



# Delegations By Category

## a. General

Code	Name & Description	Legislation
BSC093	<p><b>Directors - General powers, authorities, duties, functions and limitations</b></p> <ol style="list-style-type: none"> <li>1. That subject to               <ol style="list-style-type: none"> <li>a) the provisions of every applicable Act, Regulation, Award, or Council Policy,</li> <li>b) the direction and control of the General Manager of Byron Shire Council,</li> <li>c) any resolution made from time to time by the Council in relation thereto,</li> <li>d) limitations contained in the General Manager's delegations, and</li> <li>e) the limitations specific to the position as listed separately under this schedule</li> </ol> </li> </ol> <p>this delegation authorises the exercise of the following powers, authorities, duties and functions:</p> <ol style="list-style-type: none"> <li>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.</li> <li>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.</li> <li>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.</li> </ol> <ol style="list-style-type: none"> <li>2. This delegation does not give the power to:               <ol style="list-style-type: none"> <li>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.</li> <li>b) sub-delegate unless that power is expressly provided.</li> <li>c) dismiss an employee.</li> <li>d) Apply for search warrants from a court without the approval of the General Manager.</li> </ol> </li> <li>3. Nothing in this delegation is limited in the Council's system of management of delegations or template delegations.</li> </ol>	

Code	Name & Description	Legislation
BSC093a	<p><b>Managers, Legal Counsel, Executive Officer: General powers, authorities, duties, functions and limitations</b></p> <p>1. That subject to</p> <ol style="list-style-type: none"> <li>the provisions of every applicable Act and Regulation, Award, or Council policy,</li> <li>the direction and control of the General Manager of Byron Shire Council,</li> <li>any resolution made from time to time by the Council in relation thereto,</li> <li>limitations contained in the Director's delegations, and</li> <li>the limitations specific to the position as listed separately under this schedule</li> </ol> <p>this delegation authorises the exercise of the following powers, authorities, duties and functions:</p> <ol style="list-style-type: none"> <li>To carry on the regular services and operations of the duties, responsibilities and activities of the position within the sums voted by the Council for expenditure thereon, and in accordance with the resolutions of the Council and the policies of Council.</li> <li>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 of the duties, responsibilities and activities of the position 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 position's activities and responsibilities.</li> <li>To take such actions and do such acts or things as deemed necessary to generally manage, control and administer the duties, responsibilities and activities of the position; including exercise of the powers and discretions of the Council and performance of its duties.</li> </ol> <p>2. This delegation does not give the power to:</p> <ol style="list-style-type: none"> <li>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.</li> <li>sub-delegate unless that power is expressly provided.</li> <li>dismiss an employee.</li> <li>Apply for search warrants from a court without the approval of the Director.</li> </ol> <p>3. Nothing in this delegation is limited by the Council's system of management of delegations or template delegations.</p>	
BSC101	<p><b>General Manager - General powers, authorities, duties, functions and limitations</b></p> <p>Pursuant to the Local Government Act 1993 (the Act) and by every other Act conferring a power of delegation, Byron Shire Council:</p> <p>1. Revokes all previous delegations granted to the General Manager prior to the date of this instrument.</p> <p>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:</p> <ol style="list-style-type: none"> <li>Delegated functions or powers do not include any function or power that: <ol style="list-style-type: none"> <li>cannot be delegated under s377 of the Act or any other law; or</li> <li>is exclusively delegated to the Mayor;</li> <li>cannot be exercised lawfully.</li> </ol> </li> </ol>	

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	<ul style="list-style-type: none"> <li>b) Delegated functions or powers must be exercised consistently with all resolutions, resolved policies and statutory planning documents of the Council.</li> <li>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).</li> <li>d) Where a delegation requires the prior recommendation or estimate from Council's solicitors, it must be in writing.</li> <li>e) Where any function or power provided by these delegations is amended by a subsequent Act or Regulation, the delegations continues so amended.</li> </ul> <p>In this instrument of Delegation, a reference to the General Manager includes any person who is acting in the position of General Manager.</p> <p>This delegation commences on the date of the Resolution (17-422) which makes it and remains in force until expressly altered or revoked by subsequent Resolution.</p>	
BSC101a	<p><b>Mayor - General powers and limitations</b></p> <p>Pursuant to the Local Government Act 1993 (the Act) and by every other Act conferring a power of delegation, Byron Shire Council:</p> <ol style="list-style-type: none"> <li>1. Revokes all previous delegations granted to the Mayor prior to the date of this instrument.</li> <li>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: <ul style="list-style-type: none"> <li>a) Delegated functions or powers do not include any function or power that: <ol style="list-style-type: none"> <li>i) cannot be delegated under s377 of the Act or any other law; or</li> <li>ii) is covered by an existing delegation to, or legislative function imposed upon, the General Manager or staff; or</li> <li>iii) cannot be exercised lawfully.</li> </ol> </li> <li>b) Delegated functions or powers must be exercised consistently with all resolutions, resolved policies and statutory planning documents of the Council.</li> <li>c) Where any function or power provided by these delegations is amended by a subsequent Act or Regulation, the delegations continues so amended.</li> <li>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.</li> <li>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.</li> </ul> </li> </ol> <p>A reference to the Mayor includes any person who is acting in the position of Mayor.</p> <p>This delegation commences on the date of the Resolution which makes it and remains in force until expressly altered or revoked by subsequent Resolution.</p>	

## b. Financial Matters

Code	Name & Description	Legislation
BSC0000	<b>Authorise expenditure up to the limit of authority, being Council's adopted budget for the Directorate</b> 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: a) due provision has been made in the approved Budget for the incurring of such expenditure; or b) the incurring of such expenditure is otherwise authorised as per the Procurement and Tendering Policy and Guidelines; and c) the delegate not accepting tenders which are required by the Act to be invited by Council.	
BSC000	<b>Authorise expenditure up to the limit of authority, being financial delegation to \$1000 per transaction</b> 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 (excluding that for the purchase of major items or works, plant, and/or motor vehicles) provided that and subject to: a) due provision has been made in the approved Budget for the incurring of such expenditure; or b) the incurring of such expenditure is otherwise authorised as per the Procurement and Tendering Policy and Guidelines; and c) the delegate not accepting tenders which are required by the Act to be invited by Council.	
BSC00	<b>Authorise expenditure up to the limit of authority, being financial delegation to \$250000 per transaction</b> 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 (excluding that for the purchase of major items or works, plant, and/or motor vehicles) provided that and subject to: a) due provision has been made in the approved Budget for the incurring of such expenditure; or b) the incurring of such expenditure is otherwise authorised as per the Procurement and Tendering Policy and Guidelines; and c) the delegate not accepting tenders which are required by the Act to be invited by Council.	
BSC001	<b>Authorise expenditure up to the limit of authority, being financial delegation to \$2000 per transaction</b> 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 (excluding that for the purchase of major items or works, plant, and/or motor vehicles) provided that and subject to: a) due provision has been made in the approved Budget for the incurring of such expenditure; or b) the incurring of such expenditure is otherwise authorised as per the Procurement and Tendering Policy and Guidelines; and c) the delegate not accepting tenders which are required by the Act to be invited by Council.	
BSC002	<b>Authorise expenditure up to the limit of authority, being financial delegation to \$5000 per transaction</b> 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 (excluding that for the purchase of major items or works, plant, and/or motor vehicles) provided that and subject to: a) due provision has been made in the approved Budget for the incurring of such expenditure; or b) the incurring of such expenditure is otherwise authorised as per the Procurement and Tendering Policy and Guidelines; and c) the delegate not accepting tenders which are required by the Act to be invited by Council.	

