority to participate as the owner of land in the Biodiversity Offsets Scheme, including to apply</p>	

	<p>for registration of a transfer of, or to retire, a biodiversity credit and appeal as the holder of a biodiversity credit to the Land and Environment Court.</p> <p><b>Pursuant To –</b></p> <p>Part 6</p>	
BC Act 003	<p><b>Biodiversity certification –</b></p> <p>Authority to apply for biodiversity certification, request that the application be declared a strategic application and enter into an agreement in connection with an application for biodiversity certification.</p> <p><b>Pursuant To –</b></p> <p>ss8.5(1)(a), (2)(c) and (6)</p>	
BC Act 004	<p><b>Biodiversity certification agreement –</b></p> <p>Authority to enter into a biodiversity certification agreement and apply to modify such an agreement.</p> <p><b>Pursuant To –</b></p> <p>ss 8.16(3) and 8.22(2)(a)</p>	
BC Act 005	<p><b>Disputes –</b></p> <p>Authority as a party to a biodiversity certification or biodiversity certification</p>	

	<p>agreement, to refer a dispute to the Premier.</p> <p><b>Pursuant To –</b></p> <p>s8.25</p>	
<p>BC Act 006</p>	<p><b>Civil proceedings –</b></p> <p>Authority to bring proceedings in the Land and Environment Court to remedy or restrain a breach of the Act or regulations or Part 5A of the Local Land Services Act 2013, or breach of a biodiversity stewardship, private land conservation or biodiversity certification agreement.</p> <p><b>Pursuant To –</b></p> <p>Part 13, Division 2</p>	
<p>BC Act 007</p>	<p><b>Opinion as to significant affect –</b></p> <p>Authority on behalf of the council as consent authority to determine whether development or an activity is likely to significantly affect threatened species and hold an opinion as to whether a proposed development is likely to have serious and irreversible impacts on biodiversity values and be satisfied that an application for modification of development consent will not increase the impact on biodiversity values, in accordance with Part 7</p> <p><b>Pursuant To – Part 7</b></p>	

### Biodiversity Conservation Regulation 2017

Function Code	Function	Condition/ Limitation (if any)
BC Reg 001	<p><b>Biodiversity Values Map –</b></p> <p>Authority to hold the opinion on behalf of the Council that land contains vegetation connectivity features or threatened species habitat for the purposes of inclusion in the Biodiversity Values Map.</p> <p><b>Pursuant To –</b></p> <p>clause 7.3(3)(j)</p>	

### Biosecurity Act 2015

Function Code	Function	Condition/ Limitation (if any)
Bio Act 002	<p><b>Recovery of Fees –</b></p> <p>Authority to charge and recover fees charged, or costs and expenses incurred by the Council acting as local control authority in connection with the exercise of functions by an authorised officer appointed by the Council, in accordance with Part 20 of the Biosecurity Act 2015.</p> <p><b>Pursuant To –</b></p> <p>Pursuant to s373(1) of the Biosecurity Act</p>	

Bio Act 003	<p><b>Arrangements for joint exercise of functions –</b></p> <p>Authority to enter into an arrangement for the joint exercise of functions on behalf of the Council as a local control authority.</p> <p><b>Pursuant To –</b></p> <p>Pursuant to s374 Biosecurity Act</p>	
Bio Act 004	<p><b>Order requiring compliance with biosecurity undertaking –</b></p> <p>Authority to apply to the Land and Environment Court for an order if a person contravenes a biosecurity undertaking.</p> <p><b>Pursuant To –</b> Pursuant to s148(1)</p>	
Bio Act 005	<p><b>Biosecurity Directions and Undertakings –</b></p> <p>Authority to exercise the powers of the Secretary with respect to any biosecurity direction given by, or any biosecurity undertaking executed by an authorised officer appointed by the local control authority.</p> <p><b>Pursuant To –</b> Pursuant to s372(4) of the Biosecurity Act</p>	

Bio Act 006	<p><b>Exemption for watercourses –</b></p> <p>Authority to exempt the whole or part of a watercourse, river or inland water from the duty to control aquatic weeds.</p> <p><b>Pursuant To –</b></p> <p>Pursuant to clause 4(5) of Schedule 1</p>	
Bio Act 007	<p><b>Revocation of Biosecurity Direction –</b></p> <p>Authority to revoke or vary a biosecurity direction given by an authorised officer appointed by the Council.</p> <p><b>Pursuant To –</b></p> <p>Pursuant to s125(3)</p>	
Bio Act 008	<p><b>Certificate as to Weed Control Notices –</b></p> <p>Authority to issue a Certificate as to weed control notices, expenses and charges on land.</p> <p><b>Pursuant To –</b></p> <p>Schedule 7, clause 28</p>	



**Boarding Houses Act 2012**

Function Code	Function	Condition/ Limitation (if any)
BH Act 001	<p><b>Power of entry –</b></p> <p>Authority to authorise a person to enter a premises of a registered boarding house for the purpose of conducting an initial compliance investigation and issue an authority to enter premises under section 25. Authority to recover an approved fee in association with an initial compliance investigation in accordance with section 23.</p> <p><b>Pursuant To –</b></p> <p>sections 17, 23 and 25</p>	
BH Act 002	<p><b>Notice of Entry –</b></p> <p>Authority to give the proprietor or manager of the premises of a registered boarding house written notice of the intention to enter the premises in accordance with section 19 and to give a notification or use of force or urgent entry in accordance with section 21.</p> <p><b>Pursuant To –</b></p> <p>sections 19 and 21 of the Boarding Houses Act 2012.</p>	
BH Act 003	<p><b>Reasonable use of force –</b></p> <p>Authority to authorise the reasonable use of force in gaining</p>	

	<p>entry to a premises to conduct an initial compliance investigation.</p> <p><b>Pursuant To –</b></p> <p>section 20 of the Boarding Houses Act 2012.</p>	
BH Act 004	<p><b>Exchange of information –</b></p> <p>Authority to enter into an information sharing arrangement with an administrator of the Boarding Houses Act 2012.</p> <p><b>Pursuant To –</b></p> <p>section 94</p>	
BH Act 005	<p><b>Court Proceedings –</b></p> <p>Authority to commence proceedings for an offence against a provision of Part 2 (Registration of Boarding Houses) of the Boarding Houses Act 2012.</p> <p><b>Pursuant To –</b></p> <p>section 99 of the Boarding Houses Act 2012.</p>	

### Building and Development Certifiers Act 2018

Function Code	Function	Condition/ Limitation (if any)
BDC Act 001	<p><b>Contracts for certification work –</b></p> <p>Authority to execute a written contract for certification work to be</p>	

	<p>done in the name of or on behalf of the council.</p> <p><b>Pursuant To –</b></p> <p>section 31</p>	
BDC Act 002	<p><b>Exchange of Information –</b></p> <p>Authority to enter into an arrangement with the Secretary for the purpose of sharing or exchanging information in accordance with s108 of the <i>Building and Development Certifiers Act 2018</i>.</p> <p><b>Pursuant To –</b></p> <p>section 108</p>	
BDC Act 003	<p><b>Carrying out certification work –</b></p> <p>Authority to carrying out certification work of a class prescribed by the regulations that is done in the name of or on behalf of the council.</p> <p><b>Pursuant To –</b></p> <p>section 112</p>	

### Building and Development Certifiers Regulation 2020

Function Code	Function	Condition/ Limitation (if any)
BDC Reg 001	<p><b>Appropriate person –</b></p> <p>Authority on behalf of the Council as a building owner to give a written</p>	

	<p>opinion that a person is competent to exercise the function of an accredited practitioner (fire safety) under Divisions 4 and 5 of Part 9 of the <i>Environmental Planning and Assessment Regulation 2000</i>.</p> <p><b>Pursuant To</b> – Clause 65(1)(b)</p>	
--	---	--

### Building Products (Safety) Act 2017

Function Code	Function	Condition/ Limitation (if any)
BP(S) Act 001	<p><b>Building Product Rectification Order –</b></p> <p>Authority on behalf of the Council as a relevant enforcement agency to make a building product rectification order, including to be satisfied on reasonable grounds that the building is an affected building.</p> <p><b>Pursuant To –</b></p> <p>section 20 of the Building Products (Safety) Act 2017</p>	
BP(S) Act 002	<p><b>Exchange of information –</b></p> <p>Authority to enter into an information sharing arrangement with the Commissioner for Fair Trading, Department of Finance, Services and Innovation.</p> <p><b>Pursuant To –</b> section 86 Building Products (Safety) Act 2017</p>	

**Cemeteries and Crematoria Act 2013**

Function Code	Function	Condition/ Limitation (if any)
C&C Act 001	<p><b>Cemeteries Register –</b></p> <p>Authority to notify the Cemeteries Agency in relation to the Cemeteries and Crematoria Register.</p> <p><b>Pursuant To –</b></p> <p>s27 Cemeteries and Crematoria Act 2013</p>	
C&C Act 002	<p><b>Notice appeal –</b></p> <p>Authority to appeal against an improvement notice issued by the Cemeteries Agency.</p> <p><b>Pursuant To –</b></p> <p>s33(5) Cemeteries and Crematoria Act 2013</p>	
C&C Act 003	<p><b>Comply with Notice / Order –</b></p> <p>Authority to take any actions to comply with an improvement notice in accordance with section 33 or short term order in accordance with section 36 issued by the Cemetery Agency. Authority to give, withdraw or vary an enforceable undertaking in accordance with section 39 and report to the Cemeteries Agency as required by a notice in accordance with section 41.</p> <p><b>Pursuant To –</b> ss33, 36, 39 and 41 of</p>	

	<p>the Cemeteries and Crematoria Act 2013</p>	
C&C Act 004	<p><b>Interment right –</b></p> <p>Authority to grant or renew, transfer to another person or transfer to the cemetery operator, an interment right, and to give notice under s 54 of entitlement to apply to renew a renewable interment right.</p> <p><b>Pursuant To –</b></p> <p>s47, s54, s58 and s59 of the Cemeteries and Crematoria Act 2013</p>	
C&C Act 005	<p><b>Cemetery Operators Register –</b></p> <p>Authority to keep and amend the cemetery operator's register in accordance with section 63 and make a copy of an entry in the register available in accordance with 63(10).</p> <p><b>Pursuant To –</b></p> <p>s63 Cemeteries and Crematoria Act 2013</p>	
C&C Act 006	<p><b>Heritage Advisory Committee –</b></p> <p>Authority to establish a heritage advisory committee, and appoint a chairperson of the committee, in accordance with section 69.</p> <p><b>Pursuant To –</b> s69 Cemeteries and Crematoria Act 2013</p>	

C&C Act 007	<p><b>Advice of committee –</b></p> <p>Authority to seek advice of the heritage advisory committee in accordance with section 69(2).</p> <p><b>Pursuant To –</b> s69 Cemeteries and Crematoria Act 2013</p>	
C&C Act 008	<p><b>Conversion of Cemeteries –</b></p> <p>Authority to exercise the council's functions under Schedule 4 (Conversion of Cemeteries) including considering and determining objections and making an application to the Minister that the whole or any part of the land referred to in a resolution of council under clause 3 be declared as a public park and authority to determine to preserve, or remove and preserve or dispose of a monument in accordance with the relevant provisions.</p> <p><b>Pursuant To –</b></p> <p>Schedule 4 (Conversion of Cemeteries) of the Cemeteries and Crematorium Act 2013.</p>	

### Cemeteries and Crematoria Regulation 2022

Function Code	Function	Condition/ Limitation (if any)
C&C Reg 001	<p><b>Applications for a cemetery operator licence –</b></p> <p>Authority to apply to the Cemeteries Agency for the grant</p>	

	<p>of a cemetery operator licence or cemetery operator (caretaker) licence.</p> <p><b>Pursuant To –</b></p> <p>section 4C</p>	
C&C Reg 002	<p><b>Suspension or cancellation of cemetery operator licence –</b></p> <p>Authority to apply to the Cemeteries Agency for the suspension or cancellation of a cemetery operator licence or cemetery operator (caretaker) licence.</p> <p><b>Pursuant To –</b></p> <p>section 4O</p>	
C&C Reg 003	<p><b>Apply to the Cemeteries Agency for review of a decision –</b></p> <p>Authority to apply to the Cemeteries Agency for a review of any decision described in subsection 4P(1).</p> <p><b>Pursuant To –</b></p> <p>section 4Q</p>	
C&C Reg 005	<p><b>Enquire whether cultural or religious practices apply –</b></p> <p>Authority to make enquiries and take any other steps considered reasonable to ascertain whether any cultural or religious practices apply to the remains of a deceased person, in accordance</p>	



	with section 5 of the C&C Regulation.  <b>Pursuant To –</b>  section 4Q	
--	---	--

### Children (Protection and Parental Responsibility) Act 1997

Function Code	Function	Condition/ Limitation (if any)
CPPR Act 001	<b>Operational Area –</b>  Authority to request the Attorney General to declare (or revoke a declaration) that an area is an operational area for the purposes of Division 2 of Part 3.  <b>Pursuant To –</b> sections 14 and 16	
CPPR Act 002	<b>Prepare draft Crime Prevention Plan –</b>  Authority to prepare a draft local crime prevention plan for the council's area  <b>Pursuant To –</b> Section 31(1)	
CPPR Act 003	<b>Prepare draft Crime Prevention Plan –</b>  Authority to request assistance from the Attorney-General in preparing draft plan  <b>Pursuant To –</b> Section 31(2)	

CPPR Act 004	<p><b>Prepare draft Crime Prevention Plan –</b></p> <p>Authority to publicise the intention to prepare a draft plan and seek and consider submissions on intention to prepare draft plan</p> <p><b>Pursuant To –</b></p> <p>Section 31(3)</p>	
CPPR Act 005	<p><b>Prepare draft Crime Prevention Plan –</b></p> <p>Authority to place draft plan on public exhibition</p> <p><b>Pursuant To –</b></p> <p>Section 34</p>	
CPPR Act 006	<p><b>Prepare draft Crime Prevention Plan –</b></p> <p>Authority to seek and consider submissions on draft plan</p> <p><b>Pursuant To –</b></p> <p>Sections 34 and 35</p>	
CPPR Act 007	<p><b>Prepare draft Crime Prevention Plan –</b></p> <p>Authority to adopt draft plan with or without amendments</p> <p><b>Pursuant To –</b></p> <p>Section 35</p>	

