



DELEGATION OF FUNCTIONS

Mayor

General powers and limitations

Pursuant to the Local Government Act 1993 (the Act) and by every other Act conferring a power of delegation, Byron Shire Council:

1. Revokes all previous delegations granted to the Mayor prior to the date of this instrument.
2. Delegates to the Mayor of the Council, or to person acting in the office of the Mayor, ALL the powers and functions of the Council subject to the express conditions or limitations as listed separately in the schedule, and the following additional general limitations:
 - a) Delegated functions or powers do not include any function or power that:
 - i) cannot be delegated under s377 of the Act or any other law; or
 - ii) is covered by an existing delegation to, or legislative function imposed upon, the General Manager or staff; or
 - iii) cannot be exercised lawfully.
 - b) Delegated functions or powers must be exercised consistently with all resolutions, resolved policies and statutory planning documents of the Council.
 - c) Where any function or power provided by these delegations is amended by a subsequent Act or Regulation, the delegations continue so amended.
 - d) A written record of the exercise of any of the above delegations must be made and signed and dated. The reasons for not exercising a delegation in accordance with a recommendation from the General Manager must also be recorded in writing and signed by the Mayor.
 - e) If a delegation requires the Mayor to concur with a specified person, a written record of that concurrence must be made and signed and dated by the person who is required to concur.

A reference to the Mayor includes any person who is acting in the position of Mayor.

This delegation commences on **23 June 2022** by Resolution **22-311** which makes it and remains in force, unless a period is provided for in the delegation, until expressly altered or revoked by subsequent Resolution.

SCHEDULE

Financial Matters

Code	Name & Description
BSC106	<p>Enter into a contract or authorise expenditure for works, for an amount not exceeding \$50,000</p> <p>Enter into a contract or authorise expenditure for works, for an amount not exceeding \$50,000 provided:</p> <ol style="list-style-type: none">a) The matter is urgent and cannot wait until the next available Ordinary Meeting.b) For amounts over \$15,000 the concurrence of the General Manager is required.c) Must be reported to the next available Council meeting.

Code	Name & Description
BSC107	<p>Authorise donations from the vote of money called the "Mayor's discretionary donations"</p> <p>Authorise donations from the vote of money called the "Mayor's discretionary donations" provided:</p> <ul style="list-style-type: none"> a) it must be within the vote of money b) it must not be a donation to a for-profit entity c) it must still satisfy the requirements under s356 of the Local Government Act d) it must be reported to the next available Council meeting

Operational

Code	Name & Description
BSC108	<p>Expel a member of the public from a Council meeting</p> <p>Expel a member of the public from a Council meeting pursuant to s10(2)(b) of the Local Government Act and Part 10 of the Local Government (General) Regulation 2021</p>
BSC109	<p>Execute all documents, including under seal, ancillary or incidental to the exercise of these delegations or the exercise of functions or powers conferred on the Mayor by any resolution or by the LG Act or any Act or Regulation</p> <p>Execute all documents, including under seal, ancillary or incidental to the exercise of these delegations or the exercise of functions or powers conferred on the Mayor by any resolution or by the LG Act or any Act or Regulation</p>
BSC110	<p>Make a decision on Council's behalf where the Mayor considers that an urgent decision is required for the efficient and effective administration of the Council</p> <p>Make a decision on Council's behalf where the Mayor considers that an urgent decision is required for the efficient and effective administration of the Council provided:</p> <ul style="list-style-type: none"> a) the urgency of the matter must mean that it cannot wait to be determined at the next available Council meeting and it is not reasonable or practicable to call an Extraordinary meeting b) it must be reported to the next available Council meeting.
DEG035a	<p>Authorise Councillor attendance at conferences and training</p> <p>Authorise Councillor attendance at conferences and training provided:</p> <ul style="list-style-type: none"> a) it must be within the vote of money for Councillor conferences and training b) it must be in accordance with Council's Payment and Expenses Policy c) it must be reported to the next available Council meeting d) the allocation of funds must be made in a fair and equitable manner