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BSC003	<b>Authorise expenditure up to the limit of authority, being financial delegation to \$10000 per transaction</b> 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 (excluding that for the purchase of major items or works, plant, and/or motor vehicles) provided that and subject to: a) due provision has been made in the approved Budget for the incurring of such expenditure; or b) the incurring of such expenditure is otherwise authorised as per the Procurement and Tendering Policy and Guidelines; and c) the delegate not accepting tenders which are required by the Act to be invited by Council.	
BSC004	<b>Authorise expenditure up to the limit of authority, being financial delegation to \$20000 per transaction</b> 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 (excluding that for the purchase of major items or works, plant, and/or motor vehicles) provided that and subject to: a) due provision has been made in the approved Budget for the incurring of such expenditure; or b) the incurring of such expenditure is otherwise authorised as per the Procurement and Tendering Policy and Guidelines; and c) the delegate not accepting tenders which are required by the Act to be invited by Council.	
BSC005	<b>Authorise expenditure up to the limit of authority, being financial delegation to \$50000 per transaction</b> 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 (excluding that for the purchase of major items or works, plant, and/or motor vehicles) provided that and subject to: a) due provision has been made in the approved Budget for the incurring of such expenditure; or b) the incurring of such expenditure is otherwise authorised as per the Procurement and Tendering Policy and Guidelines; and c) the delegate not accepting tenders which are required by the Act to be invited by Council.	
BSC006	<b>Authorise expenditure up to the limit of authority, being financial delegation to \$100000 per transaction</b> 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 (excluding that for the purchase of major items or works, plant, and/or motor vehicles) provided that and subject to: a) due provision has been made in the approved Budget for the incurring of such expenditure; or b) the incurring of such expenditure is otherwise authorised as per the Procurement and Tendering Policy and Guidelines; and c) the delegate not accepting tenders which are required by the Act to be invited by Council.	
BSC035	<b>Determine applications in relation to the exemption from water and sewerage charges</b> Determine applications in relation to the exemption from water and sewerage charges	<b>Local Government Act 1993</b> sections 557 and 558
BSC041	<b>Agreement as to periodical payment of rates and charges</b> Accept arrangements on behalf of Council for the payment of rates and charges in accordance with the Local Government Act and Council policy/procedure	<b>Local Government Act 1993</b> section 564
BSC043	<b>Authorise Petty Cash</b> Authorise petty cash	
BSC044	<b>Certify amounts for employee termination are correct and within Award/Agreement/Contract conditions and taxation requirements</b> Certify amounts for employee termination are correct and within Award/Agreement/Contract conditions and taxation requirements	

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BSC045	<b>Countersign and process general journal entries to the General Ledger</b> Certify amounts for employee termination are correct and within Award/Agreement/Contract conditions and taxation requirements	
BSC046	<b>Determine rateability of land</b> Determine rateability of land in accordance with the provisions of the Local Government Act	<b>Local Government Act 1993</b> section 555 (and 554)
BSC047	<b>Determine rating category of each rateable parcel of land</b> Determine and declare the categorisation of land for purposes of ordinary rates	<b>Local Government Act 1993</b> section 514
BSC048	<b>Determine applications to change rating category</b> Determine applications to change the categorisation of rateable land in accordance with the provisions of the Local Government Act	<b>Local Government Act 1993</b> section 525
BSC060	<b>Complete and submit Council's Goods and Services Tax, Payroll Tax and Fringe Benefits Tax returns as required in accordance with legislative guidelines</b> Complete and submit Council's Goods and Services Tax, Payroll Tax and Fringe Benefits Tax returns as required in accordance with legislative guidelines	
BSC066	<b>Prepare tenders for Council approval</b> Prepare documents and call tenders for the purchase of goods, works and services, or the sale, lease or licence of Council assets where required in accordance with Section 55 of the Local Government Act and Clause 170 of the Local Government (General) Regulations 2021 and Council policies and procedures	<b>Local Government Act 1993</b> Section 55  <b>Local Government (General) Regulation 2021</b> Clause 170
BSC067	<b>Funding agreements - Children's services</b> Create funding agreements including Inclusion Support and other funding agreements up to the value of \$50,000	
BSC070	<b>Accept loan offers on behalf of Council, subject to the lending amount being previously approved by Council</b> Accept loan offers on behalf of Council, subject to the lending amount being previously approved by Council	
BSC071	<b>Assume the delegation of functions for a position</b> Assume the delegation of functions for the position of Management/Asset Accountant or Financial Operations Accountant during any periods of leave of that position	
BSC072	<b>Write off rates and charges payable up to a maximum amount</b> Write off, in accordance with Regulation, rates and charges payable, up to a maximum of \$1,000.00 per transaction if the person is unable to pay due to circumstances beyond their control or payment would cause undue hardship, in accordance with Council policies and procedures	<b>Local Government (General) Regulation 2021</b> Part 5, Division 3
BSC073	<b>Sale of land for unpaid rates and charges</b> Prepare documents for the sale of land for unpaid rates and charges in accordance with the Local Government Act	<b>Local Government Act 1993</b> Section 713
BSC074	<b>Responsible Accounting Officer</b> As Council's Responsible Accounting Officer, carry out the functions as prescribed by the Local Government Act 1993 and Local Government (General) Regulations 2021	<b>Local Government Act 1993</b> <b>Local Government (General) Regulation 2021</b>
BSC077	<b>Authorisation to approve corporate expenditures</b> Authorised to approve corporate expenditures	

Code	Name & Description	Legislation
BSC078	<b>Procure paid exemptions for paid parking</b> Be issued with a corporate credit card for the purposes of procuring paid exemptions for paid parking only	
BSC081	<b>Transfers and files for Council's banking</b> Create for authorisation, the transfers to and from Council's bank accounts, importation of files for direct debits, payroll files, and accounts payable files into Council's banking files	
BSC102	<b>Restrictions on writing off debts to a council</b> The amount above which debts to the Council may be written off only by resolution of the Council is \$10,000	<b>Local Government (General) Regulation 2021</b> Clause 213
BSC106	<b>Enter into a contract or authorise expenditure for works, for an amount not exceeding \$50,000</b> Enter into a contract or authorise expenditure for works, for an amount not exceeding \$50,000 provided: 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.	
BSC107	<b>Authorise donations from the vote of money called the "Mayor's discretionary donations"</b> Authorise donations from the vote of money called the "Mayor's discretionary donations" provided: 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	
DEG003	<b>Authorise Payment of Salaries and Wages</b> Authorise the payment of salaries and wages subject to two signatories for each authorisation.	
DEG004	<b>Sign and Countersign Electronic Funds Transfers (EFT), Direct Debits and Cheques drawn on Council's Bank Account</b> Sign and Countersign Electronic Funds Transfers (EFT), Direct Debits and Cheques drawn on Council's Bank Account	
DEG005	<b>Approve Payment to Contractors and Creditors</b> To approve payment to contractors and creditors including the release of any retention money, bank guarantee or bond held by Council as security.	
DEG006	<b>Check and Certify the Annual Statutory Accounts</b> Check and Certify the Annual Statutory Accounts	
DEG008	<b>Authority to Require the Lodgement of a Cash Bond or Bank Guarantee</b> Authority to Require the lodgement of a Cash Bond or Bank Guarantee including the authority for the release of Cash Bonds or Bank Guarantees.	
DEG009	<b>Negotiate Council's Overdraft Limit</b> Negotiate Council's Overdraft Limit	
DEG010	<b>Sell or Dispose of Old Materials, Spoilt or Obsolete Equipment</b> Sell or Dispose of Old Materials, Spoilt or Obsolete Equipment	
DEG013	<b>Apply for Borrowings from Financial Institutions</b> Apply for borrowings from financial institutions following a Resolution of Council in accordance with section 377(1)(f) of the Local Government Act 1993.	<b>Local Government Act 1993</b> section 377(1)(f)
DEG015	<b>Arrange the Investment of Money not immediately required by Council</b> 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.	