CPPR Act 008	<p><b>Prepare draft Crime Prevention Plan –</b></p> <p>Authority to amend or revoke plan</p> <p><b>Pursuant To – Section 37</b></p>	
CPPR Act 009	<p><b>Prepare draft Crime Prevention Plan –</b></p> <p>Authority to request the Attorney-General to approve a draft Local Crime Prevention Plan or adopted Local Crime Prevention Plan as a safer community compact</p> <p><b>Pursuant To – Section 39</b></p>	
CPPR Act 010	<p><b>Apply for financial assistance –</b></p> <p>Where there is or is proposed to be a safer community compact for a council's area, authority to apply to the Attorney General for financial assistance in accordance with section 40.</p> <p><b>Pursuant To – Section 40</b></p>	

### Children's Guardian Act 2019

Function Code	Function	Condition/ Limitation (if any)
CG Act 000	<p><b>All functions under Part 4 –</b></p> <p>Authority to exercise and/or perform on behalf of the Council, all delegable Functions of the General Manager (being the “head” of the relevant</p>	

	entity) under Part 4 of the Act, other than the power of delegation.  <b>Pursuant To</b> – Part 4 and Section 65	
--	--	--

### Civil Aviation Act 1988 (Cth)

Function Code	Function	Condition/ Limitation (if any)
CivA Act 001	<b>Civil Aviation Authorisation –</b>  Authority on behalf Council as the operator of an aerodrome to undertake all functions in relation to any necessary civil aviation authorisation as amended from time to time.  <b>Pursuant To</b> – Civil Aviation Act 1998 and Civil Aviation Regulations 1988 and Civil Aviation Safety Regulations 1998	

### Commons Management Act 1989

Function Code	Function	Condition/ Limitation (if any)
CM Act 001	<b>Manage affairs of trust –</b>  Authority to decide whether to accept appointment to manage affairs of trust  <b>Pursuant To</b> – Section 7(2)	

**Community Land Development Act 1989**

Function Code	Function	Condition/ Limitation (if any)
CLD Act 001	<p><b>Compliance Certificate - Community Development and Precinct Land –</b></p> <p>Authority to grant a certificate in relation to the subdivision of a community development lot by a community plan of subdivision or subdivision of a precinct development lot by a precinct plan of subdivision in accordance with sections 8(4)(a) and 12(4)(a) respectively.</p> <p>Authority to issue a certificate signifying consent to the conversion of a community development lot to community property or neighbourhood lot to neighbourhood property under Schedule 6(1)(c) and Schedule 7(1)(c) respectively, or a certificate signifying consent to severing a community development lot from a community scheme, or a precinct development lot from a precinct scheme under Schedule 8(1)(b).</p> <p><b>Pursuant To –</b></p> <p>Section 8(4)(a), 12(4)(a), Schedules 6(1)(c), 7(1)(c) and 8(1)(b).</p>	
CLD Act 002	<p><b>Development Contracts –</b></p> <p>Authority to certify a development contract in accordance with section 26(5) and approve the registration of an amendment of a development</p>	

	<p>contract in accordance with section 27(2)(b)</p> <p><b>Pursuant To –</b></p> <p>sections 26(5) and 27(2)(b)</p>	
CLD Act 003	<p><b>By-laws –</b></p> <p>Authority to request that a community management statement or neighbourhood management statement includes specified by-laws.</p> <p><b>Pursuant To –</b> Schedule 3(4), Schedule 4(4)</p>	
CLD Act 004	<p><b>Variation or termination of schemes –</b></p> <p>Authority to represent the council as a party to Supreme Court proceedings to vary or terminate a scheme under sections 70 and 71, and authority to consent to the termination of a neighbourhood scheme under section 72.</p> <p><b>Pursuant To –</b> Section 71(3)</p>	

### Community Land Management Act 1989

Function Code	Function	Condition/ Limitation (if any)
CLM Act 001	<p><b>Amendment of Development Contract –</b></p> <p>Authority to approve the amendment of a development</p>	

	contract and grant a development consent compliance certificate.  <b>Pursuant To –</b>  section 16	
--	--	--

### Companion Animals Act 1998

Function Code	Function	Condition/ Limitation (if any)
CA Act 001	<b>Notice Requiring registration –</b>  Authority to issue a notice requiring a companion animal to be registered.  <b>Pursuant To –</b>  section 10B of the Companion Animals Act 1998	
CA Act 002	<b>Companion Animals killed by Traffic –</b>  Authority to act in relation to companion animals killed by traffic.  <b>Pursuant To –</b>  section 11A	
CA Act 004	<b>Off-leash Area –</b>  Authority to declare a public place to be an off-leash area in accordance with section 13(6).  <b>Pursuant To –</b>  section 13(6)	

CA Act 005	<p><b>Prohibition in public places –</b></p> <p>Authority to make orders prohibiting dogs from recreation areas, public bathing areas, shopping areas and wildlife protection areas and to prohibit cats from wildlife protection areas</p> <p><b>Pursuant To –</b></p> <p>sections 14 and 30</p>	
CA Act 006	<p><b>Revoke declaration –</b></p> <p>Authority to revoke a dangerous dog declaration in accordance with section 39 and revoke a declaration by an authorised officer that a dog is a restricted dog in accordance with section 58D, and give notice of revocation or of non revocation.</p> <p><b>Pursuant To –</b></p> <p>sections 39, 40 and 58D, 58DA</p>	
CA Act 007	<p><b>Act in Court proceedings –</b></p> <p>Authority to act in any local court appeal proceedings in relation to companion animals, including appeal proceedings against the making of a dangerous dog declaration or refusal to revoke a dangerous dog declaration and an appeal to the District Court against disqualification from owning a dog or cat.</p> <p><b>Pursuant To –</b></p> <p>section 41, 44, 46, 24</p>	



CA Act 008	<p><b>Commence Court Proceedings –</b></p> <p>Authority, subject to the General Manager's consent, to institute and carry on proceedings in the Local Court for an offence against the Companion Animals Act 1998</p> <p><b>Pursuant To –</b></p> <p>section 93</p>	
CA Act 009	<p><b>Unclaimed seized or surrendered animals –</b></p> <p>Authority to sell or destroy unclaimed seized or surrendered animals, and recover fees, charges and expenses from an owner</p> <p><b>Pursuant To –</b></p> <p>section 64 and 64A and 66 and 67(a)</p>	
CA Act 010	<p><b>Arrangement with Departmental Chief-Executive –</b></p> <p>Authority to enter into an agreement or arrangement with the Departmental Chief Executive in accordance with section 83J.</p> <p><b>Pursuant To –</b></p> <p>section 83J</p>	
CA Act 012	<p><b>Fees –</b></p> <p>Authorise any fee or charge payable under this Act:</p> <p>(a) to be paid by instalments, and</p>	

	<p>(b) to be reduced or waived in respect of persons in receipt of a pension, benefit or allowance under the <i>Social Security Act 1991</i> of the Commonwealth.</p> <p><b>Pursuant To</b> – section 95</p>	
CA Act 013	<p><b>Notify nuisance dog or cat order –</b></p> <p>Authority to notify Director General of issuing of nuisance dog or cat order</p> <p><b>Pursuant To</b> – section 32A(6) section 31(6)</p>	
CA Act 014	<p><b>Destroy animal –</b></p> <p>Authority to destroy dog seized in transition period</p> <p><b>Pursuant To</b> – section 57(5)</p>	
CA Act 015	<p><b>Detain animal –</b></p> <p>Authority to detain animal which is being investigated or is the subject of proceedings</p> <p><b>Pursuant To</b> – section 64(3A)</p>	
CA Act 016	<p><b>Notice for permit for companion animal –</b></p> <p>Authority to give the owner of a companion animal a notice requiring the owner to apply for a Permit under Part 2A.</p> <p><b>Pursuant To</b> – section 11E</p>	

### Companion Animals Regulation 2018

Function Code	Function	Condition/ Limitation (if any)
CA Regulation 001	<p><b>Registration Agent –</b></p> <p>Authority to act on behalf of Council as a registration agent for the purposes of companion animals registration including serving a notice requiring an animal to be registered under clause 24 of the Regulation.</p> <p><b>Pursuant To –</b></p> <p>Clause 13 and 24 of the Companion Animals Regulation 2018</p>	

### Contaminated Land Management Act 1997

Function Code	Function	Condition/ Limitation (if any)
CLMM Act 001	<p><b>Management Orders –</b></p> <p>Authority, where the Council is the subject of a management order or approved voluntary management proposal made under Part 3 of the CLM Act, to carry out, or cause to be carried out, any requirement of such an order or proposal.</p> <p><b>Pursuant To –</b></p> <p>sections 30 and 31</p>	

CLMM Act 002	<p><b>Voluntary management proposals</b></p> <p>–</p> <p>Authority to prepare and submit a voluntary management proposal to the EPA for contaminated land owned by Council</p> <p><b>Pursuant To –</b></p> <p>section 17</p>	
CLMM Act 003	<p><b>Costs –</b></p> <p>Authority to issue a notice requiring payment of any reasonable costs incurred by Council in carrying out the requirements of an investigation or remediation order, including the entry into an arrangement for the payment of those costs, and apply to Registrar General to register a costs notice and to remove such notice</p> <p><b>Pursuant To –</b></p> <p>Sections 35, 39, 41</p>	
CLMM Act 004	<p><b>Disputes between EPA and public authorities –</b></p> <p>Authority to refer a dispute between the EPA and Council to the Premier for settlement in accordance with this section 102</p> <p><b>Pursuant To –</b></p> <p>Section 102</p>	

## Conveyancing (Sale of Land) Regulation 2022

Function Code	Function	Condition/ Limitation (if any)
C Reg 001	<p><b>Diagrams from a recognised sewerage authority –</b></p> <p>Authority to issue diagrams showing the sewer lines and infrastructure on behalf of the Council as a recognised sewerage authority.</p> <p><b>Pursuant To –</b></p> <p>Clause 2 of Part 1 of Schedule 1</p>	

## Conveyancing Act 1919

Function Code	Function	Condition/ Limitation (if any)
C Act 001	<p><b>Restrictions on use of land and public positive covenants (land held by prescribed authority) –</b></p> <p>Authority to, by order, impose restrictions on the use of or impose public positive covenants on any prescribed land vested in the council, and vary any such restriction or covenant and rescind or revoke any such order, in accordance with section 88D.</p> <p><b>Pursuant To –</b></p> <p>Section 88D</p>	

<p>C Act 002</p>	<p><b>Restrictions on use of land and public positive covenants (land NOT held by prescribed authority)</b></p> <p>–</p> <p>Authority to impose restrictions on the use of land or impose a public positive covenant on any land not vested in the council in accordance with section 88E.</p> <p><b>Pursuant To –</b></p> <p>Section 88E</p>	
<p>C Act 003</p>	<p><b>Effect of certain positive covenants –</b></p> <p>Authority to, on behalf of the council as the prescribed authority with the benefit of a public positive covenant over land, inspect the land, insure a structure, carry out development, recover expenses incurred and apply for registration of a charge over land in accordance with section 88F.</p> <p><b>Pursuant To –</b></p> <p>Section 88F</p>	
<p>C Act 004</p>	<p><b>Certificate of amount due –</b></p> <p>Authority to issue a certificate of amount due in accordance with section 88G.</p> <p><b>Pursuant To –</b></p> <p>Section 88G</p>	

<p>C Act 005</p>	<p><b>Enforcement of Covenants –</b></p> <p>Authority to apply to the Court on behalf of the council as a prescribed authority, to enforce a covenant imposing a restriction on the use of land or a positive covenant by seeking an injunction in accordance with section 88H, or for an order that the land be conveyed or transferred to the authority in accordance with section 88I or for an order requiring the delivery of any deed, certificate of title or other instrument relating to the title to the land in accordance with section 88J.</p> <p><b>Pursuant To –</b></p> <p>sections 88H, 88I and 88J</p>	
<p>C Act 006</p>	<p><b>Creation and release of easements, profits à prendre and restrictions on use of land by plans –</b></p> <p>Authority to sign a s88B instrument on behalf of the council, except the “surrender of any land” owned by the council.</p> <p><b>Pursuant To –</b></p> <p>Section 88B of the <i>Conveyancing Act 1919</i> and the lodgement rules under the <i>Real Property Act 1900</i>.</p>	

**Crown Land Management Act 2016**

Function Code	Function	Condition/ Limitation (if any)
CL Act 001	<p><b>Functions of Crown Land Managers –</b></p> <p>Authority to carry out all the functions of the Council acting as a Crown Land Manager of specified dedicated or reserved Crown Land, which includes the functions of the Council under the <i>Local Government Act 1993</i> in respect of public land, being either operational or community land, including to prepare a draft Plan of Management, to grant an approval and to grant leases and licences.</p> <p><b>Pursuant To –</b></p> <p>s2.21(4), Divisions 3.3 and 3.4, 3.6 (s3.33(2)) and 3.7</p>	
CL Act 002	<p><b>Notices prohibiting structure or land use –</b></p> <p>Authority on behalf of Council as a Crown Land Manager to cause a notice to be displayed that prohibits persons from carrying out an activity on Crown land, in accordance with s9.5(2).</p> <p><b>Pursuant To – s9.5(2)</b></p>	
CL Act 003	<p><b>Directions re vehicles on Crown land –</b></p> <p>Authority on behalf of Council as a Crown Land Manager to give</p>	



	<p>reasonable directions to persons concerning the entry, use and parking or storage of vehicles on Crown land for the purpose of preventing danger or harm to persons, animals, structures or property.</p> <p><b>Pursuant To –</b></p> <p>s9.6(4)</p>	
CL Act 005	<p><b>Transitional Reserve Trust –</b></p> <p>Authority to continue to carry out functions associated with Council acting as a reserve trust manager for the continuation period in accordance with clause 10A of Schedule 7.</p> <p><b>Pursuant To –</b></p> <p>clause 10A of Schedule 7</p>	

### Crown Land Management Regulation 2018

Function Code	Function	Condition/ Limitation (if any)
CL Regulation 001	<p><b>Functions of Responsible Manager –</b></p> <p>Authority to carry out the functions of the Council as the responsible manager (the Crown Land Manager) of dedicated or reserved Crown Land. The functions of a responsible manager include to set aside any part of the land (including any</p>	

	<p>building or enclosure in or on the land) for any purpose for which the land may be used (clause 6), to determine conditions of entry and designate entrance and exit points (clause 8) and give a direction or written consent to do things (clause 10).</p> <p><b>Pursuant To –</b></p> <p>Part 2, Division 1 of the Crown Land Management Regulation 2018</p>	
--	--	--