Legal

Code	Name & Description
BSC111	<p>Make a submission to or appear before a lawfully established inquiry, commission or other similar body the terms of reference of which relate to, or the finding or recommendations of which may relate to or affect, the Council or its operations</p> <p>Make a submission to or appear before a lawfully established inquiry, commission or other similar body. The terms of reference of which relate to, or the finding or recommendations of which may relate to or affect, the Council or its operations provided that the submission must be reported to the next available Council meeting.</p>

Staffing Matters

Code	Name & Description
BSC112	<p>Make variations if required to the General Manager's Performance Agreement by agreement</p> <p>Make variations if required to the General Manager's Performance Agreement by agreement provided it is reported to the next available Council meeting.</p>


.....
Mark Arnold
General Manager

28 / 6 / 2022
.....
Date

I, Michael Lyon, acknowledge receipt of and understand the above delegation.


.....
Cr Michael Lyon
Mayor

28 / 6 / 2022
.....
Date



DELEGATION OF FUNCTIONS

General Manager

Pursuant to the Local Government Act 1993 (the Act) and by every other Act conferring a power of delegation, Byron Shire Council:

1. Revokes all previous delegations granted to the General Manager prior to the date of this instrument.
2. Delegates to the General Manager of the Council, or to a person acting in the position of the General Manager, ALL the powers and functions of the Council subject to the express conditions or limitations as listed separately in the schedule, and the following additional general limitations:
 - a) Delegated functions or powers do not include any function or power that:
 - i) cannot be delegated under s377 of the Act or any other law; or
 - ii) is exclusively delegated to the Mayor;
 - iii) cannot be exercised lawfully.
 - b) Delegated functions or powers must be exercised consistently with all resolutions, resolved policies and statutory planning documents of the Council.
 - c) Delegations do not include the power to make or amend any policies of the Council which have been adopted by resolution, except to make minor administrative amendments (for example inserting document references, updating hyperlinks or references to updated policies or legislation etc).
 - d) Where a delegation requires the prior recommendation or estimate from Council's solicitors, it must be in writing.
 - e) Where any function or power provided by these delegations is amended by a subsequent Act or Regulation, the delegations continue so amended.

In this instrument of Delegation, a reference to the General Manager includes any person who is acting in the position of General Manager.

This delegation commences on **23 June 2022** by Resolution **22-311** which makes it, and amended on **25 August 2022** by Resolution **22-439**, and remains in force until expressly altered or revoked by subsequent Resolution.

SCHEDULE

Financial Matters

Code	Name & Description	Legislation
BSC102	Restrictions on writing off debts to a council The amount above which debts to the Council may be written off only by resolution of the Council is \$10,000	Local Government (General) Regulation 2021 Clause 213

Operational

Code	Name & Description	Legislation
BSC049b	Applications under Chapter 7 Part 1 of the Local Government Act 1993 Delegations do not include determination of any activity for review of a determination previously made by the General Manager or the Council.	Local Government Act 1993 Chapter 7, Part 1
BSC095	Determinations under Part 5 Infrastructure and Environmental Impact Assessment of the EP&A Act Make all necessary determinations under Part 5 Infrastructure and Environmental Impact Assessment of the EP&A Act, except approval of an activity for which an Environmental Impact Statement has been required.	Environmental Planning and Assessment Act 1979 Part 5
BSC104	Administration of public land Delegations do not include: <ul style="list-style-type: none"> a) Power to adopt a Plan of Management under Section 40. b) Power to grant consent to a development application to which Section 47E of the Local Government Act applies. 	Local Government Act 1993 Chapter 6
BSC105	Administration of roads under the Roads Act 1993 Delegations do not include the power to make an application for the permanent closure of any road for which Council is the roads authority.	Roads Act 1993
DEG002a	Acceptance of tenders other than to provide services currently provided by members of staff of the council (s377(1)i of LGA) Acceptance of tenders is limited to: <ul style="list-style-type: none"> a) Capital works specifically itemised in a budget approved by Council (as long as the tendered amount falls within the approved budget); or b) Renewal of existing contracts; or c) Projects that are less than \$500,000* (ex GST) in value 	Local Government Act 1993 Section 377(1)i
*As amended on 25 August 2022 by Resolution 22-439		
BSC113	Entering contracts primarily for the purpose of response to or recovery from a declared natural disaster Enter contracts up to \$2,000,000* (ex GST), but only for a contract that— <ul style="list-style-type: none"> a) is primarily for the purpose of response to or recovery from a declared natural disaster (as defined in the Regulation), and b) is entered into within 12 months after the date on which the natural disaster is declared. 	Local Government Act Section 55(3)(n)(i) Local Government (General) Regulation 2021 Clause 170A
*As amended on 25 August 2022 by Resolution 22-439		