Code	Name & Description	Legislation
DEG016	<b>Write off Accrued Interest on Rates and Charges</b> Write off accrued interest on rates and charges in accordance with section 567 of the Local Government Act 1993.	<b>Local Government Act 1993</b> section 567
DEG017	<b>Arrange for Payment by Instalment - Accounts Receivable</b> Make arrangements with debtor for payment to be made by reasonable and satisfactory instalments.	
DEG019	<b>Authorise the Refund of Development Application/Construction Certificate Application Fees</b> Authorise the refund (up to delegated amount) of all or part of the fees paid for development or where the application is either not proceeded with or is withdrawn subsequent to assessment and where that application has been the responsibility of a more junior officer. Note: Authorising officer is not to be the officer recommending refund.	
DEG020	<b>Grant Rebate of Rates</b> Grant rebates of rates to qualified rateable persons in accordance with the provisions of the Local Government Act 1993.	<b>Local Government Act 1993</b> section 577
DEG021	<b>Approve Credit Notes</b> Approve Credit Notes	
DEG022	<b>Refund Trust Fund Deposits</b> Refund trust fund deposits upon appropriate certification and recommendation.	



### c. Operational

Code	Name & Description	Legislation
BSC013	<b>Determinations under Roads Act - Other Works and Structures</b> Make all determinations necessary under Roads Act 1993 Other Works and Structures	<b>Roads Act 1993</b> Part 9, Division 3, s137A to 143
BSC014	<b>Request and obtain Legal advice from LGNSW</b> Request and obtain legal advice from Local Government NSW and to do anything in accordance therewith	
BSC018	<b>Receiving, opening and recording the receipt of tenders</b> Act as and undertake the role of appropriate person in receiving, opening, and recording the receipt of tenders.	<b>Local Government (General) Regulation 2021</b> Clause 175
BSC028	<b>Naming of public roads</b> Determine and issue correspondence relating to roads created in a subdivision	<b>Roads Act 1993</b> Section 162
BSC032	<b>Authorised Officer to exercise functions under POEO Act 1997</b> 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	<b>Protection of the Environment Operations Act 1997</b> Parts 7.2, 7.3, 7.4, 7.5
BSC038	<b>Conduct Land Title, business name and company searches</b> Authorised to conduct Land Title searches, business name and company searches as relevant to the functions of the position	
BSC039	<b>Administer Child Care Management System</b> Administer the Child Care Management System on behalf of the Department of Education and Training and provide weekly attendance records of children within the service	
BSC040	<b>Report census and statistical data</b> Report the census and statistical data requirement as an authorised user of the Australian Taxation Office AusKey Australian Business Register	
BSC042	<b>Sign Certificates as to rates and charges</b> Sign Certificates as to rates and charges in accordance with provisions of the Local Government Act	<b>Local Government Act 1993</b> section 603
BSC049	<b>Make all determinations necessary pursuant to Chapter 7 Part 1 (Approvals) of the LG Act</b> Make all determinations necessary pursuant to Chapter 7 Part 1 (Approvals) of the LG Act	<b>Local Government Act 1993</b> Chapter 7, Part 1 (Approvals)
BSC049a	<b>Make all determinations necessary pursuant to Chapter 7 Part 1 (Approvals) of the LG Act</b> Make all determinations necessary pursuant to Part 1 (Approvals) Chapter 7 of the Local Government Act, 1993 except: a)Variation of any standard specified in any environmental planning instrument, Development Control Plan or Council policy unless such a variation is considered to be minor in that: i)the proposal is consistent with the underlying/principles of the environmental planning instrument, Development Control Plan or Council policy; and ii)the proposal will not constitute an undesirable precedent; b)Any section 106 amendment where the elected Council made the original determination.	<b>Local Government Act 1993</b> Chapter 7 Part 1 (Approvals)
BSC049b	<b>Applications under Chapter 7 Part 1 of the Local Government Act 1993</b> Delegations do not include determination of any activity for review of a determination previously made by the General Manager or the Council.	<b>Local Government Act 1993</b> Chapter 7, Part 1
BSC050	<b>Sign and issue correspondence - Inspections, property information and flood certificates</b> Sign and issue correspondence: a) relating to inspections by Council officers; b) relating to property information and planning controls; c) to issue Flooding Certificates	

Code	Name & Description	Legislation
BSC051	<b>Sign and issue Plumbing Permits</b> Sign and issue (not approve) Plumbing Permits in accordance with the Local Government Act, Drainage Plan and Plumbing Drainage Code of NSW	
BSC052	<b>Sign and issue certificates under section 735A of the Local Government Act 1993</b> Sign and issue certificates under section 735A of the Local Government Act 1993	<b>Local Government Act 1993</b> section 735A
BSC053	<b>Request proof of ownership of vehicles from other authorities</b> Request proof of ownership of vehicles from relevant Authorities (RMS and Police) in relation to notified Court matters	
BSC056	<b>Exercise functions of an Authorised Officer relating to littering</b> Exercise such functions as are conferred or imposed on an Authorised Officer by or under Part5.6A of the Protection of the Environment Operations Act 1997	<b>Protection of the Environment Operations Act 1997</b> Part 5.6A (Littering)
BSC057	<b>Authorised as an inspector for the purpose of Local Government Act s634 (water, sewer and drainage)</b> Authorised as an inspector for the purpose of Local Government Act s634 (water, sewer and drainage)	<b>Local Government Act 1993</b> Section 634 Water, sewerage and stormwater drainage offences
BSC058	<b>Sign and issue Planning Certificates</b> Sign and issue Planning Certificates	<b>Environmental Planning and Assessment Act 1979</b> Section 10.7 Planning Certificates
BSC059	<b>Sign approval for bond release upon appropriate certification</b> Sign approval for bond release upon appropriate certification	
BSC061	<b>Manage social media platforms in accordance with Council's social media procedures</b> Manage social media platforms in accordance with Council's social media procedures	
BSC062	<b>Lop, prune and remove trees under Council's Tree Preservation Order</b> Lop, prune and remove trees under Council's Tree Preservation Order on footpaths, road reserves, Council, community and operational land and Crown Reserve under control of Council subject to requirements of the Tree Preservation Order	
BSC063	<b>Delegations to Council - Regulation of Traffic</b> Carry out functions of the Roads Act 1993 as per "Delegations to Council - Regulation of Traffic dated 31 October 2011 from the Roads and Maritime Service	<b>Roads Act 1993</b> Part 8 Regulation of Traffic by roads authorities
BSC065	<b>Reply to and sign correspondence relevant to development, health, enforcement and engineering</b> Relating to inspections by Council officers; Directing a persons to comply with an Act, Regulation or Council Policy; Providing information with regards to Development and s4.55 Applications, Council Policies, Planning Instruments, Development Control Plans and related legislation, except advising of Council's opinion in regard to Part 4 Division 4.11 of the Environmental Planning and Assessment Act 1979 (Existing Use); Relating to a meeting or workshop (other than Council or Committee meetings); and Advising of a Council Resolution	<b>Local Government Act 1993</b> <b>Environmental Planning and Assessment Act 1979</b>
BSC068	<b>Make all determinations necessary pursuant to subdivision work and certificates relating to subdivision work</b> Make all determinations necessary under Division 6.4 "Subdivision work and certificates relating to subdivision work" of the Environmental Planning and Assessment Act, 1979	<b>Environmental Planning and Assessment Act 1979</b> Division 6.4
BSC075	<b>Be an authorised signatory to any operating lease agreement established by Council</b> Be an authorised signatory to any operating lease agreement established by Council	