#### Disability Inclusion Act 2014

Function Code	Function	Condition/ Limitation (if any)
DI Act 001	<p><b>Agreement –</b></p> <p>Authority to enter into an agreement about financial assistance.</p> <p><b>Pursuant To –</b></p> <p>section 30 of the Disability Inclusion Act 2014.</p>	

#### Environmental Planning and Assessment Act 1979

Function Code	Function	Condition/ Limitation (if any)
EPA Act 001	<p><b>LEP Planning Proposals –</b></p> <p>Authority to carry out the steps associated with the making of a local environmental plan, as the planning proposal authority,</p>	

	<p>including preparing a planning proposal, requiring the owner to carry out studies or provide other information or pay the costs of the authority, carrying out community consultation and forwarding a planning proposal to the Minister (or the Greater Sydney Commission), in accordance with Part 3, Division 3.4 of the EP&amp;A Act.</p> <p><b>Pursuant To –</b></p> <p>Part 3 Division 3.4 of the EP&amp;A Act</p>	
EPA Act 002	<p><b>Prepare DCP –</b></p> <p>Authority to prepare, on behalf of the council as the relevant planning authority, a development control plan in accordance with Division 3.6.</p> <p><b>Pursuant To –</b></p> <p>section 3.43 and generally Division 3.6</p>	
EPA Act 004A	<p><b>Evaluation of DA –</b></p> <p>Authority to carry out all functions of the council as consent authority associated with the administration and evaluation of an application for development consent associated with the administration and assessment of an application for development consent.</p> <p><b>Pursuant To –</b></p> <p>Part 4 of the EP&amp;A Act and Part 2 Division 1 Section 8 of the EP&amp;A Regulation.</p>	
EPA Act 004B	<p><b>Determination of DA –</b></p> <p>Authority to carry out the functions of the council as consent authority associated</p>	

	<p>with the determination of an application for development consent and associated functions.</p> <p><b>Pursuant To –</b></p> <p>Part 4, specifically section 4.16 of the EP&amp;A Act and Part 4 of the EP&amp;A Regulation</p>	
<p>EPA Act 005</p>	<p><b>Determinations and decisions subject to review –</b></p> <p>Authority to conduct a review of a determination of an application for development consent, the modification of a development consent and the decision of a council to reject and not determine an application for development consent.</p> <p><b>Pursuant To –</b></p> <p>section 8.2</p>	
<p>EPA Act 007</p>	<p><b>Complying Development –</b></p> <p>Authority to evaluate and determine an application for complying development in accordance with section 4.28 and modification of a complying development certificate in accordance with section 4.30.</p> <p><b>Pursuant To –</b></p> <p>section 4.28 and 4.30 and generally Part 4, Division 4.5</p>	

EPA Act 009	<p><b>Extension of lapsing period –</b></p> <p>Authority to determine an application for a 1-year extension of a consent in accordance with section 4.54.</p> <p><b>Pursuant To –</b> section 4.54</p>	
EPA Act 010	<p><b>Voluntary Planning Agreements –</b></p> <p>Authority to enter into, or agree to the revocation or amendment of, a voluntary planning agreement in accordance with Division 7.1, Subdivision 2.</p> <p>Authority to execute Voluntary Planning Agreements on behalf of Council where agreement approved by council resolution</p> <p><b>Pursuant To –</b></p> <p>Section 7.4</p>	
EPA Act 011	<p><b>Developer Contributions –</b></p> <p>Authority to impose conditions of development consent imposing developer contributions</p> <p><b>Pursuant To –</b> Section 7.11 and 7.12</p>	
EPA Act 012	<p><b>Preparation of contributions plan –</b></p> <p>Authority to prepare a draft contributions plan in accordance with section 7.18</p> <p><b>Pursuant To –</b> Section 7.18</p>	
EPA Act 013	<p><b>Application for Modification –</b></p> <p>Authority to determine an application for modification of a consent, in accordance</p>	

	<p>with section 4.55 or 4.56 and to form the opinion that a modification is of minimal environmental impact.</p> <p><b>Pursuant To –</b></p> <p>Sections 4.55 and 4.56 of the EP&amp;A Act and Section 100 of the EP&amp;A Regulation</p>	
EPA Act 015	<p><b>Revocation or modification of consent –</b></p> <p>Authority to revoke or modify a development consent in accordance with section 4.57.</p> <p><b>Pursuant To –</b></p> <p>Section 4.57</p>	
EPA Act 016	<p><b>Building and Subdivision Certificates –</b></p> <p>Authority to issue Part 6 Certificates in accordance with Part 6 of the EP&amp;A Act and all associated and ancillary functions including to require additional information.</p> <p><b>Pursuant To –</b></p> <p>Sections 6.5 and generally Part 6 of the EP&amp;A Act and Division 2 subdivision 1 &amp; 2 of the EP&amp;A Regulation.</p>	
EPA Act 017	<p><b>Principal Certifier –</b></p> <p>Authority to act on behalf of the council as the principal certifier appointed in respect of building or subdivision work under Part 6.</p> <p><b>Pursuant To –</b> Section 6.5 and generally Part 6 of the EP&amp;A Act</p>	<p>To act within the terms and conditions of their registration.</p>

EPA Act 018	<p><b>Agreement as to work –</b></p> <p>Authority to reach agreement on behalf of the consent authority with an applicant for a subdivision certificate in circumstances where the work has not yet been completed, in accordance with section 6.15(2)(c).</p> <p><b>Pursuant To –</b></p> <p>Section 6.15(2)(c)</p>	
EPA Act 019	<p><b>Part 5 consideration –</b></p> <p>Authority, on behalf of the council as the determining authority in relation to an activity under Part 5, to examine and take into account to the fullest extent possible all matters affecting or likely to affect the environment by reason of that activity in accordance with section 5.5 and Part 7 of the Biodiversity Conservation Act 2016.</p> <p><b>Pursuant To –</b></p> <p>Section 5.5</p>	
EPA Act 020	<p><b>Activities for which EIS required –</b></p> <p>Authority to determine whether to grant an approval in relation to an activity to which Division 5.1 Subdivision 3 (where an EIS is required) applies.</p> <p><b>Pursuant To –</b></p> <p>Section 5.7</p>	
EPA Act 022	<p><b>Investigation Authority powers –</b></p> <p>Authority to exercise and/or perform on behalf of Council the Council's delegable</p>	

	<p>Functions as an “investigation authority” under Division 9.2, including: Authority to give the owner or occupier of premises written notice of the intention of an investigation officer to enter the premises, in accordance with section 9.17. Authority to authorise in writing (either generally or in a particular case) entry without notice if entry is required urgently in accordance with section 9.17(4)(d). Authority to give notice that an investigation officer used force for the purpose of gaining entry to premises in accordance with section 9.21(2). Authority to require a corporation to nominate a director or officer of the corporation in accordance with section 9.23(2). Authority to give the owner or occupier of premises written notice requiring the owner/occupier to provide reasonable assistance and facilities to an investigation officer in accordance with section 9.27. Authority to recover the reasonable costs of entry and inspection from the owner or occupier of the premises in accordance with section 9.29.</p> <p><b>Pursuant To –</b></p> <p>Division 9.2</p>	
EPA Act 026	<p><b>Settlement of disputes –</b></p> <p>Authority to submit a dispute to the Premier or the Minister for Planning and Infrastructure for settlement in accordance with section 10.2</p> <p><b>Pursuant To –</b></p> <p>Section 10.2</p>	



EPA Act 027	<p><b>Development Control Orders –</b></p> <p>Authority to exercise Council's functions under Division 9.3 and Schedule 5 as the relevant enforcement authority in relation to Development Control Orders.</p> <p><b>Pursuant To –</b></p> <p>Division 9.3 and Schedule 5</p>	
EPA Act 031	<p><b>Development Control Orders (representations and determinations) –</b></p> <p>Authority to hear and consider representations as a nominated person and determine to give an order in accordance with the proposed order or in accordance with modification or not to give an order.</p> <p><b>Pursuant To –</b></p> <p>Clause 14 and 15 of Schedule 5</p>	
EPA Act 033	<p><b>Compliance Cost Notices –</b></p> <p>Authority on behalf of the relevant enforcement authority that gives a Development Control Order to serve on the other person a compliance cost notice and to recover any unpaid amount as a debt in accordance with Schedule 5, clause 37.</p> <p><b>Pursuant To –</b> Clause 37 of Schedule 5</p>	
EPA Act 035	<p><b>Enforcement of orders by cessation of utilities –</b></p> <p>Authority to make application, or instruct the Council's lawyers, to make an application, to the Local Court or the Land</p>	

	<p>&amp; Environment Court for an order directing that a provider of water, electricity or gas to cease to provide those services</p> <p><b>Pursuant To</b> – Schedule 5, clause 35</p>	
EPA Act 036	<p><b>Restraint of breaches –</b></p> <p>Authority to commence and conduct court proceedings to remedy or restrain a breach of the EP&amp;A Act, in accordance with section 9.45.</p> <p><b>Pursuant To</b> – Section 9.45</p>	
EPA Act 037	<p><b>Proceedings for offences –</b></p> <p>Authority to commence and conduct proceedings for an offence against the EP&amp;A Act or Regulations in accordance with section 9.57</p> <p><b>Pursuant To</b> – Section 9.57</p>	
EPA Act 039	<p><b>Planning Certificates –</b></p> <p>Authority to issue a planning certificate in accordance with section 10.7 of the EP&amp;A Act.</p> <p><b>Pursuant To</b> – Section 10.7</p>	
EPA Act 040	<p><b>Building Certificates –</b></p> <p>Authority to determine an application for building information certificate.</p> <p><b>Pursuant To</b> – Part 6, Division 6.7</p>	

EPA Act 041	<p><b>Imposition of Conditions –</b></p> <p>Authority to accept payment of security, by way of either a deposit or bank guarantee, authorise the drawing of any monies paid as security and authorise the release of any payment of security by an applicant pursuant to a condition of development consent imposed</p> <p><b>Pursuant To –</b></p> <p>Section 4.17(6)</p>	
EPA Act 042	<p><b>Special Infrastructure Contributions –</b></p> <p>Authority to seek the consent of the Minister to accept, and to accept, the dedication of land or provision of material public benefit in satisfaction of a special infrastructure contribution condition imposed by the Minister</p> <p><b>Pursuant To –</b></p> <p>Section 7.24(5)</p>	
EPA Act 043	<p><b>Local infrastructure contributions –</b></p> <p>Authority to accept the dedication of land or the provision of a material public benefit in part or full satisfaction of a condition imposed under section 7.11(1) or (3) and to determine applications for refunds of, or credit for contributions or levies imposed as conditions of development consent.</p> <p><b>Pursuant To –</b></p> <p>Section 7.11(5) and generally Division 7.1 Subdivision</p>	

EPA Act 044	<p><b>Revocation or regrant of development consents after order of Court –</b></p> <p>Authority to revoke a development consent to which an order of suspension applies, and to regrant the consent.</p> <p><b>Pursuant To –</b> Section 4.61</p>	
EPA Act 045	<p><b>Paper Subdivisions –</b></p> <p>Authority to carry out all delegable functions of the council as a relevant authority designated by a subdivision order</p> <p><b>Pursuant To –</b></p> <p>Schedule 7 of the EP&amp;A Act</p>	
EPA ACT 046	<p><b>Enforcement of undertakings –</b></p> <p>Authority to recommend that the Planning Secretary accept an undertaking that the planning authority has negotiated.</p> <p><b>Pursuant To –</b> section 9.5(5)</p>	
EPA Act 047	<p><b>Variations to development standards –</b></p> <p>Authority to assume the concurrence of the Secretary of the Department of Planning and Environment under clause 4.6(4)(b) of the Standard Instrument - Principal Local Environmental Plan, in accordance with the Notice issued by the Secretary dated 21 February 2018 which is attached to Planning Circular PS18-003.</p> <p><b>Pursuant To –</b> clause 4.6(4)(b) of the Council's Local Environmental Plan</p>	

EPA Act 048	<p><b>Local Strategic Planning Statement –</b></p> <p>Authority to prepare, on behalf of the council, a Local Strategic Planning Statement in respect of its area.</p> <p><b>Pursuant To –</b></p> <p>s3.9 of the Environmental Planning &amp; Assessment Act 1979</p>	
-------------	--	--

### Environmental Planning and Assessment Regulation 2021

Function Code	Function	Condition/ Limitation (if any)
EPA Reg 001	<p><b>Costs and expenses of studies –</b></p> <p>Authority to negotiate and sign an agreement on behalf of the council as the relevant planning authority with a person who requests the preparation of a planning proposal for the payment of the costs and expenses incurred by the authority in undertaking studies and other matters required in relation to the planning proposal.</p> <p><b>Pursuant To –</b></p> <p>section 10</p>	
EPA Reg 002	<p><b>Notice of voluntary surrender –</b></p> <p>Authority to carry out all functions of the Council as consent authority associated with the determination of a notice of voluntary surrender.</p> <p><b>Pursuant To –</b></p> <p>section 68</p>	

EPA Reg 003	<p><b>Refund for withdrawal –</b></p> <p>Authority to refund to the applicant the whole or any part of any application fee paid in connection with an application what has been withdrawn.</p> <p><b>Pursuant To –</b></p> <p>clause 253</p>	
EPA Reg 004	<p><b>Additional information for Modification Application –</b></p> <p>Authority to request an applicant for modification of a development consent to provide the consent authority with additional information about the development that the consent authority considers necessary to properly consider the application for modification.</p> <p><b>Pursuant To –</b></p> <p>clause 104</p>	
EPA Reg 005	<p><b>Additional Information for DCP –</b></p> <p>Authority to request the owner of land to provide additional information for the purposes of making a development control plan (where an environmental planning instrument requires or permits such a plan to be prepared and submitted to the relevant planning authority under section 3.44 of the Act).</p> <p><b>Pursuant To –</b></p> <p>section 18</p>	