Development

Code	Name & Description	Legislation
BSC103	Adoption of local policies concerning approvals and orders Delegations do not include the power to adopt, amend or revoke a local approvals or orders policy under s161 or 165 of the Local Government Act 1993.	Local Government Act 1993 Sections 161 and 165
DEG088e	Applications under Part 4 of the Environmental Planning and Assessment Act 1979 Delegations do not include determination of any: <ul style="list-style-type: none"> • Development Application or Section 4.55 Modification Application that is referred to Council by the Planning Review Committee unless the stated issues requiring referral are subsequently resolved to the satisfaction of the Planning Review Committee. • Application that has an estimated value exceeding \$10,000,000 or for subdivision of land that would create 10 or more lots. • Application involving "designated development" pursuant to Section 4.10 of the Environmental Planning and Assessment Act, 1979. • Application involving a proposed variation under State Environmental Planning Policy No 1 - Development Standards unless the variation relates to a minor rural boundary adjustment. • Application for review of a determination previously made by the General Manager or the Council. Revocation or modification of a consent pursuant to s96A of the Environmental Planning and Assessment Act 1979.	Environmental Planning and Assessment Act 1979 Part 4

Legal

Code	Name & Description	Legislation
BSC091	Commencing or defending legal proceedings <ul style="list-style-type: none"> • Delegation to commence or defend legal proceedings is limited to those proceedings in which Council's external solicitors (if engaged) estimate, in writing, that the professional legal costs for the proceedings will be less than \$50,000 unless commencement or defence of legal proceedings has otherwise been authorised by Council resolution. Where Council's external solicitors are not engaged delegation to commence or defend legal proceedings is limited to those proceedings in which Council's internal solicitors estimate, in writing, that the disbursements for the proceedings will be less than \$50,000 unless commencement or defence of legal proceedings has otherwise been authorised by Council resolution. • Exercise of delegation is subject to Councillors being informed by memorandum of its exercise and the progress 	

Code	Name & Description	Legislation
	of the proceedings, together with current cost expenditure, being reported to Councillors monthly.	
BSC091a	Settlement of legal proceedings The delegations do not include: <ul style="list-style-type: none"> a) Power to settle legal proceedings for payment of less than 50% of Council's original or amended claim. b) Power to enter into consent orders in the Land and Environment Court in relation to development for which the General Manager would not otherwise be able to grant consent under delegation. 	


.....
Cr Michael Lyon
Mayor

29/8/2022
.....
Date

I, Mark Arnold, acknowledge receipt of and understand the above delegation.


.....
Mark Arnold
General Manager

29/8/2022
.....
Date

General Powers and Limitations on Delegations: Director Corporate and Community Services

1. That subject to

- a) the provisions of every applicable Act, Regulation, Award, or Council Policy,
- b) the direction and control of the General Manager of Byron Shire Council,
- c) any resolution made from time to time by the Council in relation thereto,
- d) limitations contained in the General Manager's delegations, and
- e) the limitations specific to the position as listed under the schedule.

the Directors' delegation authorises the exercise of the following powers, authorities, duties and functions:

- i. To carry on the regular services and operations of the Directorate within the sums voted by the Council for expenditure thereon, and in accordance with the resolutions of the Council and the policies of Council.
- ii. To give effect to the provisions made by or under the Act and any other Act and any ordinance, regulation and by-law conferring powers or imposing duties on the Council in respect to the activities and responsibilities of the Directorate including the exercise of any power and discretion conferred thereby and the performance of any duty imposed thereby, and to give effect to any resolution, minute, report, or policy which has been passed or adopted by the Council in respect to the Directorate's activities and responsibilities.
- iii. To take such actions and do such acts or things as deemed necessary to generally manage, control and administer the affairs of the Directorate including exercise of the powers and discretions of the Council and performance of its duties.