BSC076	<b>Corporate telecommunications account</b> Be authorised to establish, amend or delete services attached to Council's corporate telecommunications account	
BSC080	<b>Undertake the functions delegated to Finance roles</b> Assume the delegations and functions for the following roles when relieving in those roles during approved leave periods: - Revenue Officer - Revenue Officer (Debt Management) - Revenue Officer (Water and Sewer Billing) - Finance Officer (Accounts Payable) - Finance Officer (Accounts Receivable/Data Support)	
BSC083	<b>Accept service of summons, notice or application on Council's behalf</b> Accept service on Council's behalf of any application, summons or Notice relating to matters within the functions and duties of the position	
BSC085	<b>Swimming pool barrier exemptions</b> Grant exemptions from all or any of the requirements of Part 2 of the Swimming Pool Act under the terms of Part of the Act	<b>Swimming Pools Act 1992</b> Part 2
BSC094	<b>Determinations under Roads Act - Footway Restaurants</b> Make all determinations necessary under Roads Act 1993 Footway Restaurants	<b>Roads Act 1993</b> Part 9, Division 1, s125 to 127
BSC095	<b>Determinations under Part 5 Infrastructure and Environmental Impact Assessment of the EP&amp;A Act</b> 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.	<b>Environmental Planning and Assessment Act 1979</b> Part 5
BSC099	<b>Sign and issue correspondence - DA and Section 4.55 Applications</b> Sign and issue items of correspondence to applicants, adjoining land owners, persons who make a submission and government departments with regards to Development and Section 4.55 Applications with which you have been allocated the responsibility to process	
BSC100	<b>Approvals under the Roads Act 1993 or Local Government Act 1993</b> Make any approvals as required under the Roads Act 1993 or the Local Government Act 1993 as directed by the Manager or the Director	<b>Roads Act 1993</b> <b>Local Government Act 1993</b>
BSC104	<b>Administration of public land</b> 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.	<b>Local Government Act 1993</b> Chapter 6
BSC105	<b>Administration of roads under the Roads Act 1993</b> Delegations do not include the power to make an application for the permanent closure of any road for which Council is the roads authority.	<b>Roads Act 1993</b>
BSC108	<b>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</b> 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	<b>Local Government Act 1993</b> Section 10(2)(b)  <b>Local Government (General) Regulation 2021</b> Part 10
BSC109	<b>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</b> 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	

BSC110	<p><b>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</b></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> <p>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</p> <p>b) Must be reported to the next available Council meeting.</p>	
DEG002a	<p><b>Acceptance of tenders other than to provide services currently provided by members of staff of the council (s377(1)i of LGA)</b></p> <p>Acceptance of tenders is limited to:</p> <p>a) Capital works specifically itemised in a budget approved by Council (as long as the tendered amount falls within the approved budget); or</p> <p>b) Renewal of existing contracts; or</p> <p>c) Projects that are less than \$250,000 (ex GST) in value</p>	<p><b>Local Government Act 1993</b></p> <p>Section 377(1)i</p>
DEG035a	<p><b>Authorise Councillor attendance at conferences and training</b></p> <p>Authorise Councillor attendance at conferences and training provided:</p> <p>a) it must be within the vote of money for Councillor conferences and training</p> <p>b) it must be in accordance with Council's Payment and Expenses Policy</p> <p>c) it must be reported to the next available Council meeting</p> <p>d) The allocation of funds must be made in a fair and equitable manner</p>	
DEG081	<p><b>Authorise the Issue of On-the-Spot Penalty Notices</b></p> <p>To authorise the issue of 'on-the-spot' penalty infringement notices and to commence Court proceedings where necessary.</p>	
DEG092	<p><b>Engage Contractors for the Removal of Derelict Vehicles from Roads, Road Reserves and Public Places</b></p> <p>Authority to engage contractors to remove derelict vehicles from roads, road reserves and public places in accordance with the Impounding Act 1993.</p>	<p><b>Impounding Act 1993</b></p>
DEG093a	<p><b>Approve applications for street stalls, issue busking permits and issue beach vehicle permits</b></p> <ul style="list-style-type: none"> <li>• Approve applications for street stalls within the shire in accordance with Council's policies and conditions.</li> <li>• Issue busking permits subject to Council's policies and conditions.</li> <li>• Issue beach vehicle permits subject to Council's policies and conditions.</li> </ul>	
DEG094	<p><b>Approve Applications for Filming/Photographing in Parks, Reserves and Public Places</b></p> <p>Approve applications to film/photograph in Council's parks, reserves and public places subject to the conditions and fees determined by Council.</p>	
DEG095	<p><b>Approve the Casual Use of Council Parks and Properties</b></p> <p>To approve or refuse applications for the casual use of parks in accordance with policies and subject to approved fees (if any).</p>	
DEG103	<p><b>Authorise the Maintenance and Repair of Council Properties</b></p> <p>Authorise repairs/maintenance of Council's buildings, equipment and plant within the limits approved in the annual budget.</p>	
DEG108	<p><b>Operate and maintain the Council airport in accordance with all applicable legislative Requirements and Council's applicable operation manual</b></p> <p>Operate and maintain the Council airport in accordance with all applicable legislative requirements and Council's applicable operation manual</p>	

DEG109	<b>Operate and Maintain Council's Waste Management Centre (Landfill) in accordance with all applicable legislative requirements</b> Operate and Maintain Council's Waste Management Centre (Landfill) in accordance with all applicable legislative requirements	
DEG110	<b>Operate and maintain Council's Cemetery/Crematorium in accordance with all applicable legislative requirements</b> Operate and maintain Council's Cemetery/Crematorium in accordance with all applicable legislative requirements	
DEG111	<b>Operate and Maintain Council's Children's Services in accordance with all applicable legislative requirements</b> Operate and Maintain Council's Children's Services in accordance with all applicable legislative requirements	
DEG113	<b>Approve or Refuse Applications for Pruning or Removal of Trees</b> To approve or refuse an application for a Vegetation Removal Permit under the State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017, or an application under any other applicable Environmental Planning Instrument, to prune, top, lop or remove trees or vegetation either on the applicant's property or Council's property, subject to the payment of any required fee.	
DEG114	<b>Issue Parking Infringement Notices</b> To issue Parking Infringement Notices on behalf of the Council for offences listed in the Fixed Penalty handbook under the Self Enforcing Infringement Notice Scheme.	
DEG125	<b>Endorse/Sign Positive Covenants, Easements and Section 88B Instruments under the Conveyancing Act 1919</b> - Approve and sign the grant or removal of a positive covenant or restriction contained in any positive covenant, easement and/or section 88B instrument under the Conveyancing Act 1919 - Suspend the operation of any regulatory instrument in reliance upon section 3.16 of the Environmental Planning and Assessment Act and subject to any Council Policy and the Law.	<b>Conveyancing Act 1919 Environmental Planning and Assessment Act 1979</b> section 88B of Conveyancing Act, section 3.16 of EPA Act
DEG128	<b>Act as registered certifier in accordance with the Building and Development Certifiers Act 2018</b> To act as registered certifier, if currently registered by NSW Fair Trading, in accordance with the Building and Development Certifiers Act 2018	<b>Building and Development Certifiers Act 2018</b>
DEG163	<b>Act on Council's behalf in all matters relating to the Companion Animals Act 1998</b> (a) To act on Council's behalf in all matters relating to the administration of the Impounding contracts and service provisions in accordance with Council policy and guidelines. (b) To administer the provisions of the Companion Animals Act 1998 including the authorisations of prosecutions and consideration of appeals for leniency from on the spot fines.	<b>Companion Animals Act 1998</b>
DEG164	<b>Determine Applications for Parking Permits</b> Determine Applications for Parking Permits	
DEG169	<b>Order Supplies, Plant and Equipment Authorised under Requisition</b> To order all supplies, materials, plant, equipment and vehicles upon the issue of an appropriate authorised requisition as per Council's procurement and tendering policies and guidelines.	
DEG172	<b>Sign as Owner of Council Properties for Applications for Development/Building Consent</b> Sign as Owner of Council Properties for Applications for Development/Building Consent	
DEG176	<b>To Administer the Provisions of the Roads Act 1993, Road Transport Act 2013 and Road Rules 2014 as they apply to Council</b> To Administer the Provisions of the Roads Act 1993, Road Transport Act 2013 and Road Rules 2014 as they apply to Council subject to any applicable standards, protocols and directions from State Government departments and/or NSW Police.	<b>Roads Act 1993 Road Rules 2014</b>