EPA Reg 006	<p><b>Rejection of DA –</b></p> <p>Authority to reject a development application.</p> <p><b>Pursuant To –</b></p> <p>section 39</p>	
EPA Reg 007	<p><b>Request for additional information –</b></p> <p>Authority to request the applicant for development consent to provide it with such additional information about the proposed development as it considers necessary to its proper consideration of the application</p> <p><b>Pursuant To –</b></p> <p>section 36</p>	
EPA Reg 008	<p><b>Amendment of DA –</b></p> <p>Authority to approve or reject to the amendment of a development application</p> <p><b>Pursuant To –</b></p> <p>section 38</p>	
EPA Reg 009	<p><b>Notice of DAs not required –</b></p> <p>Authority to decide to not comply with section 56 notice requirements in relation to an amended development application if the consent authority complied with section 56 before the application was amended and the Council considers the amended development application differs</p>	

	from the original development application in minor ways only.  <b>Pursuant To –</b>  Section 57	
--	---	--

### Fines Act 1996

Function Code	Function	Condition/ Limitation (if any)
Fines Act 001	<b>Internal Review –</b>  Authority to exercise the Council's functions as a reviewing agency under Part 3, Division 2A of the Fines Act 1996 including to decide not to conduct an internal review and take other such action as the delegate sees fit, in accordance with section 24B, conduct a review (provided the delegate was not involved in making the decision that is the subject of the review) in accordance with section 24C and 24E, serve a penalty reminder notice in accordance with section 24F, request additional information from the applicant in accordance with section 24D, give an official caution in accordance with section 24G.  <b>Pursuant To –</b>  Sections 24B, 24C, 24D, 24E and 24F	



**Fisheries Management Act 1994**

Function Code	Function	Condition/ Limitation (if any)
FM Act 001	<p><b>Access ways over leased areas –</b></p> <p>Authority (where a leased area is vested in the council) to exercise the functions of the Minister under section 175 to determine an application for an access way over a leased area.</p> <p><b>Pursuant To –</b></p> <p>Section 175</p>	
FM Act 003	<p><b>Notify Minister –</b></p> <p>Authority to notify Minister of function proposed to be exercised inconsistent with habitat protection plan</p> <p><b>Pursuant To –</b></p> <p>Section 193</p>	
FM Act 004	<p><b>Dredging and Reclamation work –</b></p> <p>Authority to apply for a permit to carry out dredging or reclamation work from the Minister and if dissatisfied, appeal such a decision to the Land and Environment Court.</p> <p><b>Pursuant To –</b></p> <p>sections 200 and 202</p>	

FM Act 006	<p><b>Make submissions –</b></p> <p>Authority to make submissions in respect of critical habitat identifications</p> <p><b>Pursuant To –</b></p> <p>Section 220R</p>	
------------	--	--

### Food Act 2003

Function Code	Function	Condition/ Limitation (if any)
Food Act 006	<p><b>Food Safety Programs –</b></p> <p>Priority classification system and frequency of auditing: authority to determine the priority classification of individual food businesses for the purposes of any food safety program, and to determine the frequency of auditing of any food safety programs.</p> <p><b>Pursuant To –</b></p> <p>Section 93</p>	
Food Act 001	<p><b>Seized items –</b></p> <p>Authority to deal with items seized by an authorised officer, in accordance with Part 4 Division 2.</p> <p><b>Pursuant To –</b></p> <p>sections 47, 48, 49, 50, 51, 53</p>	

<p>Food Act 002</p>	<p><b>Prohibition Notice and Certificate of Clearance –</b></p> <p>Authority to serve a prohibition notice or give a certificate of clearance in accordance with section 60</p> <p><b>Pursuant To –</b></p> <p>sections 60(1) and (4)</p>	
<p>Food Act 003</p>	<p><b>Compensation –</b></p> <p>Authority to determine an application for compensation in relation to a prohibition order and, if it is determined to grant compensation, to authorise the payment of such compensation in accordance with section 66</p> <p><b>Pursuant To –</b></p> <p>section 66</p>	
<p>Food Act 004</p>	<p><b>Fees and charges –</b></p> <p>Authority to exercise the powers of the Council in its capacity as enforcement agency in relation to fees and charges, being to waive the requirement to pay a fee, or extend the time for payment of a fee, in respect of an improvement notice in accordance with section 66AA of the Food Act 2003, to increase the charge or reduce or waive payment of a charge in accordance with clause 14(4), and to issue a notice imposing an annual administration charge, extend the time for payment of the charge or reduce or waive</p>	

	<p>payment of the charge, in accordance with clause 15 of the Food Regulation 2015.</p> <p><b>Pursuant To –</b></p> <p>Section 66AA(2) of the Food Act 2003 and clauses 14(4) and 15 of the Food Regulation 2015.</p>	
Food Act 007	<p><b>Court proceedings –</b></p> <p>Authority to act in relation to proceedings to review a decision to refuse a certificate of clearance.</p> <p><b>Pursuant To –</b></p> <p>Section 65</p>	
Food Act 008	<p><b>Institute proceedings –</b></p> <p>Authority to institute and carry on proceedings for an offence against the Food Act 2003 or the regulations.</p> <p><b>Pursuant To –</b></p> <p>Sections 118, 119</p>	
Food Act 009	<p><b>Authority to Sub-Delegate –</b></p> <p>Authority to sub-delegate a function of the Food Authority delegated by the Food Authority if authorised in writing to do so by the Food Authority.</p> <p><b>Pursuant To –</b></p> <p>Section 109E(3)</p>	

Food Act 010	<p><b>Delegated Powers –</b></p> <p>Authority for an Authorised Officer to carry out any function of the NSW Food Authority delegated and sub-delegated in accordance with section 109E.</p> <p><b>Pursuant To –</b> Section 109E</p>	
Food Act 011	<p><b>Consent to Delegation –</b></p> <p>Authority to provide consent in writing to the Food Authority to the delegation of a function(s) of the NSW Food Authority.</p> <p><b>Pursuant To –</b> Section 109E(4)</p>	
Food Act 013	<p><b>Legal Proceedings –</b></p> <p>Authority to commence proceedings for an offence under the Food Act or Regulations</p> <p><b>Pursuant To –</b> Section 118</p>	

### Game and Feral Animal Control Act 2002

Function Code	Function	Condition/ Limitation (if any)
GFAC Act 001	<p><b>Recommending land be available for hunting –</b></p> <p>Authority to make recommendations in respect of land under control of council</p> <p><b>Pursuant To –</b> Sections 4, 20</p>	

### Geographical Names Act 1966

Function Code	Function	Condition/ Limitation (if any)
GN Act 001	<p><b>Make submissions –</b></p> <p>Authority to make submissions to the Board in respect of proposed names or changes to names</p> <p><b>Pursuant To – Section 9</b></p>	

### Graffiti Control Act 2008

Function Code	Function	Condition/ Limitation (if any)
GC Act 001	<p><b>Graffiti Removal Work –</b></p> <p>Authority to carry out graffiti removal work with consent of owner or occupier of private land or without such consent where graffiti visible from public place.</p> <p><b>Pursuant To – Sections 11 and 12</b></p>	

### Growth Centres (Development Corporations) Act 1974

Function Code	Function	Condition/ Limitation (if any)
GCDC Act 001	<p><b>Agreements –</b></p> <p>Authority to negotiate an agreement with a development</p>	

	<p>corporation in accordance with section 19 or 30.</p> <p><b>Pursuant To –</b></p> <p>Sections 19 and 30</p>	
GCDC Act 002	<p><b>Disputes –</b></p> <p>Authority to submit a dispute between the council and a development corporation to the Minister for Planning &amp; Infrastructure in accordance with section 32.</p> <p><b>Pursuant To – Section 32</b></p>	

### Heritage Act 1977

Function Code	Function	Condition/ Limitation (if any)
Heritage Act 001	<p><b>Interim heritage orders –</b></p> <p>Authority (where authorised by the Minister for Heritage in accordance with section 25) to make an interim heritage order for a place, building, etc in the council's area that the delegate considers may, on further inquiry or investigation, be found to be of local heritage significance, and that the delegate considers is being or is likely to be harmed, in accordance with Part 3 of the Heritage Act 1977. Authority to revoke an interim heritage order in accordance with section 29(4)</p> <p><b>Pursuant To – sections 25, 28 and 29</b></p>	

Heritage Act 002	<p><b>Exemption from approval –</b></p> <p>Authority to grant an exemption from section 57(1) by causing an order to be published in the government gazette</p> <p><b>Pursuant To –</b></p> <p>section 57(3)</p>	
Heritage Act 003	<p><b>Applications for approval –</b></p> <p>Authority to give public notice of, and determine, an application for approval in relation to an item of environmental heritage in accordance with Part 4, Division 3, and to modify an approval in accordance with section 65A</p> <p><b>Pursuant To –</b></p> <p>Sections 61, 62, 63, 63A, 63B, 64 and 65A</p>	
Heritage Act 004	<p><b>Request Heritage Council –</b></p> <p>Authority to recommend to Minister listing of item on State Register</p> <p><b>Pursuant To –</b></p> <p>Section 32</p>	
Heritage Act 005	<p><b>Make submissions to Heritage Council –</b></p> <p>Authority to make submissions to Heritage Council on proposed recommendation for listing of item on State Register</p> <p><b>Pursuant To –</b> Section 33</p>	



Heritage Act 006	<p><b>Request Heritage Council –</b></p> <p>Authority to recommend to Minister removal of listing of item on State Register and make submissions to Heritage Council in respect of a proposed recommendation to remove listing of item</p> <p><b>Pursuant To – Section 38</b></p>	
Heritage Act 007	<p><b>Make submissions to Heritage Council –</b></p> <p>Authority to make submissions to Heritage Council regarding item of environmental heritage worthy of conservation</p> <p><b>Pursuant To – Section 166</b></p>	
Heritage Act 008	<p><b>Refer a submission –</b></p> <p>Authority to refer a submission objecting to identification of item as of heritage significance in local environmental plan to a panel</p> <p><b>Pursuant To – Section 170B</b></p>	

### Heritage Regulation 2012

Function Code	Function	Condition/ Limitation (if any)
Heritage Reg 001	<p><b>Request additional information –</b></p> <p>Authority to request the applicant of an application for approval in respect of an interim heritage order made by the</p>	

	<p>Council to provide additional information necessary to properly consider the application.</p> <p><b>Pursuant To</b> – Clause 8B of the <i>Heritage Regulation 2012</i></p>	
--	---	--

### **Inclosed Lands Protection Act 1901**

<b>Function Code</b>	<b>Function</b>	<b>Condition/ Limitation (if any)</b>
ILP Act 001	<p><b>Request –</b></p> <p>Authority to request person to leave inclosed land owned or occupied by Council</p> <p><b>Pursuant To</b> – Sections 4 and 5</p>	
ILP Act 002	<p><b>Destroy animal –</b></p> <p>Authority to destroy goat trespassing on inclosed land owned or occupied by Council</p> <p><b>Pursuant To</b> – Section 7</p>	
ILP Act 003	<p><b>Unlawful re-entry on inclosed lands –</b></p> <p>Authority to give a re-entry prohibition as the responsible authority for an organised event in accordance with section 4AA of the <i>Inclosed Lands Protection Act 1901</i>.</p> <p><b>Pursuant To</b> – Section 4AA</p>	

## Land and Environment Court Act 1979

Function Code	Function	Condition/ Limitation (if any)
LEC Act 001	<p><b>Conciliation Conferences –</b></p> <p>Authority to reach agreement on behalf of the Council in a conciliation conference in Class 1, 2 or 3 proceedings in the Land and Environment Court.</p> <p><b>Pursuant To – Section 34(3)</b></p>	
LEC Act 002	<p><b>Conciliation Conferences –</b></p> <p>Authority to give consent, on behalf of the Council, to a Commissioner disposing of Class 1, 2 or 3 proceedings in the Land &amp; Environment Court after terminating a conciliation conference.</p> <p><b>Pursuant To –</b></p> <p>Section 34(4)(b)</p>	

## Library Act 1939

Function Code	Function	Condition/ Limitation (if any)
Library Act 001	<p><b>Library Committee –</b></p> <p>Authority to provide, or arrange for the provision of services in relation to the provision, control and management of libraries, library services and information services</p> <p><b>Pursuant To – Section 11</b></p>	

Library Act 002	<p><b>Enter into agreements and arrangements –</b></p> <p>Authority to enter into agreements or arrangements with other local authorities</p> <p><b>Pursuant To –</b></p> <p>Sections 12, 12A</p>	
Library Act 003	<p><b>Subsidy –</b></p> <p>Authority to apply to the Library Council of NSW for a subsidy in accordance with section 13</p> <p><b>Pursuant To –</b></p> <p>Section 13</p>	

### Library Regulation 2018

Function Code	Function	Condition/ Limitation (if any)
Library Reg 001	<p><b>Registration, Rules and determining value –</b></p> <p>Authority to:</p> <p>a) determine the procedure for registration of library borrowers in accordance with clause 5(2) of the Regulation;</p> <p>b) to refuse an application and cancel a person’s registration as a borrower in accordance with clause 5(3) of the Regulation;</p> <p>c) to make rules to regulate the use of a council’s local libraries in accordance with clause 6 of the Regulation;</p>	

	<p>d) to determine the value of library material or series in accordance with clause 7 of the Regulation.</p> <p><b>Pursuant To –</b></p> <p>Clauses 5, 6 and 7</p>	
Library Reg 002	<p><b>Library users may be directed to leave –</b></p> <p>Authority to determine the maximum period for which a person may be excluded from the library in accordance with clause 17(3) of the Regulation</p> <p><b>Pursuant To –</b></p> <p>Clause 17(3)</p>	

### Liquor Act 2007 and Liquor Regulation 2008

Function Code	Function	Condition/ Limitation (if any)
Liq Act 002	<p><b>Submission re Late Hour Entry Declaration –</b></p> <p>Authority to make a submission to the Director-General in relation to a proposed late hour entry declaration or variation or revocation of a late hour entry declaration.</p> <p><b>Pursuant To –</b></p> <p>Sections 89(2) and 90(3)</p>	

Liq Act 003	<p><b>Making a complaint –</b></p> <p>Authority to make a complaint on behalf of the council as the local consent authority for a licenced premises in relation to a licensee, manager or close associate of a licensee to the Authority in accordance with section 139.</p> <p><b>Pursuant To –</b></p> <p>Section 139 and clause 73 of the Liquor Regulation 2008</p>	
Liq Act 004	<p><b>Written notice to the Secretary re complaints –</b></p> <p>Authority to give written notice to the Secretary that Council, as the local consent authority for the licensed premises, will be dealing with complaints of a type prescribed by the regulations.</p> <p><b>Pursuant To –</b></p> <p>Section 79(6)(b)(ii) of the <i>Liquor Act 2007</i></p>	