2. This delegation does not give the power to:

- a) exercise any function of the Council which is excluded from the Council's power of delegation pursuant to section 377 of the Act or otherwise.
- b) sub-delegate unless that power is expressly provided.
- c) dismiss an employee.
- d) Apply for search warrants from a court without the approval of the General Manager.

3. Nothing in this delegation is limited by the Council's system of management of delegations or template delegations.

SCHEDULE

Financial Matters

Code	Name & Description	Legislation
BSC0000	<p>Authorise expenditure up to the limit of authority, being Council's adopted budget for the Directorate</p> <p>Obtain quotations and authorise the purchase of, and issue official orders for goods, works and services required for the functioning of the Council and to incur expenditure for such goods, works and services provided that and subject to:</p> <ul style="list-style-type: none">a) due provision has been made in the approved Budget for the incurring of such expenditure; orb) the incurring of such expenditure is otherwise authorised as per the Procurement and Tendering Policy and Guidelines; and	

Code	Name & Description	Legislation
	c) the delegate not accepting tenders which are required by the Act to be invited by Council.	
DEG015	Arrange the Investment of Money not immediately required by Council Arrange the investment of money as per Council's Investments Policy that is not for the time being required by the Council for any other purpose. Any money may only be invested in a form of investment notified by order of the Minister and published in the Government Gazette.	

Operational

Code	Name & Description	Legislation
BSC018	Receiving, opening and recording the receipt of tenders Act as and undertake the role of appropriate person in receiving, opening, and recording the receipt of tenders.	Local Government (General) Regulation 2021 Clause 175

Governance

Code	Name & Description	Legislation
DEG062	Act as Council's Public Officer Act as the Public Officer in relation to functions contained within section 343 of the Local Government Act 1993.	Local Government Act 1993 section 343

General Powers and Limitations on Delegations: Director Infrastructure Services

1. That subject to

- a) the provisions of every applicable Act, Regulation, Award, or Council Policy,
- b) the direction and control of the General Manager of Byron Shire Council,
- c) any resolution made from time to time by the Council in relation thereto,
- d) limitations contained in the General Manager's delegations, and
- e) the limitations specific to the position as listed under the schedule.

the Directors' delegation authorises the exercise of the following powers, authorities, duties and functions:

- i. To carry on the regular services and operations of the Directorate within the sums voted by the Council for expenditure thereon, and in accordance with the resolutions of the Council and the policies of Council.
- ii. To give effect to the provisions made by or under the Act and any other Act and any ordinance, regulation and by-law conferring powers or imposing duties on the Council in respect to the activities and responsibilities of the Directorate including the exercise of any power and discretion conferred thereby and the performance of any duty imposed thereby, and to give effect to any resolution, minute, report, or policy which has been passed or adopted by the Council in respect to the Directorate's activities and responsibilities.
- iii. To take such actions and do such acts or things as deemed necessary to generally manage, control and administer the affairs of the Directorate including exercise of the powers and discretions of the Council and performance of its duties.

2. This delegation does not give the power to:

- a) exercise any function of the Council which is excluded from the Council's power of delegation pursuant to section 377 of the Act or otherwise.
- b) sub-delegate unless that power is expressly provided.
- c) dismiss an employee.
- d) Apply for search warrants from a court without the approval of the General Manager.