DEG182	<b>Issue Building Information Certificates, Classification / Occupancy Certificates</b> To approve, refuse and sign all building information certificates and certificates of classifications and certificates of occupancies required under the Local Government Act 1993 the Environmental Planning and Assessment Act 1979 and Environmental Planning and Assessment Regulation 2000 and/or the Building Code of Australia.	<b>Local Government Act 1993</b> <b>Environmental Planning and Assessment Act 1979</b> <b>Environmental Planning and Assessment Regulation 2000</b> <b>Building Code of Australia</b>
DEG194	<b>Administer the Provisions and Functions of the Boarding House Act 2012 and associated Regulation</b> Administer the Provisions and Functions of the Boarding House Act 2012 and associated Regulation	<b>Boarding Houses Act 2012</b>
DEG195	<b>Administer the Provisions and Functions of the Children and Young Persons (Care and Protection) Act 1998 and associated Regulation</b> Administer the Provisions and Functions of the Children and Young Persons (Care and Protection) Act 1998 and associated Regulation	<b>Children and Young Persons (Care and Protection) Act 1998</b>
DEG196	<b>Administer the Provisions and Functions of the Children (Education and Care Services National Law Application) Act 2010 and associated Regulation</b> Administer the Provisions and Functions of the Children (Education and Care Services National Law Application) Act 2010 and associated Regulation	<b>Children (Education and Care Services National Law Application) Act 2010</b>
DEG198	<b>Administer the Provisions and Functions of the Companion Animals Act 1998 and associated Regulation</b> Administer the Provisions and Functions of the Companion Animals Act 1998 and associated Regulation	<b>Companion Animals Act 1998</b>
DEG199	<b>Administer the Provisions and Functions of the Conveyancing Act 1919 and associated Regulation</b> Administer the Provisions and Functions of the Conveyancing Act 1919 and associated Regulation	<b>Conveyancing Act 1919</b>
DEG199a	<b>Authorise electronic conveyancing transaction</b> Authorise any electronic conveyancing transaction provided for by the Conveyancing Act 1919, the Real Property Act 1900 and/or the Electronic Conveyancing National Law (NSW).	<b>Conveyancing Act 1919</b> <b>Real Property Act 1900</b>
DEG200	<b>Administer the Provisions and Functions of the Crown Land Management Act 2016 and associated Regulation</b> Administer the Provisions and Functions of the Crown Land Management Act 2016 and associated Regulation	<b>Crown Land Management Act 2016</b>
DEG201	<b>Administer the Provisions and Functions of the Environmental Planning and Assessment Act 1979 and Environmental Planning and Assessment Regulation 2000</b> Administer the Provisions and Functions of the Environmental Planning and Assessment Act 1979 and Environmental Planning and Assessment Regulation 2000	<b>Environmental Planning and Assessment Act 1979</b>
DEG209	<b>Administer the Provisions and Functions of the Impounding Act 1993 and associated Regulation</b> Administer the Provisions and Functions of the Impounding Act 1993 and associated Regulation	<b>Impounding Act 1993</b>
DEG212	<b>Administer the Provisions and Functions of the Local Government Act 1993</b> Administer the Provisions and Functions of the Local Government Act 1993	<b>Local Government Act 1993</b>
DEG213	<b>Administer the Provisions and Functions of the Local Government (General) Regulation 2021</b> Administer the Provisions and Functions of the Local Government (General) Regulation 2021	<b>Local Government (General) Regulation 2021</b>
DEG215	<b>Administer the Provisions and Functions of the Plumbing and Drainage Act 2011 and associated Regulation</b> Administer the Provisions and Functions of the Plumbing and Drainage Act 2011 and associated Regulation	<b>Plumbing and Drainage Act 2011</b>
DEG217	<b>Administer the Provisions and Functions of the Protection of the Environment Operations Act 1997 and associated Regulation</b> Administer the Provisions and Functions of the Protection of the Environment Operations Act 1997 and associated Regulation	<b>Protection of the Environment Operations Act 1997</b>

DEG220	<b>Administer the Provisions and Functions of the Road Rules 2008 NSW Consolidated Regulations - Under the Road Transport Act</b> Administer the Provisions and Functions of the Road Rules 2008 NSW Consolidated Regulations - Under the Road Transport Act	<b>Road Rules 2008 NSW Consolidated Regulations Road Transport Act</b>
DEG222	<b>Administer the Provisions and Functions of the Roads Transport Act 2013 and Road Transport (General) Regulation 2021</b> Administer the Provisions and Functions of the Roads Transport Act 2013 and Road Transport (General) Regulation 2021	<b>Roads Transport Act 2013 Road Transport (General) Regulation 2021</b>
DEG226	<b>Administer the Provisions and Functions of the Swimming Pools Act 1992 and Swimming Pools Regulation 2018</b> Administer the Provisions and Functions of the Swimming Pools Act 1992 and Swimming Pools Regulation 2018	<b>Swimming Pools Act 1992</b>
DEG230	<b>Administer the Provisions and Functions of the Work Health and Safety Act 2011 and associated Regulation</b> Administer the Provisions and Functions of the Work Health and Safety Act 2011 and associated Regulation	<b>Work Health and Safety Act 2011</b>
DEG231	<b>Administer the Provisions and Functions of the Workers Compensation Act 1987 and associated Regulation</b> Administer the Provisions and Functions of the Workers Compensation Act 1987 and associated Regulation	<b>Workers Compensation Act 1987</b>
DEG232	<b>Administer the Provisions and Functions of the Workplace Injury Management and Workers Compensation Act 1998 and associated Regulation</b> Administer the Provisions and Functions of the Workplace Injury Management and Workers Compensation Act 1998 and associated Regulation	<b>Workplace Injury Management Workers Compensation Act 1998</b>
DEG234	<b>Administer the Provisions and Functions of the Public Interest Disclosures Act 1994 and associated Regulation</b> Administer the Provisions and Functions of the Public Interest Disclosures Act 1994 and associated Regulation	<b>Public Interest Disclosures Act 1994</b>
DEG262	<b>Administer the Provisions and Functions of the Strata Schemes Management Act 2015 and Strata Schemes Management Regulation 2016</b> Administer the Provisions and Functions of the Strata Schemes Management Act 2015 and Strata Schemes Management Regulation 2016	<b>Strata Schemes Management Act 2015</b>
DEG263	<b>Administer the Provisions and Functions of the Children's Guardian Act 2019 and associated Regulation</b> Administer the Provisions and Functions of the Children's Guardian Act 2019 and associated Regulation	<b>Children's Guardian Act 2019</b>
DEG264	<b>Administer the Provisions and Functions of the Surveying and Spatial Information Act 2002</b> To administer the Provisions and Functions of the Surveying and Spatial Information Act 2002	<b>Surveying and Spatial Information Act 2002</b>



#### d. Governance

Code	Name & Description	Legislation
BSC007	<b>Processing Access Applications in accordance with Part 4 of the GIPA Act 2009</b> Exercise functions under Part 4 <i>Access Applications</i> .	<b>Government Information (Public Access) Act 2009</b> Part 4
BSC008	<b>Mandatory proactive release of certain Government information</b> Exercise functions under the Government Information (Public Access) Act 2009 to proactively release certain mandatory government information.	<b>Government Information (Public Access) Act 2009</b> Part 3, Division 1, Section 18
BSC022	<b>Receive and register disclosures of interests</b> Receive and keep a register of lodgements for Returns, in accordance with the Act, disclosing interests of councillors, designated persons, members of a council committee, or advisor to council or council committee	<b>Local Government Act 1993</b> Part 2: Division 2 Disclosure of Interest in Written Returns; Division 3 Disclosure of Pecuniary Interests at Meetings; Division 4 Disclosure of Pecuniary Interests in Council Dealings
BSC024	<b>Receive and register declarations of gifts and benefits</b> Receive lodgements and keep a register of lodgements for declarations of gifts and benefits in accordance with policies and procedures	
BSC055	<b>Authorise proactive release of government information and Informal release of government information</b> Exercise functions under Section 7 Authorised Proactive Release of Government Information and Section 8 Informal Release of Government Information.	<b>Government Information (Public Access) Act 2009</b> Part 2, Division 1, Section 7(5) and Section 8(6)
DEG056a	<b>Manage, sign and issue correspondence or any other documents within the activities and responsibility of the position</b> (a) To reply to all routine correspondence that does not require the prior consideration of Council. (b) To exercise discretion in regard to referring correspondence to various Council officers for attention.	
DEG062	<b>Act as Council's Public Officer</b> Act as the Public Officer in relation to functions contained within section 343 of the Local Government Act 1993.	<b>Local Government Act 1993</b> section 343
DEG069	<b>Act as Code of Conduct Complaints Coordinator and Alternate Complaints Coordinator</b> Act as Code of Conduct Complaints Coordinator and Alternate Complaints Coordinator	
DEG070	<b>Receive and Investigate Complaints under the Internal Reporting - Public Interest Disclosures Policy</b> To receive and Investigate Complaints under the Internal Reporting (Public Interest Disclosures Policy) and to authorise action to be taken by the appropriate officer in regard to any complaints or requests received.	
DEG072	<b>Receive Complaints and Authorise Investigation under Child Protection Policy</b> To receive complaints and authorise investigation under the Child Protection Policy and to determine the action to be taken by the appropriate officer in regard to any complaints or requests received.	
DEG205	<b>Administer the Provisions and Functions of the Government Information (Public Access) Act 2009 and associated Regulation</b> Administer the Provisions and Functions of the Government Information (Public Access) Act 2009 and associated Regulation (includes making a reviewable decision - Part 2, Division 1, Section 9, subclause (3))	<b>Government Information (Public Access) Act 2009</b>