### Local Government (General) Regulation 2021

Function Code	Function	Condition/ Limitation (if any)
LG Reg 001	<p><b>Act as appropriate person –</b></p> <p>Authority to act as an appropriate person, within the meaning of clause 164 of the Local Government</p>	

	<p>(General) Regulation 2021, to receive or deal with tenders submitted to Council.</p> <p><b>Pursuant To –</b></p> <p>Clause 164</p>	
<p>LG Reg 002</p>	<p><b>Decide method of tendering –</b></p> <p>Authority to decide, pursuant to clause 166 of the Local Government (General) Regulation 2021, the method of tendering to be used where Council is required to invite tenders in accordance with section 55 of the Local Government Act 1993.</p> <p><b>Pursuant To –</b></p> <p>Clause 166</p>	
<p>LG Reg 003</p>	<p><b>Expressions of Interest and Selective tendering –</b></p> <p>Authority to carry out all of a council's functions under, and in accordance with, clauses 168 (expressions of interest) and 169 (selective tendering method by which recognised contractors listed by council are invited to tender for particular kinds of proposed contracts) of the <i>Local Government (General) Regulation 2021</i>.</p> <p><b>Pursuant To –</b></p> <p>clauses 168 and 169 of the Local Government (General) Regulation 2021</p>	

LG Reg 004	<p><b>Tenders –</b></p> <p>Authority to extend a deadline in a tender advertisement in accordance with cl.172 and to request or consent to a variation of a tender being made in accordance with cl.176(2).</p> <p><b>Pursuant To –</b></p> <p>Pursuant to cl.172 and cl.176</p>	
LG Reg 006	<p><b>Erection of notices to indicate catchment districts –</b></p> <p>Authority to erect notices for indicating the boundaries of districts and directing attention to any prohibitions or restrictions.</p> <p><b>Pursuant To –</b></p> <p>Pursuant to cl. 139</p>	
LG Reg 008	<p><b>Fire hydrants –</b></p> <p>Authority to exercise and/or perform the Council's functions in relation to fire hydrants.</p> <p><b>Pursuant To –</b> clause 142</p>	
LG Reg 017	<p><b>Hire of meters –</b></p> <p>Authority to enter into an agreement for the hire of a water meter from the Council.</p> <p><b>Pursuant To –</b> Pursuant to clause 157</p>	



LG Reg 020	<p><b>Acceptance of Tenders –</b></p> <p>Authority to accept a tender in accordance with clause 178 of the <i>Local Government (General) Regulation 2021</i> but not in respect of tenders to provide services currently provided by members of staff of the Council (s.377(1)(i)) <i>Local Government Act 1993</i>).</p> <p><b>Pursuant To –</b></p> <p>clause 178</p>	
------------	---	--

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

Function Code	Function	Condition/ Limitation (if any)
LG (M) Reg 001	<p><b>Certificates of completion –</b></p> <p>Authority to issue a certificate of completion or a written notice that states why such a certificate is not being issued.</p> <p><b>Pursuant To –</b></p> <p>section 69</p>	
LG (M) Reg 002	<p><b>Approvals for manufactured home estates etc –</b></p> <p>Authority to grant an approval to operate a manufactured home estate, and to install a manufactured home and associated structures in a manufactured home</p>	

	estate in accordance with Part 2, Division 2 of the Regulation  <b>Pursuant To –</b>  Part 2, Division 2	
LG (M) Reg 003	<b>Approvals for caravan parks etc –</b>  Authority to grant an approval to operate a caravan park or camping ground, and to install a moveable dwelling and associated structures in accordance with Part 3, Division 2 of the Regulation  <b>Pursuant To –</b>  Part 3, Division 2	

### Local Government Act 1993

Function Code	Function	Condition/ Limitation (if any)
LG Act 001	<b>Certificate as to classification of land –</b>  Authority to issue a certificate stating the classification of public land  <b>Pursuant To –</b>  section 54	
LG Act 002	<b>Leases etc in respect of community land –</b>  Authority to grant a lease, licence or other estate in respect of community land in accordance with Chapter 6, Part 2, Division 2 of the Local Government Act 1993 and Part 4,	

	<p>Division 3 of the Local Government (General) Regulation 2005</p> <p><b>Pursuant To –</b></p> <p>Section 45 and Chapter 6, Part 2, Division 2 of the Local Government Act 1993 and Part 4 Division 3 of the Local Government (General) Regulation 2005</p>	
<p>LG Act 003</p>	<p><b>Approvals –</b></p> <p>Authority to reject a unclear or illegible application for approval for an activity specified in the table to section 68, or to determine such an application, or an application to amend, extend, renew, revoke or modify such an approval and in determining such an application, to give directions in response to an objection.</p> <p><b>Pursuant To –</b></p> <p>Section 68, 82, 85, 86, 94, 106, 107, 108 and Chapter 6, Part 1 of the Local Government Act 1993 generally</p>	
<p>LG Act 005</p>	<p><b>Preparation of draft plans of management for community land –</b></p> <p>Authority to prepare a draft plan of management for community land in accordance with Chapter 6, Part 2, Division 2 of the Local Government Act 1993 and Part 4 of the Local Government (General) Regulation 2005</p> <p><b>Pursuant To –</b></p> <p>Section 36</p>	

LG Act 006	<p><b>Environmental upgrade agreement –</b></p> <p>Authority to enter into, and amend, an environmental upgrade agreement on behalf of the council with a building owner and a finance provider in relation to a building in accordance with Part 2A of Chapter 6.</p> <p><b>Pursuant To –</b></p> <p>Section 54D</p>	
LG Act 007	<p><b>Power to levy environmental upgrade charge –</b></p> <p>Authority to levy an environmental upgrade charge in accordance with an environmental upgrade agreement .</p> <p><b>Pursuant To –</b></p> <p>Section 54I</p>	
LG Act 009	<p><b>Private works –</b></p> <p>Authority to enter into an agreement with the owner or occupier of private land for the council to carry out works.</p> <p><b>Pursuant To –</b></p> <p>Section 67</p>	
LG Act 010	<p><b>Fees –</b></p> <p>Authority to require payment of a further approved fee if an application is amended.</p> <p><b>Pursuant To –</b></p> <p>Section 80</p>	

LG Act 011	<p><b>Withdrawal of Applications –</b></p> <p>Authority to authorise a refund in respect of fees paid by an applicant in respect of an application for a Section 68 Activity approval which is withdrawn</p> <p><b>Pursuant To –</b></p> <p>Section 88(3)</p>	
LG Act 012	<p><b>Review of determination of approvals –</b></p> <p>Authority to review the determination of an application for an approval for an activity in accordance with section 100</p> <p><b>Pursuant To –</b></p> <p>Section 100</p>	
LG Act 013	<p><b>Approvals for Filming –</b></p> <p>Authority to exercise the functions of the council in relation to applications for filming proposals including to determine an application under section 115, determine any security deposit, bond, fee or charge in accordance with section 116 and the reject an application under section 117, in accordance with Chapter 7, Part 1, Division 4.</p> <p><b>Pursuant To –</b></p> <p>Section 115 and Chapter 7, Part 1, Division 4 of the Local Government Act 1993</p>	
LG Act 014	<p><b>Orders –</b></p> <p>Authority to exercise Council's functions under Chapter 7, Part 2 of the Local Government Act 1993 in relation to the making of orders including:</p>	

	<p>a) the giving of an Order under section 124;          a) issue a notice of intention to give an order in accordance with section 132,          b) hear and consider representations made in relation to a notice of intention to give an order, in accordance with section 133          c) determine to give, or not give, an order in accordance with section 135;          d) accept or reject particulars of work in accordance with section 141;          e) prepare or authorise the preparation of particulars of work and order the owner to carry out that work under section 141(3);          f) recover from the owner expenses incurred in preparing particulars of work in accordance with section 141;          g) modify an order in accordance with section 152;          h) revoke an order in accordance with section 153</p> <p><b>Pursuant To –</b></p> <p>Section 124, Chapter 7, Part 2 of the Local Government Act 1993 and Part 3 of the Local Government (General) Regulation 2005</p>	
LG Act 015	<p><b>Abatement of Public Nuisances –</b></p> <p>Authority to take action to abate a public nuisance or order a person responsible for a public nuisance to abate it.</p> <p><b>Pursuant To –</b> Section 125</p>	
LG Act 016	<p><b>Local Policies –</b></p> <p>Authority to prepare a draft local policy for approvals and orders under sections 158 and 159.</p> <p><b>Pursuant To –</b> Sections 158 and 159</p>	

LG Act 019	<p><b>Notice of entry –</b></p> <p>Authority to give written notice to the owner or occupier of the premises of the intention to enter the premises and authority to give notification of the use of force or urgent entry to such persons or authorities as appear to the delegate to be appropriate in the circumstances.</p> <p><b>Pursuant To –</b></p> <p>Sections 193 and 195</p>	
LG Act 020	<p><b>Recovery of costs of entry and inspection –</b></p> <p>Authority to recover the reasonable costs of the entry and inspection from the owner or occupier of the premises in accordance with section 197.</p> <p><b>Pursuant To –</b> Section 197</p>	
LG Act 020A	<p><b>Compensation for inspection damage –</b></p> <p>Authority to pay compensation for any damage caused by a person authorised to enter premises.</p> <p><b>Pursuant To –</b></p> <p>section 198</p>	
LG Act 040	<p><b>Operational Land –</b></p> <p>Authority to grant (and renew, vary, terminate and otherwise deal with) a lease or licence in relation to operational land.</p> <p><b>Pursuant To –</b> Pursuant to s22 <i>Local Government Act 1993</i></p>	

LG Act 041	<p><b>Waive or reduce fees –</b></p> <p>Authority to waive payment of, or reduce, a fee (whether expressed as an actual or a maximum amount) in a particular case if the council is satisfied that the case falls within a category of hardship or any other category in respect of which the council has determined payment should be so waived or reduced.</p> <p><b>Pursuant To –</b></p> <p>Section 610E</p>	
LG Act 043	<p><b>Notices in Public Places –</b></p> <p>Authority to erect a notice in a public place in accordance with section 632 and in relation to bathing and other water-based recreational activities, in accordance with section 633.</p> <p><b>Pursuant To –</b></p> <p>Sections 632 and 633</p>	
LG Act 044	<p><b>Alcohol Prohibited Place –</b></p> <p>Authority to declare a public place as an alcohol prohibited place under section 632A(4).</p> <p><b>Pursuant To –</b> Section 632A(4)</p>	
LG Act 045	<p><b>Alcohol Free Zone –</b></p> <p>Authority to prepare a proposal for the establishment of an alcohol-free zone under section 644</p> <p><b>Pursuant To –</b> Section 644</p>	



LG Act 046	<p><b>Agreement re free parking area –</b></p> <p>Authority to execute an agreement on behalf of the Council with the owner of private land under which the land, or any part of the land, is set aside for use as a free parking area.</p> <p><b>Pursuant To –</b></p> <p>Section 650(6)</p>	
LG Act 047	<p><b>Request for name and address –</b></p> <p>Authority to request an occupier or manager of any premises or an agent of the owner of the premises to disclose the name and address of the owner of the premises or of the person receiving or authorised to receive the rents of the premises and of the manager or occupier of the premises.</p> <p><b>Pursuant To –</b></p> <p>Sections 662 and 663</p>	
LG Act 048	<p><b>Remedy or restraint of breaches of LG Act –</b></p> <p>Authority to bring and conduct proceedings for the purpose of an order to remedy or restrain a breach of the Local Government Act 1993 in accordance with section 673.</p> <p><b>Pursuant To –</b></p> <p>Section 673</p>	
LG Act 049	<p><b>Failure to comply with order—carrying out of work by the council –</b></p> <p>Authority to do or arrange to be done through the Council’s employees, contractors or agents, all such things as are necessary or convenient to give effect to the terms of an</p>	

	<p>order issued by the Council including the carrying out of any work required by the order and recover expenses incurred in accordance with section 678 of the LG Act and otherwise give effect to the functions provided for in section 678</p> <p><b>Pursuant To – Section 678</b></p>	
LG Act 050	<p><b>Laying of informations –</b></p> <p>Authority to lay information in respect of any proceedings for an offence</p> <p><b>Pursuant To – Section 684</b></p>	
LG Act 051	<p><b>Appearance in local court –</b></p> <p>Authority for an employee of the council appointed in writing by the general manager to represent the council in all respects in proceedings in the local court and to institute and carry on any proceedings in the local court which the council is authorised to institute and carry on under the Local Government Act 1993.</p> <p><b>Pursuant To – Section 687</b></p>	
LG Act 053	<p><b>Other remedies –</b></p> <p>Authority to recover from the person:</p> <ul style="list-style-type: none"> <li>(a) any sum for damage sustained by it through the person’s act or default, and</li> <li>(b) the costs and expenses incurred by it in remedying that damage, and</li> <li>(c) the value of anything wasted, misused or unlawfully consumed, diverted or taken by the person.</li> </ul> <p><b>Pursuant To – Section 690</b></p>	

LG Act 054	<p><b>Suing for debts –</b></p> <p>Authority to recover a rate, charge, fee or other money due to the council under this Act or the regulations as a debt.</p> <p><b>Pursuant To –</b></p> <p>Section 695</p>	
LG Act 055	<p><b>Agreement as to compensation –</b></p> <p>Authority to agree with a claim for compensation under section 12(5) of the Graffiti Control Act 2008 or section 128 or 198 of this Act, in case of dispute, may by agreement between the council and the person claiming the compensation be referred to arbitration under the Commercial Arbitration Act 2010.</p> <p><b>Pursuant To –</b></p> <p>Section 730(1)</p>	
LG Act 056	<p><b>Certificate as to notices –</b></p> <p>Authority to issue a certificate to an applicant as to whether there are any outstanding notices issued by the council under this Act in respect of any land within the council’s area.</p> <p><b>Pursuant To –</b></p> <p>Section 735A</p>	
LG Act 063	<p><b>Developer contributions for water management works –</b></p> <p>Authority to serve a notice on an applicant requiring the applicant to pay a contribution towards the cost of water management works and/or construct water management</p>	