3. Nothing in this delegation is limited by the Council's system of management of delegations or template delegations.

SCHEDULE

Financial Matters

Code	Name & Description	Legislation
BSC0000	<p>Authorise expenditure up to the limit of authority, being Council's adopted budget for the Directorate</p> <p>Obtain quotations and authorise the purchase of, and issue official orders for goods, works and services required for the functioning of the Council and to incur expenditure for such goods, works and services provided that and subject to:</p> <ul style="list-style-type: none">a) due provision has been made in the approved Budget for the incurring of such expenditure; orb) the incurring of such expenditure is otherwise authorised as per the Procurement and Tendering Policy and Guidelines; and	

Code	Name & Description	Legislation
	c) the delegate not accepting tenders which are required by the Act to be invited by Council.	

Operational

Code	Name & Description	Legislation
BSC095	Determinations under Part 5 Infrastructure and Environmental Impact Assessment of the EP&A Act Make all necessary determinations under Part 5 Infrastructure and Environmental Impact Assessment of the EP&A Act, except: i. approval of an activity for which an Environmental Impact Statement has been required.	Environmental Planning and Assessment Act 1979 Part 5
BSC104	Administration of public land Delegations do not include: a) Power to adopt a Plan of Management under Section 40. b) Power to grant consent to a development application to which Section 47E of the Local Government Act applies.	Local Government Act 1993 Chapter 6
BSC105	Administration of roads under the Roads Act 1993 Delegations do not include the power to make an application for the permanent closure of any road for which Council is the roads authority.	Roads Act 1993

General Powers and Limitations on Delegations: Director Sustainable Environment and Economy

1. That subject to

- a) the provisions of every applicable Act, Regulation, Award, or Council Policy,
- b) the direction and control of the General Manager of Byron Shire Council,
- c) any resolution made from time to time by the Council in relation thereto,
- d) limitations contained in the General Manager's delegations, and
- e) the limitations specific to the position as listed under the schedule.

the Directors' delegation authorises the exercise of the following powers, authorities, duties and functions:

- i. To carry on the regular services and operations of the Directorate within the sums voted by the Council for expenditure thereon, and in accordance with the resolutions of the Council and the policies of Council.
- ii. To give effect to the provisions made by or under the Act and any other Act and any ordinance, regulation and by-law conferring powers or imposing duties on the Council in respect to the activities and responsibilities of the Directorate including the exercise of any power and discretion conferred thereby and the performance of any duty imposed thereby, and to give effect to any resolution, minute, report, or policy which has been passed or adopted by the Council in respect to the Directorate's activities and responsibilities.
- iii. To take such actions and do such acts or things as deemed necessary to generally manage, control and administer the affairs of the Directorate including exercise of the powers and discretions of the Council and performance of its duties.

2. This delegation does not give the power to:

- a) exercise any function of the Council which is excluded from the Council's power of delegation pursuant to section 377 of the Act or otherwise.
- b) sub-delegate unless that power is expressly provided.
- c) dismiss an employee.
- d) Apply for search warrants from a court without the approval of the General Manager.

3. Nothing in this delegation is limited by the Council's system of management of delegations or template delegations.

SCHEDULE

Financial Matters

Code	Name & Description	Legislation
BSC0000	<p>Authorise expenditure up to the limit of authority, being Council's adopted budget for the Directorate</p> <p>Obtain quotations and authorise the purchase of, and issue official orders for goods, works and services required for the functioning of the Council and to incur expenditure for such goods, works and services provided that and subject to:</p> <ul style="list-style-type: none">a) due provision has been made in the approved Budget for the incurring of such expenditure; orb) the incurring of such expenditure is otherwise authorised as per the Procurement and Tendering Policy and Guidelines; and	

Code	Name & Description	Legislation
	c) the delegate not accepting tenders which are required by the Act to be invited by Council.	