## e. Development

Code	Name & Description	Legislation
BSC092	<b>Sign and issue notices of determination for Development Applications and Section 4.55 Applications</b> Following a Development Application or Section 4.55 Application being determined by Council, Director of Sustainable Environment and Economy, Manager of Sustainable Development, Development Assessment Panel or Team Leader, this position may sign and issue notices of determination and corresponding plans in respect to such Development Applications and Section 4.55 Applications	
BSC103	<b>Adoption of local policies concerning approvals and orders</b> 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.	<b>Local Government Act 1993</b> Sections 161 and 165
DEG088	<b>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</b> (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. (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. (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 (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. (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.	<b>Environmental Planning and Assessment Act 1979</b> Part 4 Development Assessment and Consent (including section 4.55 and 4.56)
DEG088a	<b>Development assessment determination exceptions - Director</b> 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: 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	

Code	Name & Description	Legislation
	\$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)	
DEG088b	<b>Development assessment determination exceptions - Manager</b> Make all determinations necessary under Part 4 Development Assessment and Consent of the Environmental Planning and Assessment Act 1979 (Delegation DEG088) except: a) Any development application that has an estimated value exceeding \$2,000,000 b) Variation of any standard specified in any environmental planning instrument. c) Multi dwelling housing development containing more than twelve dwellings d) Commercial development (retail, business and officer premises) having a floor space exceeding 1000 m2. e) Industrial development having a floor space exceeding 4000 m2. f) Torrens Title Subdivisions exceeding twelve lots. g) Strata and Community Title subdivisions which create more than twelve vacant lots with dwelling entitlements h) Any Council development application. i) Applications involving a legal agreement with Council not already executed by the applicant. j) Developments to which objections have been received and those objections can not be overcome by imposition of conditions of consent or refusal of the application. k) Any development application that is referred to Council by the Planning Review Committee; l) Any designated development, to which any of the provisions of section 4.30 of the Environmental Planning and Assessment Act have been applied or otherwise. m) 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. n) Section 8.2 applications for development applications determined by Council or the Court unless the Planning Review Committee has resolved that the Section 8.2 application can be determined under delegated authority. o) Alterations or an addition to an existing non-conforming use. p) Any development involving a change of an existing use.	
DEG088c	<b>Development assessment determination exceptions - team leader/major projects planner</b> Make all determinations necessary under Part 4 - Development Assessment and Consent of the Environmental Planning and Assessment Act, 1979 (Delegation DEG088) except: a) Variation of any standard specified in any environmental planning instrument, Development Control Plan or Council policy, other than DCP variations to: i) front, side and rear setbacks (no greater than 50% of the numerical standard); ii) Building Height Plane Encroachments; iii) Earthworks (cut and fill variations not exceeding 50%) iv) front fence height variations up to 1.8 metres. b) Multi dwelling housing development containing more than six dwellings c) Commercial development (retail, business and officer premises) having a floor space exceeding 1000m sq. d) Industrial development having a floor space exceeding 1000m sq. e) Torrens Title Subdivisions exceeding three lots. f) Strata and Community Title subdivisions which create vacant lots with dwelling entitlements g) Traffic generating developments designated under SEPP 2007 (Infrastructure). h) Alterations or an addition to an existing non-conforming use. i) Any Council development application. j) Rural tourist facilities and tourist and visitor accommodation in rural zones other than bed and breakfast establishments. k) Applications involving a legal agreement with Council not already executed by the applicant. l) Developments to which objections have been received and those objections can not be overcome by imposition of conditions of consent or refusal of the application. m) Any development application that is referred to Council by the Planning Review Committee; n) Any development application that has an estimated value exceeding \$1,500,000. o) Any designated development, to which any of the provisions of section 4.30 of the Environmental Planning and Assessment Act have been applied or otherwise. p) 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. q) Section 8.2 applications for development applications determined by Council	

Code	Name & Description	Legislation
	or the Court unless the Planning Review Committee has resolved that the Section 8.2 application can be determined under delegated authority. r) Any development involving a change of an existing use.	
DEG088d	<b>Power to approve development applications</b> 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.	
DEG088e	<b>Applications under Part 4 of the Environmental Planning and Assessment Act 1979</b> Delegations do not include determination of any: 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 20 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.	<b>Environmental Planning and Assessment Act 1979</b> Part 4
DEG126	<b>Determine Public Notification of Applications</b> Determine public notification of applications: (a) To determine whether an application should be exempted from notification in accordance with Council policy. (b) To determine such persons who own land or who reside in properties that may be detrimentally affected by the development and to ensure such persons are notified in accordance with Council's policy.	
DEG134a	<b>Issue of Permits, Certificates or Approvals</b> Approve or refuse the issue of permits, certificates and approvals for activities that are required to be regulated under the provisions of the Act or related legislation, including, but not limited to Section 68 Approvals under the Local Government Act 1993.	<b>Local Government Act 1993</b>
DEG180	<b>Sign Building Information Certificates and Related Correspondence - Environmental Planning and Assessment Act 1979</b> Sign Building Information Certificates and Related Correspondence - Environmental Planning and Assessment Act 1979	<b>Environmental Planning and Assessment Act 1979</b> Part 6 Division 6.7 section 6.26
DEG181a	<b>Approve or Refuse Applications for Construction Certificates and Complying Development Certificates</b> (a) Approve or refuse applications for Construction Certificates and Complying Development Certificates which comply in all respects with the requirements of the Building Code of Australia, the Local Government Act 1993, as amended by the Environmental Planning and Assessment Act 1979 and Environmental Planning and Assessment Regulation 2000, Council's Planning Controls and Policies and do not depart from the conditions and plans of the development consent. (b) Refuse an application for Construction Certificate or Complying Development Certificate proposing the erection of a building which does not comply with the requirements of either Council's LEP, the Building Code of Australia, the Local Government Act 1993, the Environmental Planning and Assessment Act 1979 and Environmental Planning and Assessment Regulation 2000 there under or relevant conditions of development consent.	<b>Building Code of Australia</b> <b>Local Government Act 1993</b> <b>Environmental Planning and Assessment Act 1979</b> <b>Environmental Planning and Assessment Regulation 2000 Council's Planning Controls and Policies</b>

DEG184	<b>Approve Applications for Strata/Subdivision Plans</b> To approve applications for strata/subdivision that comply with the Local Government Act 1993 and the Environmental Planning and Assessment Act 1979 and Environmental Planning and Assessment Regulation 2000 and the relevant provisions of the Strata Schemes Development Act 2015 and associated regulations; and any development consent issued (including release of the Subdivision plans and Certificates), including signature/endorsement of linen plans.	<b>Local Government Act 1993</b> <b>Environmental Planning and Assessment Act 1979</b> <b>Environmental Planning and Assessment Regulation 2000</b> <b>Strata Schemes Development Act 2015</b>
DEG192	<b>Perform the Functions in relation to Local Environment Plans</b> 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.	<b>Environmental Planning and Assessment Act 1979</b> Part 3