	<p>works in accordance with s306 <i>Water Management Act 2000</i>. Authority to be satisfied that a requirement has been complied with and to grant or refuse a certificate of compliance for development in accordance with 307 <i>Water Management Act 2000</i>.</p> <p><b>Pursuant To</b> – s64 LG Act and s306 <i>Water Management Act 2000</i></p>	
LG Act 065	<p><b>Parking Area Agreement –</b></p> <p>Authority to enter into an agreement with the owners corporation of a strata scheme or the association of a community, precinct or neighbourhood scheme in relation to a strata parking area or community scheme parking area.</p> <p><b>Pursuant To</b> – s.650A</p>	
LG Act 066	<p><b>Special entertainment precincts –</b></p> <p>If Council establishes a special entertainment precinct by amending its local environmental plan, authority to prepare a plan for regulating noise from amplified music from premises in the special entertainment precinct, publish it on Council’s website, and notify the required persons.</p> <p><b>Pursuant To</b> –</p> <p>Section 202 of the <i>Local Government Act 1993</i></p>	
LG Act 39	<p><b>Estimates of coastal protection charges –</b></p> <p>Authority to provide, on request, a person who would be liable to pay an annual charge for coastal protection services in relation to</p>	

	<p>proposed coastal protection works with an estimate of the person's liability for that annual charge (if the council were to make such a charge) for each of the following 5 years, in accordance with section 606A.</p> <p><b>Pursuant To –</b></p> <p>Section 606A</p>	
--	--	--

### Major Events Act 2009

Function Code	Function	Condition/ Limitation (if any)
ME Act 001	<p><b>Functions –</b></p> <p>Authority to exercise and/or perform Council's functions as a government agency</p> <p><b>Pursuant To –</b></p> <p>Part 4 Division 2</p>	

### Marine Estate Management Act 2014

Function Code	Function	Condition/ Limitation (if any)
MEM Act 001	<p><b>Consent to declaration of aquatic reserve –</b></p> <p>Authority to consent to declaration of aquatic reserve in the case of public water land vested in council</p> <p><b>Pursuant To –</b></p> <p>Section 35</p>	

### Ombudsman Act 1974

Function Code	Function	Condition/ Limitation (if any)
Ombudsmans Act 001	<p><b>Complaints –</b></p> <p>Authority to complain to the Ombudsman about the conduct of a public authority in accordance with section 12</p> <p><b>Pursuant To –</b></p> <p>Section 12</p>	

### Pesticides Act 1999

Function Code	Function	Condition/ Limitation (if any)
Pesticides Act 001	<p><b>Clean up action –</b></p> <p>Authority, where the council is advised by the EPA, or where the delegate reasonably suspects that any pesticide pollution is occurring or has occurred, to take or authorise such clean-up action as the delegate considers necessary in accordance with section 20, issue a compliance cost notice in relation to such action in accordance with section 28, recover any unpaid amounts specified in a compliance costs notice as a debt in accordance with section 29 and apply for a compliance cost notice to be registered as a charge on the land</p>	

	<p>to which it relates in accordance with section 30.</p> <p><b>Pursuant To –</b></p> <p>Sections 20, 28, 29 and 30</p>	
Pesticides Act 002	<p><b>Power of Entry –</b></p> <p>Authority to authorise a person to enter premises for the purpose of exercising the council's functions under Part 3 of the <i>Pesticides Act 1999</i> in accordance with section 35 of the <i>Pesticides Act 1999</i> and Chapter 7 of the <i>Protection of the Environment Operations Act 1997</i>.</p> <p><b>Pursuant To –</b></p> <p>Section 35 of the Pesticides Act 1999</p>	
Pesticides Act 003	<p><b>Recovery of costs etc –</b></p> <p>Authority to seek an order for costs, expenses and compensation in accordance with section 95 and to recover from the offender the costs and expenses incurred or the amount of the loss or damage incurred by the council in the Land and Environment Court in accordance with section 96.</p> <p><b>Pursuant To –</b></p> <p>Sections 95, 96</p>	

Pesticides Act 004	<p><b>Pesticide use notification plans –</b></p> <p>Authority to carry out all the functions associated with the requirement to prepare, finalise, notify the EPA and give public notice of, a pesticide use notification plan in accordance with Part 5 Division 2 of the <i>Pesticides Regulation 2017</i>.</p> <p><b>Pursuant To –</b></p> <p>Part 5, Division 2 of the Pesticides Regulation 2017.</p>	
--------------------	--	--

### Protection of the Environment Operations (Clean Air) Regulation 2022

Function Code	Function	Condition/ Limitation (if any)
PoEO (Clean Air) Reg 001	<p><b>Approval for burning matter –</b></p> <p>Authority to grant an approval in respect of the burning of dead and dry vegetation on the premises on which the vegetation grew, in accordance with Part 3 (section 18) of the <i>Protection of the Environment Operations (Clean Air) Regulation 2022</i>.</p> <p><b>Pursuant To –</b></p> <p>section 18</p>	



### Protection of the Environment Operations (Waste) Regulation 2014

Function Code	Function	Condition/ Limitation (if any)
PoEO (Waste) Reg 001	<p><b>Occupier of scheduled waste facility –</b></p> <p>Authority to carry out all of Council's functions as the occupier of a scheduled waste facility.</p> <p><b>Pursuant To –</b></p> <p>Protection of the Environment Operations (Waste) Regulation 2014</p>	
PoEO (Waste) Reg 002	<p><b>Application for exemption –</b></p> <p>Authority on behalf of Council to apply to the EPA for an exemption.</p> <p><b>Pursuant To –</b> clause 91</p>	

### Protection of the Environment Operations Act 1997

Function Code	Function	Condition/ Limitation (if any)
PoEO Act 001	<p><b>Clean-up notices –</b></p> <p>Authority to issue, vary or revoke a clean-up notice. A notice can be issued in writing, or orally in accordance with section 93.</p> <p><b>Pursuant To –</b> Sections 91 and 93</p>	

PoEO Act 002	<p><b>Fees –</b></p> <p>Authority to waive payment of the whole or any part of the fee, or extend the time for payment of a fee, in respect of a clean-up notice or prevention notice.</p> <p><b>Pursuant To –</b></p> <p>Sections 94, 100</p>	
PoEO Act 003	<p><b>Prevention notices –</b></p> <p>Authority to issue, vary or revoke a prevention notice.</p> <p><b>Pursuant To –</b></p> <p>Sections 96 and 110</p>	
PoEO Act 004	<p><b>Action in event of failure to comply –</b></p> <p>Authority to take action to cause a prevention notice to be complied with if a person does not comply with a prevention notice given to the person.</p> <p><b>Pursuant To –</b></p> <p>Section 98</p>	
PoEO Act 005	<p><b>Voluntary clean-up action –</b></p> <p>Authority to take such clean-up action as the delegate considers necessary if the delegate reasonably suspects that a pollution incident has occurred or is occurring.</p> <p><b>Pursuant To –</b> Section 92(2)</p>	

PoEO Act 006	<p><b>Compliance cost notices –</b></p> <p>Authority to:</p> <p>a) issue a compliance cost notice;</p> <p>b) recover any unpaid amounts as a debt;</p> <p>c) apply to register a compliance cost notice in relation to land; and</p> <p>d) where a compliance cost notice has been lodged or registered, issue a notice requiring the person to pay the reasonable costs and expenses incurred by the authority in respect of the lodgement or registration and recover any unpaid amounts as a debt.</p> <p>e) revoke or vary a notice.</p> <p><b>Pursuant To –</b> Sections 104, 105, 106, 107(8), 110</p>	
PoEO Act 008	<p><b>Requirement to provide information and records –</b></p> <p>Authority to give, revoke or vary a notice to a person to require the person to furnish information or records (or both).</p> <p><b>Pursuant To –</b> Section 192</p>	
PoEO Act 009	<p><b>Court proceeding (agent or appointee) –</b></p> <p>Authority to act as an agent or appointee of the Council to commence proceedings for an offence against the Act or Regulations.</p> <p><b>Pursuant To –</b> Section 218A</p>	

PoEO Act 010	<p><b>Assistance to be given to authorised officers –</b></p> <p>Authority to issue a notice requiring the owner or occupier of a premises to provide such reasonable assistance and facilities to an authorised officer</p> <p><b>Pursuant To – Section 200</b></p>	
PoEO Act 011	<p><b>Court proceedings (officers and employees) –</b></p> <p>Authority to institute proceedings for an offence against the Act or the Regulations (other than excluded offences) with the written consent of the council or a person authorised by the council, in accordance with sections 218 and 220. If a court convicts a corporation of an offence in such proceedings, authority to apply to the Court for a monetary benefits order.</p> <p><b>Pursuant To – Sections 218 and 220 and 251A(2).</b></p>	
PoEO Act 012	<p><b>Court proceedings (authority to provide consent) –</b></p> <p>Authority to provide consent for an officer or employee to institute proceedings under section 220.</p> <p><b>Pursuant To – Section 220</b></p>	
PoEO Act 013	<p><b>Noise control notices –</b></p> <p>Authority to give or issue, revoke or vary a noise control notice.</p> <p><b>Pursuant To – Sections 264 and 266</b></p>	

PoEO Act 015	<p><b>Extend time –</b></p> <p>Authority to extend time for payment of, or waive, a fee</p> <p><b>Pursuant To –</b> section 267A(3)</p>	
PoEO Act 016	<p><b>Supplementary clean-up notices –</b></p> <p>Authority to provide a supplementary clean-up notice to a current director of the corporation, former director and/or a related body corporate in accordance with section 91A, where the previous clean-up notice has not been complied with.</p> <p><b>Pursuant To –</b> Section 91A</p>	
PoEO Act 017	<p><b>Supplementary prevention notices –</b></p> <p>Authority to provide a supplementary prevention notice to a current director of the corporation, former director and/or a related body corporate in accordance with section 96A, where the previous prevention notice has not been complied with.</p> <p><b>Pursuant To –</b> Section 96A</p>	

### Public Health Act 2010

Function Code	Function	Condition/ Limitation (if any)
PH Act 001	<p><b>Failure to comply with notice relating to regulated system –</b></p> <p>Authority to take action if the occupier of premises at which there is a regulated system fails to</p>	

	<p>comply with an improvement notice.</p> <p><b>Pursuant To –</b></p> <p>Section 44</p>	
PH Act 002	<p><b>Prohibition Order –</b></p> <p>Authority to serve a prohibition order, and give a certificate of clearance, in accordance with section 45, and to determine a claim for compensation in accordance with section 49.</p> <p><b>Pursuant To –</b></p> <p>Sections 45 and 49</p>	
PH Act 003	<p><b>Agreement with Director General –</b></p> <p>Authority to enter into an agreement or arrangement with Director General</p> <p><b>Pursuant To –</b></p> <p>Section 98</p>	
PH Act 004	<p><b>Commence proceedings –</b></p> <p>Authority to commence proceedings against a breach of the Act or Regulations.</p> <p><b>Pursuant To –</b></p> <p>Section 117</p>	

## Public Health Regulation 2022

Function Code	Function	Condition/ Limitation (if any)
PH Reg 001	<p><b>Fees –</b></p> <p>Authority to extend the time for payment of a fee or waive a fee in full or part in respect of an improvement notice or prohibition order.</p> <p><b>Pursuant To –</b> section 124</p>	

## Public Spaces (Unattended Property) Act 2021

Function Code	Function	Condition/ Limitation (if any)
PSUP 002	<p><b>Functions of an Impounding Authority –</b></p> <p>Authority to carry out the functions of the Council to deal with property after taking possession of it.</p> <p><b>Pursuant To –</b> Part 4</p>	
PSUP Act 003	<p><b>Court proceedings –</b></p> <p>Authority to represent the Council in relation to appeals against proceedings for offences, debt recovery and applications for review to the Administrative Decisions Tribunal.</p> <p><b>Pursuant To –</b></p> <p>Part 7 of the Act</p>	

PSUP Act 004	<p><b>Authority to direct an authorised officer to destroy property –</b></p> <p>Destroying items that are in possession of Council</p> <p><b>Pursuant To –</b></p> <p>Section 31</p>	
PSUP Act 005	<p><b>Authority to direct an authorised officer to sell or dispose of property –</b></p> <p>Authority to sell or dispose of items that were taken into possession by an authorised officer</p> <p><b>Pursuant To –</b> Section 32</p>	
PSUP Act 006	<p><b>Arrangements to exercise functions outside the area of operations –</b></p> <p>Authority to arrange with other Councils or other Authorities under the Act to permit Authorised Officers to exercise functions outside of their Council area of operations.</p> <p><b>Pursuant To –</b> Section 47(2)</p>	
PSUP Act 007	<p><b>Pay or waive a fee charged –</b></p> <p>Authority to pay an amount or waive and amount in relation to a property or animal taken into possession.</p> <p><b>Pursuant To –</b> Section 55</p>	



PSUP Act 008	<p><b>Issuing notices to owners or or persons responsible for unattended items –</b></p> <p>Authority to give notices after taking possession of property</p> <p><b>Pursuant To –</b></p> <p>Section 29 - Authority to take reasonable steps to identify and notify owners of property and Part 3 of the Regulations</p>	
PSUP Act 009	<p><b>Keeping records –</b></p> <p>Authority to keep records of property taken into possession.</p> <p><b>Pursuant To –</b> Section 33 - Records</p>	

### Real Property Act 1900

Function Code	Function	Condition/ Limitation (if any)
RP Act 001	<p><b>Position of boundary under Real Property Act 1900 –</b></p> <p>Authority to apply for a determination as to the position of a common boundary of adjoining lands and, if dissatisfied, appeal to the Land and Environment Court for a such a determination by the Court in accordance with sections 135B and 135J.</p> <p><b>Pursuant To –</b> Sections 135B and 135J</p>	

**Residential (Land Lease) Communities Act 2013**

Function Code	Function	Condition/ Limitation (if any)
RLLC Act 000	<p><b>All functions –</b></p> <p>Authority to exercise and/or perform all functions of the council as park owner.</p> <p><b>Pursuant To –</b></p> <p><i>The Residential (Land Lease) Communities Act 2013 and Residential (Land Lease) Communities Regulation 2015.</i></p>	

**Restricted Premises Act 1943**

Function Code	Function	Condition/ Limitation (if any)
Restricted Premises Act 001	<p><b>Make application –</b></p> <p>Authority to make application or instruct Council's lawyers to make application to the Land &amp; Environment Court for a brothel closure order</p> <p><b>Pursuant To –</b></p> <p>Section 17</p>	