Operational

Code	Name & Description	Legislation
BSC013	Determinations under Roads Act - Other Works and Structures Make all determinations necessary under Roads Act 1993 Other Works and Structures	Roads Act 1993 Part 9, Division 3, s137A to 143
BSC018	Receiving, opening and recording the receipt of tenders Act as and undertake the role of appropriate person in receiving, opening, and recording the receipt of tenders.	Local Government (General) Regulation 2021 Clause 175
BSC032	Authorised Officer to exercise functions under POEO Act 1997 Appointed as an Authorised Officer under Section 187 of the Protection of the Environment Operations Act 1997 and exercise such functions as are conferred or imposed on an Authorised Officer by or under this Act including but not limited to those powers conferred or imposed in Chapter 7 of the Act	Protection of the Environment Operations Act 1997 Parts 7.2, 7.3, 7.4, 7.5
BSC049	Make all determinations necessary pursuant to Chapter 7 Part 1 (Approvals) of the LG Act To make all determinations necessary pursuant to Chapter 7 Part 1 (Approvals) of the LG Act	Local Government Act 1993 Chapter 7, Part 1 (Approvals)
BSC094	Determinations under Roads Act - Footway Restaurants Make all determinations necessary under Roads Act 1993 Footway Restaurants	Roads Act 1993 Part 9, Division 1, s125 to 127
BSC095	Determinations under Part 5 Infrastructure and Environmental Impact Assessment of the EP&A Act Make all necessary determinations under Part 5 Infrastructure and Environmental Impact Assessment of the EP&A Act, except: i. approval of an activity for which an Environmental Impact Statement has been required.	Environmental Planning and Assessment Act 1979 Part 5
DEG234	Administer the Provisions and Functions of the Public Interest Disclosures Act 1994 and associated Regulation Administer the Provisions and Functions of the Public Interest Disclosures Act 1994 and associated Regulation	Public Interest Disclosures Act 1994
DEG262	Administer the Provisions and Functions of the Strata Schemes Management Act 2015 and Strata Schemes Management Regulation 2016	Strata Schemes Management Act 2015

Code	Name & Description	Legislation
	Administer the Provisions and Functions of the Strata Schemes Management Act 2015 and Strata Schemes Management Regulation 2016	

Development

Code	Name & Description	Legislation
DEG088	<p>Determine Development Applications (including Section 4.55 and Modification Applications) and Complying Development Applications made under the Environmental Planning and Assessment Act 1979 and relevant Regulations</p> <p>(a) To determine development applications (including applications made pursuant to Section 4.55 and Section 4.56 of the Environmental Planning and Assessment Act 1979, Complying Development Applications and Subdivision applications) that comply with relevant Acts and Regulations together with Council's LEP and DCP, any other relevant DCP and Council policies and no material objections have been received.</p> <p>(b) To determine development applications (including applications made pursuant to Section 4.55 and Section 4.56 of the Environmental Planning and Assessment Act 1979 and Subdivision applications as (a) above except where approval of the application would result in a material adverse impact on a person who made a written objection to the application due to non-compliance with a development standard in Council's LEP. Delegated approval is permissible if that objection can be resolved through a condition of consent or has been addressed by way of amendment to plans.</p> <p>(c) To determine applications made pursuant to Section 4.55 and Section 4.56 of the Environmental Planning and Assessment Act 1979, and relevant Regulations, where objections have been received but those objections do not raise any issues not covered when the original application was determined</p> <p>(d) To determine applications made pursuant to and in accordance with Section 4.5 and Section 4.56 of the Environmental Planning and Assessment Act 1979, and relevant Regulations, where objections have been received but those objections do not raise any issues not covered when the original application was determined.</p> <p>(e) To determine Modification Applications pursuant to the Environmental Planning and Assessment Act 1979. Note: (1) Notwithstanding subclauses (a) and (b) above, any development application or application to modify a consent must be referred to Council for determination, following a written request from at least two Councillors to the General Manager. (2) Notwithstanding subclauses (a) and (b) above, any development application or application to modify a consent that, in the opinion of the Director Planning & Environment, is of significant public interest or where any determination may result in major policy implications must be referred to Council for determination.</p>	<p>Environmental Planning and Assessment Act 1979</p> <p>Part 4 Development Assessment and Consent (including section 4.55 and 4.56)</p>