## f. Enforcement

Code	Name & Description	Legislation
BSC033	<b>Issue Notices of Intention to Issue Orders and Orders under the Swimming Pools Act 1992</b> Approve, and issue Notices, Orders and Directions as an Authorised Officer under the terms of the Swimming Pools Act 1992 and Swimming Pools Regulation 2018	<b>Swimming Pools Act 1992</b> <b>Swimming Pools Regulation 2018</b>
BSC086	<b>Issue Notices of Intention to Issue Orders and Orders under the Boarding Houses Act 2012</b> Issue Notices of Intention to Issue Orders and Orders under the Boarding Houses Act 2012	<b>Boarding Houses Act 2012</b>
BSC087	<b>Issue Notices of Intention to Issue Orders and Orders under the Impounding Act 1993</b> Issue Notices of Intention to Issue Orders and Orders under the Impounding Act 1993	<b>Impounding Act 1993</b>
DEG083	<b>Issue Notices of Intention to Issue Orders and Orders under the Local Government Act 1993</b> Issue Notices of Intention to Issue Orders under section 124 and section 132 the Local Government Act 1993	<b>Local Government Act 1993</b> section 124 and section 132
DEG084	<b>Issue Notices of Intention to Issue Orders and Orders under the Environmental Planning and Assessment Act 1979</b> Issue Notices of Intention to Issue Orders and Orders under the Environmental Planning and Assessment Act 1979	<b>Environmental Planning and Assessment Act 1979</b> section 9.34, section 9.58
DEG085	<b>Issue prevention notices, clean up notices or prohibition notices under the Protection of the Environment Operations Act 1997</b> Issue prevention notices, clean up notices or prohibition notices under the Protection of the Environment Operations Act 1997	<b>Protection of the Environment Operations Act 1997</b>
DEG086	<b>Issue notices of intention, notices and declarations under the Companion Animals Act 1998</b> Issue notices of intention, notices and declarations under the Companion Animals Act 1998	<b>Companion Animals Act 1998</b>
DEG087	<b>Issue orders, directions and notices under the Roads Act 1993.</b> Issue orders, directions and notices under the Roads Act 1993.	<b>Roads Act 1993</b>
DEG112	<b>Exercise the Powers of Council's Impounding Officer</b> Exercise the Powers of Council's Impounding Officer	<b>Impounding Act 1993</b>
DEG115	<b>Authorise Withdrawal of Penalty Infringement - Leniency</b> (a) To withdraw Penalty Infringement Notices where those notices are technically flawed. (b) To withdraw from prosecution proceedings relating to penalty infringement notices following consideration of representations. Note – Not to be the originator or signatory to the Penalty Notice.	



## g. Legal

Code	Name & Description	Legislation
BSC009	<b>Entry to land and premises - LG Act 1993</b> 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.	<b>Local Government Act 1993</b> Chapter 8, Part 2, Sections 191 to 201
BSC020	<b>Entry to land and premises - Swimming Pools Act 1992</b> 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 Swimming Pool Act 1992 and the regulations made under it.	<b>Swimming Pools Act 1992</b> Part 3
BSC023	<b>Entry to land and premises - Impounding Act 1993</b> 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 Impounding Act 1993 and the regulations made under it	<b>Impounding Act 1993</b>
BSC025	<b>Entry to land and premises and act as Authorised Officer to exercise functions under Public Health Act 2010</b> Appointed as an Authorised Officer under Part 9 Division 2 section 126 to exercise such functions as are conferred or imposed on an Authorised Officer under Part 8, Divisions 1 and 2 of the Public Health Act 2010 including powers of entry into any premises. Power of entry is only limited by the terms of section 108(4), with respect to entering residential premises.	<b>Local Government Act 1993</b> Chapter 8, Part 2, Sections 191 to 201  <b>Public Health Act 2010</b> Part 8, Div 1 and 2 s108, Part 9 Div 2 s126
BSC027	<b>Entry to land and premises - Roads Act 1993</b> 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	<b>Roads Act 1993</b> Sections 164 to 174
BSC029	<b>Entry to land and premises - Companion Animals Act 1998</b> 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 Companion Animals Act 1998 and the regulations made under it	<b>Companion Animals Act 1998</b> Section 69A
BSC030	<b>Entry to land and premises - EP&amp;A Act 1979</b> 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	<b>Environmental Planning and Assessment Act 1979</b> Part 9 Division 9.2
BSC031	<b>Entry to land and premises - POEO Act 1997</b> 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	<b>Protection of the Environment Operations Act 1997</b> Sections 111, 196 and 203
BSC034	<b>Entry to land and premises and act as Authorised Officer to exercise functions under Food Act 2003</b> Exercise such functions as are conferred or imposed on an Authorised Officer under Part 4, Division 1 (Inspections); Part 4 Division 2 (Items seized by authorised officers) and Part 5 (Improvement Notices and Prohibition Orders for Premises or Equipment) under the terms of the Food Act 2003. Limitations: An Authorised Officer may only exercise the functions of an Authorised Officer under the Food Act 2003 within Byron Shire in respect of: (a) Imminent threat to; (i) public health and safety, or (ii) the health of any individual; in connection with food; and (b) A retail food business at premises within Byron Shire. (c) Power of entry is strictly limited by the terms of section 37(2), with respect to entering residential premises.	<b>Food Act 2003</b> Part 4 Division 1, Division 2, Part 5



BSC037	<p><b>Entry to land and premises and act as Authorised Inspector to exercise functions under Plumbing and Drainage Act 2011</b></p> <p>Authorisation as an inspector under the Local Government (General) Regulation 2021 and Plumbing and Drainage Act 2011. Enter upon land in accordance with Part 4 Division 2 of the Plumbing and Drainage Act 2011</p>	<p><b>Plumbing and Drainage Act 2011</b> Part 4</p> <p><b>Local Government (General) Regulation 2021</b></p>
BSC064	<p><b>Seek legal advice, assist legal representatives and give evidence and swear affidavits</b></p> <p>Seek legal advice on processes or interpretations of Acts or Planning Instruments subject to prior agreement from the Director. Assist Council's legal representatives in regard to: Settling the statement of issues/facts; Preparing statements of evidence/court reports; Settling without prejudice conditions of development consent; Represent the Council in legal action, if instructed to, relevant to your powers, duties and authority Give evidence and swear affidavits in respect of any infringements under the various Acts, Regulations, Ordinances and Orders administered by Council that are relevant to the position's powers, duties and authority</p>	
BSC089	<p><b>Obtain search warrants from the court</b></p> <p>Subject to the approval of the General Manager, obtain search warrants from the court</p>	
BSC090	<p><b>Legal action in the Local Court</b></p> <p>Initiate (Legal Counsel position only) and prosecute legal actions (including by personal appearance or by instructing another Australian Lawyer) in the Local Court in relation to any breach of any Act, ordinance, regulation or by-law administered in whole or in part by the Council:</p> <ul style="list-style-type: none"> <li>- To authorise specific persons to initiate legal actions before a court of law (Legal Counsel position only); and</li> <li>- To provide and/or obtain legal advice (within the sums voted by Council for that purpose) as and when it is necessary to do so.</li> </ul>	
BSC091	<p><b>Commencing or defending legal proceedings</b></p> <p>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 of the proceedings, together with current cost expenditure, being reported to Councillors monthly.</p>	
BSC091a	<p><b>Settlement of legal proceedings</b></p> <p>The delegations do not include:</p> <ul style="list-style-type: none"> <li>a) Power to settle legal proceedings for payment of less than 50% of Council's original or amended claim.</li> <li>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.</li> </ul>	
BSC091b	<p><b>Legal action in any court</b></p> <p>Subject to the approval of the General Manager to initiate and prosecute or defend legal actions in any court (other than local court - refer delegation BSC090) in relation to any breach of any Act, ordinance, regulation or by-law administered in whole or in part by the Council and to authorise specific persons to initiate legal actions before a court of law and to provide and/or obtain legal advice (within the sums voted by Council for that purpose) as and when it is necessary to do so</p>	