## Road Transport (General) Regulation 2021

Function Code	Function	Condition/ Limitation (if any)
RT General Reg 001	<p><b>Pay parking schemes –</b></p> <p>Authority to establish and operate a pay parking scheme for a road within a council's area of operations, not including the fixing of fees for a pay parking space and pay parking area.</p> <p><b>Pursuant To –</b> section 84 - establishment of pay parking schemes</p>	
RT General Reg 002	<p><b>Pay parking areas –</b></p> <p>Authority to set aside setting aside pay parking spaces or pay parking areas in a road within its area of operations in accordance with TfNSW guidelines.</p> <p><b>Pursuant To –</b> subsections 84(a) and 84(b)</p>	
RT General Reg 003	<p><b>Close a pay parking space –</b></p> <p>Authority to close a pay parking space or area after deciding that a pay parking space or pay parking area should be temporarily closed.</p> <p><b>Pursuant To –</b> subsection 90(2)</p>	
RT General Reg 004	<p><b>Pay parking devices –</b></p> <p>Authority to install pay parking devices for use in connection with</p>	

	<p>payment of fees for parking in a pay parking space or pay parking area.</p> <p><b>Pursuant To –</b></p> <p>subsection 84(2)</p>	
RT General Reg 005	<p><b>Displaying information in a pay parking area or space –</b></p> <p>Authority to display required information in a pay parking area or pay parking space.</p> <p><b>Pursuant To –</b></p> <p>section 86</p>	
RT General Reg 006	<p><b>Agree on common payment parking schemes –</b></p> <p>Authority to agree with other councils on the operation of pay parking schemes on a common payment basis, not including setting of fees.</p> <p><b>Pursuant To –</b></p> <p>section 92</p>	
RT General Reg 007	<p><b>Agree with owners of land not owned by Council –</b></p> <p>Authority to agree with owners of land not owned by Council as to the exercise by Council of powers under Part 6 Division 1 in respect of that land.</p> <p><b>Pursuant To –</b></p> <p>section 94</p>	

RT General Reg 008	<p><b>Agree on costs of maintaining signs and other devices –</b></p> <p>Authority to agree to an amount of, and pay, costs of providing and maintaining signs and devices installed and marking lines in relation to spaces to park in a road, pay parking spaces and areas.</p> <p><b>Pursuant To –</b></p> <p>section 96 (2)(c)</p>	
RT General Reg 009	<p><b>Issue a permit –</b></p> <p>Authority to issue a permit for the parking of a vehicle without charge or time restrictions, being a business parking permit, a commuter parking permit, a resident parking permit, a resident's visitor permit, a special event parking permit and a declared organisation parking permit.</p> <p><b>Pursuant To –</b></p> <p>section 120</p>	

### Road Transport Act 2013

Function Code	Function	Condition/ Limitation (if any)
RT Act 001	<p><b>Removal of dangers and obstructions to traffic –</b></p> <p>Authority to authorise an employee of the council as the appropriate roads authority as an appropriate officer for the purposes of section 142 of the</p>	

	<p>Road Transport Act 2013. Section 142 provides that an appropriate officer may remove the vehicle, thing or container and take such other steps as may be necessary to protect the public and facilitate the free flow of traffic</p> <p><b>Pursuant To</b> – Section 142</p>	
RT Act 002	<p><b>Commence proceedings –</b></p> <p>Authority to recover as a debt expenses incurred under s.142</p> <p><b>Pursuant To</b> – Section 142(2)</p>	
RT Act 003	<p><b>Certificates –</b></p> <p>Authority to provide certificates specifying an amount of costs incurred</p> <p><b>Pursuant To</b> – Section 142(3)</p>	

### Roads Act 1993

Function Code	Function	Condition/ Limitation (if any)
Roads Act 034	<p><b>Transfer of street vending or other consent –</b></p> <p>Authority to transfer a street vending or other consent and impose conditions</p> <p><b>Pursuant To</b> – Sections 139D(3)(5) and (6)</p>	

Roads Act 021	<p><b>Tree felling –</b></p> <p>Authority to form the opinion that it is necessary to remove or lop a tree or other vegetation on or overhanging a public road for the purpose of a road work or to remove a traffic hazard, and to effect such removal or lopping</p> <p><b>Pursuant To –</b></p> <p>Section 88</p>	
Roads Act 024	<p><b>Give a direction –</b></p> <p>Authority to give a direction under Part 7</p> <p><b>Pursuant To –</b></p> <p>Sections 91 to 107 inclusive</p>	
Roads Act 025	<p><b>Regulate traffic –</b></p> <p>Authority to regulate traffic on a public road by means of barriers or notices for any of the purposes set out in section 115(2) of the Roads Act 1993 (NSW) in so far as they apply to the Council as a roads authority.</p> <p><b>Pursuant To –</b></p> <p>Section 115(2)</p>	
Roads Act 026A	<p><b>Applications for consent –</b></p> <p>Authority to apply to TfNSW for consent to erect a barrier or notice or carry out work or take any action to regulate traffic on a public road</p>	

	<p>for other purposes; to remove any notice or barrier, to demolish any work or cease any action for which the TfNSW has given consent, and give public notice of such application</p> <p><b>Pursuant To –</b></p> <p>Section 116</p>	
Roads Act 028	<p><b>Authority to erect structures –</b></p> <p>Authority to authorise the holder of a footway dining approval to erect and maintain structures in, or over any part, of the footway</p> <p><b>Pursuant To –</b></p> <p>Section 126</p>	
Roads Act 029	<p><b>Public Gates –</b></p> <p>Authority to grant and/or revoke a permit for the erection of a public gate or the construction of a by-pass around a public gate.</p> <p><b>Pursuant To –</b></p> <p>Sections 128, 130, 133 and 136</p>	
Roads Act 030	<p><b>Approval to use footway for restaurant –</b></p> <p>Authority to determine an application for a footway dining approval</p> <p><b>Pursuant To –</b></p> <p>Section 125</p>	



Roads Act 031	<p><b>Determine an application for consent –</b></p> <p>Authority to determine an application for consent to: (a) erect a structure, or carry out work in, on or over a public road; (b) dig up or disturb the surface of a public road; (c) remove or interfere with a structure, work or tree on a public road; (d) pump water into a public road from any land adjoining a public road; (e) connect a road (whether public or private) to a classified road, and impose conditions on a consent.</p> <p><b>Pursuant To –</b></p> <p>Sections 138, 139 &amp; 139A</p>	
Roads Act 032	<p><b>Revocation of street vending consent –</b></p> <p>Authority to revoke a street vending consent and give notice of revocation</p> <p><b>Pursuant To –</b></p> <p>Section 139C</p>	
Roads Act 033	<p><b>Extend term –</b></p> <p>Authority to extend term of a street vending consent and impose conditions</p> <p><b>Pursuant To –</b></p> <p>Sections 139D(1) and (5)</p>	

Roads Act 035	<p><b>Fresh consents –</b></p> <p>Authority to grant a fresh consent where previous consent revoked, expired or lapsed</p> <p><b>Pursuant To –</b></p> <p>Section 139E</p>	
Roads Act 036	<p><b>Revocation of Consent –</b></p> <p>Authority to revoke a consent by notice of revocation served on holder</p> <p><b>Pursuant To –</b></p> <p>Section 140</p>	
Roads Act 037	<p><b>Permits for road events –</b></p> <p>Authority to grant a permit to any person to conduct a road event (as defined) on a public road</p> <p><b>Pursuant To –</b></p> <p>Section 144</p>	
Roads Act 042	<p><b>Inspections and Investigations –</b></p> <p>Authority to inspect the land, for the purposes of an inspection, dig up any ground and take such measures as are necessary to ascertain the character and condition of the land and of any building, structure or work that is situated in, on or over the land, make surveys and take levels and, for those purposes, may dig trenches, break up the soil and set up any posts, stakes or marks,</p>	

	<p>and may take samples or photographs in connection with any inspection.</p> <p><b>Pursuant To –</b> Section 165</p>	
Roads Act 049	<p><b>Roads authorities may levy tolls on road-ferries –</b></p> <p>Authority to lease the running of a road ferry, lease the collection of tolls and charges on a road ferry</p> <p><b>Pursuant To –</b> Section 216</p>	
Roads Act 050	<p><b>Recovery of –</b></p> <p>Authority to determine the amount of contribution to which an owner of land adjoining a public road is required to contribute to the cost incurred by the Council in constructing or paving any adjacent kerb, gutter or footway</p> <p><b>Pursuant To – Section 217</b></p>	
Roads Act 053	<p><b>Authorised officer may require production of information –</b></p> <p>Authority to require the owner of the vehicle or the person in charge of the vehicle to produce certain information immediately.</p> <p><b>Pursuant To – Section 229</b></p>	

Roads Act 054	<p><b>Roads authority may give effect to direction and recover costs –</b></p> <p>Authority to take action necessary to give effect to a direction and recover costs from person to whom direction given</p> <p><b>Pursuant To –</b></p> <p>Section 238</p>	
Roads Act 056	<p><b>Footway restaurants –</b></p> <p>Authority to grant an approval pursuant to Part 9 Division 1 of the Roads Act 1993 (NSW) to use part of a footway for the purposes of a restaurant and to authorise a holder of an approval to erect and maintain structures in, on or over any part of the footway the subject of the approval.</p> <p><b>Pursuant To –</b></p> <p>Part 9 Division 1</p>	
Roads Act 057	<p><b>Street vending consent –</b></p> <p>Authority to grant, revoke, transfer or extend the term of a street vending consent</p> <p><b>Pursuant To –</b></p> <p>Part 9 Division 3</p>	
Roads Act 058	<p><b>Notice of Entry –</b></p> <p>Authority to give written notice to the owner or occupier of the premises of the intention to enter</p>	

	<p>the premises and authority to give notification of the use of force or urgent entry to such persons or authorities as appear to the delegate to be appropriate in the circumstances.</p> <p><b>Pursuant To –</b>          section 166 and 168</p>	
--	--	--

### Rural Fires Act 1997

Function Code	Function	Condition/ Limitation (if any)
RF Act 001	<p><b>Formation of Rural Fire Brigades –</b></p> <p>Authority to form (or form jointly with another council) one or more rural fire brigades for any rural fire district constituted for a council's area or part of its area in accordance with section 15</p> <p><b>Pursuant To –</b>            Section 15</p>	
RF Act 002	<p><b>Responsible local authorities –</b></p> <p>Authority to enter into agreement with another local authority to combine responsibility for fire districts</p> <p><b>Pursuant To –</b>            Section 7(2)</p>	
RF Act 003	<p><b>Responsible local authorities –</b></p> <p>Authority to enter into agreement with another local authority to nominate the</p>	

	<p>authority as having responsibility for some or all of fire district</p> <p><b>Pursuant To – Section 7(3)</b></p>	
RF Act 004	<p><b>Disbandment –</b></p> <p>Authority to disband a rural fire brigade</p> <p><b>Pursuant To –</b></p> <p>section 17(1)</p>	
RF Act 005	<p><b>Area of operations –</b></p> <p>Authority to determine the territory of a rural fire brigade and appoint officers for the brigade</p> <p><b>Pursuant To –</b></p> <p>Section 18</p>	
RF Act 006	<p><b>Responsibilities and functions –</b></p> <p>Authority to provide facilities and accommodation for fire control officer and consult with Commissioner</p> <p><b>Pursuant To – Sections 37 and 38</b></p>	
RF Act 008	<p><b>Local bush fire danger period declaration –</b></p> <p>Authority to consult with and make recommendations in relation to the making of a local bush fire danger period declaration in accordance with section 83.</p> <p><b>Pursuant To – Section 83</b></p>	

RF Act 009	<p><b>Bush Fire Hazard Reduction Certificates</b></p> <p>–</p> <p>Authority to:</p> <p>a) determine an application for a bush fire hazard reduction certificate that authorises the carrying out of bush fire hazard reduction work on private land within the council’s area by a person other than the Commissioner or a local authority in accordance with Part 4, Division 8</p> <p>b) Authority to certify a bush fire hazard reduction certificate in relation to bush fire hazard reduction work on land by the council in accordance with Part 4, Division 8</p> <p><b>Pursuant To –</b></p> <p>Sections 100F(5) &amp; 100G</p>	
RF Act 010	<p><b>Proceedings for breach –</b></p> <p>Authority to bring proceedings on behalf of the Council in the Land and Environment Court for an order to remedy or restrain a breach of section 100F or 100G of the Act (in relation to bush fire hazard reduction certificates) in accordance with section 100H.</p> <p><b>Pursuant To –</b> Section 100H</p>	
RF Act 011	<p><b>Rural Fire Brigade Contributions –</b></p> <p>Authority to arrange for the payment of rural fire brigade contributions in accordance with Part 5, Division 4</p> <p><b>Pursuant To –</b> Section 107</p>	

RF Act 012	<p><b>Fire Trails –</b></p> <p>Authority to exercise and/or perform the Council's functions under Part 3B as the owner or occupier of land, including to make a fire trail complaint, object to, or appeal against, a fire trail rectification notice, apply for the termination of the registration of a fire trail and to object to, or appeal against, a refusal to terminate registration of a fire trail.</p> <p><b>Pursuant To –</b></p> <p>sections 62Q, 62Z(1), 62ZA(1), 62ZK(1), 62ZL(1), 62ZM(1) and Part 3B generally.</p>	
------------	---	--

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

Function Code	Function	Condition/ Limitation (if any)
S NSW Act 001	<p><b>Delegation of –</b></p> <p>Authority to delegate customer service functions of council to CEO with the approval of a resolution of council</p> <p><b>Pursuant To –</b></p> <p>Section 7</p>	
S NSW Act 002	<p><b>Enter into –</b></p> <p>Authority to enter into agreement with CEO with the approval of a resolution of council</p> <p><b>Pursuant To –</b> Sections 8 and 16</p>	



S NSW Act 003	<p><b>Agreements authorising –</b></p> <p>Authority to enter into agreement with CEO to act as agent of CEO</p> <p><b>Pursuant To –</b></p> <p>Section 12</p>	
---------------	---	--

### State Emergency and Rescue Management Act 1989

Function Code	Function	Condition/ Limitation (if any)
SERM Act 003	<p><b>Representative on Local Emergency Management Committee –</b></p> <p>Authority to determine the representative of an organisation on the Local Emergency Management Committee in accordance with section 28(2)(c).</p> <p><b>Pursuant To –</b></p> <p>Section 28(2)(c)</p>	

### State Environmental Planning Policy (Biodiversity and Conservation) 2021

Function Code	Function	Condition/ Limitation (if any)
SEPP (B and C) 001	<p><b>Authority to issue a permit –</b></p> <p>Authority to issue a permit under Part 2.3 for clearing of vegetation in non-rural areas (as declared by a council development control plan), including the authority to decide</p>	