Code	Name & Description	Legislation
DEG088a	<p>Development assessment determination exceptions - Director</p> <p>Make all determinations necessary under Part 4 Development Assessment and Consent of the Environmental Planning and Assessment Act, 1979 (Delegation DEG088) except as listed below:</p> <ul style="list-style-type: none"> i. Any development application that is referred to Council by the Planning Review Committee except where the stated issues requiring referral are subsequently resolved to the satisfaction of the members of the Committee. ii. Any development application that has an estimated value exceeding \$10,000,000 or for subdivision of land that will create 20 or more lots. (Res 16-600) iii. Section 4.55 applications for development applications determined by Council or the Court unless the Planning Review Committee has resolved that the Section 4.55 application can be determined under delegated authority. iv. Any designated development, development pursuant to the provisions of Section 4.10 of the Environmental Planning and Assessment Act, 1979. v. Any development application where there is a SEPP 1 Application to vary development standards by 10% or more (except when associated with Development Applications with an estimated value exceeding \$10,000,000 or any subdivision exceeding 20 lots). (Res 15-234 & 16-600) vi. Any development application proposing strata subdivision in a 7(f2)(Urban Coastal Land Zone) under clause 32 of the Byron Local Environmental Plan (except any subdivision exceeding 20 lots). (Res 15-234) vii. The amendment or review of all development applications, except the review of a determination made by the Council, and not by a delegate of the Council, of an application for approval or an application that may be reviewed under Section 8.2 of the Environmental Planning and Assessment Act 1979. (Res 15-234) 	
DEG088d	<p>Power to approve development applications</p> <p>Provided always that in respect of applications made to Council for consent or approval in relation to matters requiring consideration of policies, practice and/or codes which have been adopted by Council, the power of the Director to approve any such application which would otherwise be exercisable by them pursuant to this delegation shall not extend to permit a variation of any standard specified in any such policy, statutory planning document or code unless such a variation is considered to be minor in that: a) the proposal is consistent with the underlying objectives/principles of the policy, statutory planning document or code; and b) the proposal will not constitute an undesirable precedent.</p>	
DEG134a	<p>Issue of Permits, Certificates or Approvals</p> <p>Approve or refuse the issue of permits, certificates and approvals for activities that are required to be regulated under the</p>	Local Government Act 1993

Code	Name & Description	Legislation
	provisions of the Act or related legislation, including, but not limited to Section 68 Approvals under the Local Government Act 1993.	
DEG192	Perform the Functions in relation to Local Environment Plans Perform the Functions in relation to Local Environmental Plans subject to the Minister delegating functions under Section 3.36 of the Environmental Planning and Assessment Act 1979 and subject to Council resolving to accept the Ministerial delegation. Only those functions identified in the Ministerial delegation may be carried out.	Environmental Planning and Assessment Act 1979 Part 3

Legal

Code	Name & Description	Legislation
BSC009	Entry to land and premises - LG Act 1993 Enter any land and premises in accordance with the enabling legislation for the purpose of inspection, investigation, sampling and any other functions authorised by the Local Government Act 1993 and the regulations made under it.	Local Government Act 1993 Chapter 8, Part 2, Sections 191 to 201
BSC027	Entry to land and premises - Roads Act 1993 Enter any land and premises in accordance with the enabling legislation for the purpose of inspection, investigation, sampling and any other functions authorised by the Roads Act 1993 and the regulations made under it	Roads Act 1993 Sections 164 to 174
BSC030	Entry to land and premises - EP&A Act 1979 Enter any land and premises in accordance with the enabling legislation for the purpose of inspection, investigation, sampling and any other functions authorised by the Environmental Planning and Assessment Act 1979 and the regulations made under it	Environmental Planning and Assessment Act 1979 Part 9 Division 9.2
BSC031	Entry to land and premises - POEO Act 1997 Enter any land and premises in accordance with the enabling legislation for the purpose of inspection, investigation, sampling and any other functions authorised by the Protection of the Environment Operations Act 1997 and the regulations made under it	Protection of the Environment Operations Act 1997 Sections 111, 196 and 203