	<p>that a permit is not required as the vegetation poses a risk to human life or property, or is dead or dying and not required for the habitat of native animals.</p> <p><b>Pursuant To</b> – section 2.10</p>	
SEPP (B and C) 002	<p><b>Authority to request further information –</b></p> <p>Authority to request more information from an applicant for a permit to clear vegetation.</p> <p><b>Pursuant To</b> – section 2.11</p>	
SEPP (Veg) 001	<p><b>Permit for clearing of vegetation –</b></p> <p>Authority to issue a permit on behalf of the Council to clear vegetation in a non-rural area which is declared by a development control plan made by the Council.</p> <p><b>Pursuant To</b> – clause 10</p>	

### Strata Schemes Development Act 2015

Function Code	Function	Condition/ Limitation (if any)
SSD Act 001	<p><b>Strata Certificates –</b></p> <p>Authority to issue a strata certificate in accordance with section 54 (strata plans and subdivision of development lots), s55(subdivision not involving development lot) and</p>	

	<p>s56 (notices of conversion) in accordance with Part 4 Division 2 of the <i>Strata Schemes Development Act 2015</i> and Part 4 of the <i>Strata Schemes Development Regulation 2016</i>.</p> <p><b>Pursuant To –</b></p> <p>sections 54, 55 and 56 <i>Strata Schemes Development Act 2015</i></p> <p>clause 17 <i>Strata Schemes Development Regulation 2016</i></p>	
SSD Act 002	<p><b>Obligations of planning authority –</b></p> <p>Authority on behalf of the council as a planning authority when granting a planning approval, to certify in accordance with s75(2).</p> <p><b>Pursuant To –</b> Pursuant to: s.75(2)</p>	
SSD Act 003	<p><b>Strata development contract amendment –</b></p> <p>Authority to approve the amendment of a strata development contract for a strata scheme in accordance with s84.</p> <p><b>Pursuant To –</b> s.84</p>	
SSD Act 004	<p><b>Termination of a strata scheme –</b></p> <p>Authority to sign an application for termination of a strata scheme in accordance with s142.</p> <p><b>Pursuant To –</b> s.143</p>	

### Strata Schemes Management Act 2015

Function Code	Function	Condition/ Limitation (if any)
SSM Act 001	<p><b>(Orders) Enforcing restrictions on uses of utility lots –</b></p> <p>Authority to apply to the Tribunal for an order enforcing restrictions on uses of utility lots and for reallocation of unit entitlements.</p> <p><b>Pursuant To –</b></p> <p>s.235(2) and s.136</p>	

### Surveillance Devices Act 2007

Function Code	Function	Condition/ Limitation (if any)
SD Act 001	<p><b>Optical surveillance devices –</b></p> <p>Authority on behalf of Council as the owner or occupier of premises or vehicles or any other object to consent to the installation, use and maintenance of an optical surveillance device on the premises or vehicle or object.</p> <p><b>Pursuant To –</b></p> <p>section 8 of the <i>Surveillance Devices Act 2007</i></p>	

**Swimming Pools Act 1992**

Function Code	Function	Condition/ Limitation (if any)
SP Act 001	<p><b>Exemption from compliance –</b></p> <p>Authority to grant an exemption from all or any of the requirements of the access to swimming pools provisions, unconditionally or subject to conditions.</p> <p><b>Pursuant To –</b> Section 22</p>	
SP Act 002	<p><b>Direction to comply –</b></p> <p>Authority to serve a direction requiring compliance with the access to swimming pools provisions.</p> <p><b>Pursuant To –</b> Section 23</p>	
SP Act 003	<p><b>Authority to carry out inspection –</b></p> <p>Authority to carry out inspection of swimming pool, including on request of owner and charge a fee</p> <p><b>Pursuant To –</b></p> <p>Sections 22B, 22C, 22F</p>	
SP Act 004	<p><b>Authority to issue a certificate of compliance –</b></p> <p>Authority to issue a certificate of compliance and charge a fee</p> <p><b>Pursuant To –</b> Sections 22D, 22F</p>	

SP Act 005	<p><b>Notice of intention –</b></p> <p>Authority to serve on the occupier of the premises a notice of intention to carry out the requirements of a direction given under section 23 (requiring compliance with the access to swimming pools provisions).</p> <p><b>Pursuant To –</b></p> <p>Section 23A</p>	
SP Act 006	<p><b>Directing a person to act –</b></p> <p>Authority to direct a person to act as "a person acting under the direction of a local authority" for the purposes of section 23A.</p> <p><b>Pursuant To –</b></p> <p>Section 23A</p>	
SP Act 007	<p><b>Appeals –</b></p> <p>Authority to represent the Council in relation to an appeal against a decision of the Council.</p> <p><b>Pursuant To –</b></p> <p>Section 26</p>	
SP Act 010	<p><b>Investigation of complaint –</b></p> <p>Authority to investigate a complaint of non-compliance with the Act or Regulations.</p> <p><b>Pursuant To –</b> Section 29A</p>	

SP Act 011	<p><b>Proceedings to remedy or restrain a breach –</b></p> <p>Authority to bring proceedings in the Land and Environment Court for an order to remedy or restrain a breach of the Act or Regulations.</p> <p><b>Pursuant To –</b></p> <p>Section 30</p>	
SP Act 012	<p><b>Proceedings to breach –</b></p> <p>Authority to bring proceedings in the Local Court for an offence against the Act or Regulations.</p> <p><b>Pursuant To –</b></p> <p>Section 36</p>	

### Swimming Pools Regulation 2018

Function Code	Function	Condition/ Limitation (if any)
SP Reg 001	<p><b>Application for exemption –</b></p> <p>Authority to determine the form of an application for exemption</p> <p><b>Pursuant To –</b> Clause 12</p>	
SP Reg 002	<p><b>Give notice –</b></p> <p>Authority to give notice of decisions</p> <p><b>Pursuant To –</b> Clauses 15, 20.</p>	

SP Reg 003	<p><b>Issue a certificate of Non-Compliance</b></p> <p>–</p> <p>Authority to be satisfied/ not satisfied on behalf of the local authority that the requirements for the issue of a certificate of compliance have been met, and issue a notice and/or certificate of non-compliance under clauses 20 and 21 respectively.</p> <p><b>Pursuant To –</b></p> <p>Pursuant to clauses 20 and 21.</p>	
------------	---	--

### Tattoo Parlours Act 2012

Function Code	Function	Condition/ Limitation (if any)
TP Act 001	<p><b>Exchange of information –</b></p> <p>Authority to enter into information sharing arrangement with the Director General</p> <p><b>Pursuant To –</b></p> <p>Section 36</p>	

### Trees (Disputes Between Neighbours) Act 2006

Function Code	Function	Condition/ Limitation (if any)
T(DBN) Act 001	<p><b>Appearance before Court –</b></p> <p>Authority to appear before the Court in any proceedings under</p>	



	<p>this Part in relation to a tree in accordance with section 13 or 14G.</p> <p><b>Pursuant To –</b></p> <p>Sections 13 and 14G</p>	
T(DBN) Act 003	<p><b>Act as an authorised person –</b></p> <p>Authority to act as an authorised person for the purposes of section 17 of the Act</p> <p><b>Pursuant To – Section 17</b></p>	
T(DBN) Act 004	<p><b>Notice of intention –</b></p> <p>Authority to serve on the owner of land a notice of intention to enter land under section 17.</p> <p><b>Pursuant To – Section 17</b></p>	
T(DBN) Act 005	<p><b>Charge on Land –</b></p> <p>Authority (after obtaining an order of a court in proceedings against an owner of land for the recovery of costs in accordance with section 17 (8)) to apply to the Registrar-General for registration of the order in relation to that land, and certify that the amount has been paid or otherwise agree to a cancellation of the charge in accordance with section 17A.</p> <p><b>Pursuant To – Section 17A</b></p>	

**Waste Avoidance and Resource Recovery Act 2001 and Waste Avoidance and Resource Recovery (Container Deposit Scheme) Regulation 2017**

Function Code	Function	Condition/ Limitation (if any)
WARR 001	<p><b>Agreements with material recovery facility operators –</b></p> <p>Authority to enter into processing agreements and refund sharing agreements with a material recovery facility operator on behalf of council.</p> <p><b>Pursuant To –</b></p> <p>Clause 18 of the Waste Avoidance and Resource Recovery (Container Deposit Scheme) Regulation 2017</p>	

**Wilderness Act 1987**

Function Code	Function	Condition/ Limitation (if any)
Wilderness Act 001	<p><b>Wilderness Protection Agreement –</b></p> <p>Authority to enter into a wilderness protection agreement with Minister</p> <p><b>Pursuant To –</b></p> <p>Section 10</p>	

Wilderness Act 002	<p><b>Proposals by statutory authorities affecting certain wilderness areas –</b></p> <p>Authority to give notice of proposed development in wilderness area</p> <p><b>Pursuant To –</b></p> <p>Section 15</p>	
Wilderness Act 003	<p><b>Resolution of certain disputes –</b></p> <p>Authority to refer a dispute to the Premier</p> <p><b>Pursuant To –</b></p> <p>Section 21</p>	

## Schedule 2: Instruments of Delegation to Council

Delegator	Function & Instrument Name	Date Of Instrument
Minister for Planning and Environment	<p>Authority to exercise the plan making functions of section 3.36 of the <i>Environmental Planning and Assessment Act 1979</i> that are delegated to Mid-Coast Council by the Minister for Planning and Environment.</p> <p>Instrument of Delegation under section 3.36 of the <i>Environmental Planning and Assessment Act 1979</i>.</p>	28 September 2016

### Schedule 3: Policy Authorities

Code	Policy Authority	Conditions / Limitations (if any)
ADMINEXEE	Sign any contract, lease, licence, deed, or legal or other document, where the execution of such document is necessary to meet legal or Council formalities when such relate to Council's normal business activities.	
ADMINGENA	Authorised to carry out administrative actions, including written and oral communication, necessary to perform the duties and functions of this position.	
ADMINGENG	Accept service of documents on behalf of Council.	
ADMINGENH	To approve and settle statements of claim and insurance matters up to the level of Council's excess amounts payable under the respective insurance policies.	
ADMINGENK	Act as a Disclosure Officer for receiving public interest disclosures (PIDs) in accordance with Council's Public Interest Disclosure Policy.	
AIRPRTA	Act in the position of Aerodrome Technical Inspector in relation to licensing criteria at the Taree Airport.	
APPROVA	To approve or refuse applications made under Council's Vegetation Management Policy.	
APPROVB	To approve or refuse applications for Landscape Plans associated with consideration of Development Applications.	

APPROVC	Approve or refuse of engineering works and/or conditions associated with subdivisions and major building development in accordance with subdivisions and major building development in accordance with Council's policies and usual requirements,	
APPROVD	To approve or refuse applications for sewerage management facilities subject to any conditions which may be imposed by Council Policy or required by legislation.	
CORRESB	Sign correspondence relating to the core position responsibilities and other correspondence as required.	
DEVMATA	Lodge a complaint against a Registered Certifier to NSW Fair Trading on behalf of Council.	
DEVMATD	To provide owner's consent to lodgement of a Development Application on property and land owned or controlled by Council.	
DEVMATE	To approve easements and covenants that burden operational land owned by Council.	
DEVMATF	To recommend the endorsement of an 88B instrument to vary, modify or release a restriction.	
FINEXPBL	The position holder is delegated authority to authorise all expenditure and/or purchase orders up to the value of \$1,000,000.	(WITH THE FOLLOWING LIMITATIONS):  a) the expenditure must relate to the position holder's area of responsibility;

		<p>b) the expenditure must be in accordance with the adopted budget;</p> <p>c) the expenditure must be incurred in accordance with Council's Procurement Policy;</p> <p>d) the expenditure must not involve the acceptance of a tender which is required under the Local Government Act 1993 to be invited and accepted by the Council or by the General Manager under delegated authority; and</p> <p>e) the expenditure must not require a resolution of the Council under the Local Government Act 1993 and associated Regulation.</p>
FINGENB	Authorise release of bank guarantee where development contribution monies have been paid or works-in-kind carried out in accordance with approved conditions.	
FINGENC	Authorise outgoing sponsorship or "value in kind" grants in accordance with Council's General Donations or Sponsorship Policy.	
FINGEND	To authorise donations for materials and equipment to community groups in accordance with Council Policy	
FINGENE	To approve the acceptance of bank guarantees in association with development, strata and subdivision applications or other Council requirements.	

FINGENF	To certify Section 88 Waste Levy Returns on behalf of Council and authorise payment of the resulting invoices.	
GENMATA	Exercise the functions of the Council position to which the position-holder is appointed in accordance with the job description for that position, Council resolutions and policies, Council's Enterprise Agreement and management direction.	
GENMATB	Exercise the functions of the Council position to which the position-holder is temporarily appointed in accordance with the job description for that position, Council resolutions and policies, Council's Enterprise Agreement and management direction.	
PUBRELA	Make media statements on all matters relating to the current Division of Council.	
PUBRELB	Respond to media enquiries on all matters relating to the current division of Council.	
STAFFA	To authorise timesheets for employees within the area of control of the position (referred hereafter as relevant staff)	
STAFFB	Determine all leave applications relative to all relevant staff having due regard to the proper functioning of the Section and maintenance of appropriate levels of service to the public.	
STAFFC	Authorise the attendance of relevant staff at technical seminars/conferences/residential schools and the like, subject to funding being available in the Council's budget.	

STAFFD	To authorise the payment of travelling and subsistence expenses for relevant staff in accordance with Council's policy on travelling and subsistence expenses.	
STAFFE	Approve overtime for relevant staff in accordance with approved budget.	
STAFFF	Approve relevant staff members to act in higher grade positions during periods of absence of key staff members in the Division.	




---

Adrian Panuccio

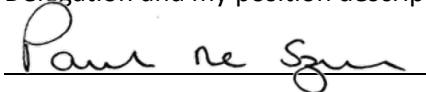
General Manager of Mid-Coast Council

Date: Monday, 20 November 2023

Review date:

## Sub-delegate's Acknowledgement of Delegations of Authority

I Paul De Szell currently employed by the Council in the position of Director Liveable Communities do hereby acknowledge that I have read and understood this Instrument of Sub-Delegation and that I will perform these sub-delegations and authorities in accordance with this Instrument of Sub-Delegation and my position description.




---

Director Liveable Communities of Mid-Coast Council

Date: 1 December 2023