BSC096	<b>Issue Court Attendance Notices (including Field Court Attendance Notices) and General Infringement/Penalty Notices</b> Issue Court Attendance Notices (including Field Court Attendance Notices) and General Infringement/Penalty Notices under the Self Enforcing Infringement Notice Scheme relating to Protection of the Environment Operations (General) Regulation 2021	<b>Protection of the Environment Operations (General) Regulation 2021</b>
BSC097	<b>Issue Court Attendance Notices (including Field Court Attendance Notices) and General Infringement/Penalty Notices</b> Issue Court Attendance Notices (including Field Court Attendance Notices) and General Infringement/Penalty Notices under the Self Enforcing Infringement Notice Scheme relating to Local Government (General) Regulation 2021	<b>Local Government (General) Regulation 2021</b>
BSC098	<b>Issue Court Attendance Notices (including Field Court Attendance Notices) and General Infringement/Penalty Notices</b> Issue Court Attendance Notices (including Field Court Attendance Notices) and General Infringement/Penalty Notices under the Self Enforcing Infringement Notice Scheme relating to Impounding Regulation 2013	<b>Impounding Regulation 2013</b>
BSC111	<b>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</b> 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.	
DEG060	<b>Negotiate and Enter into Leases, Licences, Memorandum of Understanding and other Legal Transactions</b> Authority to negotiate and enter into any form of Lease, Licence, Memorandum of Understanding or other transaction for use of land or assets, subject to compliance with the Local Government Act 1993, and subject to the General Manager making reasonable enquiries into the appropriate payments to be made to Council and consulting with Council's solicitor to determine the appropriate format of the legal agreement.	<b>Local Government Act 1993</b>
DEG077b	<b>Retrieval of stored CCTV footage and maintain register of fixed CCTV camera locations</b> Retrieve CCTV footage for viewing, upon approval by Legal Counsel. Maintain the register of fixed CCTV camera locations.	
DEG078	<b>Issue or Carry on Proceedings (including prosecutions), and to Act and Negotiate on behalf of Council on Legal Issues</b> (a) Lay information, to initiate or carry on, to act on behalf of Council and to negotiate on matters in issue between parties in any proceedings in any Court or Tribunal, including but not limited to, the Local, District or Supreme Courts of any State or Territory, any Industrial Relations Tribunal or Commission, and the Land and Environment Court; and (b) Instruct and engage Council's Solicitors and Counsel where considered necessary. (c) With the exception of Enforcement Officers, authorise the issue or withdrawal of any penalty infringement notices or complaint or the institution of any proceedings for the recovery of any penalty or the making of any order for or in respect of any offence, nuisance, or any other matter or thing whatsoever which the Council might be entitled to recover or seek under any Act or Regulation.	
DEG098	<b>Take Legal Action for the Recovery of Unpaid Rates and Charges and Unpaid Sundry Debtors</b> To take all necessary legal action at any time for the recovery of unpaid rates and charges and unpaid sundry debtors in accordance with the Local Government Act 1993.	<b>Local Government Act 1993</b> Section 712
DEG100	<b>Resolve or Authorise Settlement of Liability Claims</b> To resolve claims on Council's behalf a) up to the excess on insurance policies b) above the level of the excess applicable to each insurance policy where an insurance claim is not made or an insurance claim is not accepted by the insurer, or c) there is no insurance in place.	

DEG136	<b>Issue General Infringement/Penalty Notices relating to Local Government Act 1993</b> To issue Infringement Notices under the Self Enforcing Infringement Notice Scheme relating to Local Government Act 1993	<b>Local Government Act 1993</b>
DEG137	<b>Issue General Infringement/Penalty Notices relating to Road Rules 2014</b> To issue Infringement Notices under the Self Enforcing Infringement Notice Scheme relating to Road Rules 2014	<b>Road Rules 2014</b>
DEG138	<b>Issue General Infringement/Penalty Notices relating to Companion Animals Act 1998</b> To issue Infringement Notices under the Self Enforcing Infringement Notice Scheme relating to Companion Animals Act 1998	<b>Companion Animals Act 1998</b>
DEG139	<b>Issue General Infringement/Penalty Notices relating to Companion Animals Regulations 2018</b> To issue Infringement Notices under the Self Enforcing Infringement Notice Scheme relating to Companion Animals Regulations 2018	<b>Companion Animals Regulations 2018</b>
DEG140	<b>Issue General Infringement/Penalty Notices relating to Road Transport (General) Regulation 2021</b> To issue Infringement Notices under the Self Enforcing Infringement Notice Scheme relating to Road Transport (General) Regulation 2021	<b>Road Transport (General) Regulation 2021</b>
DEG141	<b>Issue General Infringement/Penalty Notices relating to Roads Act 1993</b> To issue Infringement Notices under the Self Enforcing Infringement Notice Scheme relating to Roads Act 1993	<b>Roads Act 1993</b>
DEG142	<b>Issue General Infringement/Penalty Notices relating to Impounding Act 1993</b> To issue Infringement Notices under the Self Enforcing Infringement Notice Scheme relating to Impounding Act 1993	<b>Impounding Act 1993</b>
DEG143	<b>Issue General Infringement/Penalty Notices relating to Protection of the Environment Operations Act 1997</b> To issue Infringement Notices under the Self Enforcing Infringement Notice Scheme relating to Protection of the Environment Operations Act 1997	<b>Protection of the Environment Operations Act 1997</b>
DEG144	<b>Issue General Infringement/Penalty Notices relating to Protection of the Environment Operations (Clean Air) Regulation 2021</b> To issue Infringement Notices under the Self Enforcing Infringement Notice Scheme relating to Protection of the Environment Operations (Clean Air) Regulation 2021	<b>Protection of the Environment Operations (Clean Air) Regulations 2021</b>
DEG145	<b>Issue General Infringement/Penalty Notices relating to Protection of the Environment Operations (Noise Control) Regulation 2017</b> To issue Infringement Notices under the Self Enforcing Infringement Notice Scheme relating to Protection of the Environment Operations (Noise Control) Regulation 2017	<b>Protection of the Environment Operations (Noise Control) Regulations 2017</b>
DEG146	<b>Issue General Infringement/Penalty Notices relating to Protection of the Environment Operations (Waste) Regulation 2014</b> To issue Infringement Notices under the Self Enforcing Infringement Notice Scheme relating to Protection of the Environment Operations (Waste) Regulation 2014	<b>Protection of the Environment Operations (Waste) Regulation 2014</b>
DEG147	<b>Issue General Infringement/Penalty Notices relating to Swimming Pools Act 1992</b> To issue Infringement Notices under the Self Enforcing Infringement Notice Scheme relating to Swimming Pools Act 1992	<b>Swimming Pools Act 1992</b>
DEG151	<b>Issue General Infringement/Penalty Notices relating to Environmental Planning and Assessment Act 1979</b> Issue Infringement Notices under the Self Enforcing Infringement Notice Scheme relating to Environmental Planning and Assessment Act 1979	<b>Environmental Planning and Assessment Act 1979</b>
DEG152	<b>Issue General Infringement/Penalty Notices relating to Environmental Planning and Assessment Regulation 2000</b> To issue Infringement Notices under the Self Enforcing Infringement Notice Scheme relating to Environmental Planning and Assessment Regulation 2000	<b>Environmental Planning and Assessment Regulation 2000</b>
DEG153	<b>Issue General Infringement/Penalty Notices relating to Food Act 2003</b> To issue Infringement Notices under the Self Enforcing Infringement Notice Scheme relating to Food Act 2003	<b>Food Act 2003</b>

DEG158	<b>Issue General Infringement/Penalty Notices relating to Public Health Act 2010</b> To issue Infringement Notices under the Self Enforcing Infringement Notice Scheme relating to Public Health Act 2010	<b>Public Health Act 2010</b>
DEG159	<b>Issue General Infringement/Penalty Notices relating to Public Health Regulation 2012</b> To issue Infringement Notices under the Self Enforcing Infringement Notice Scheme relating to Public Health Regulation 2012	<b>Public Health Regulation 2012</b>
DEG161	<b>Issue General Infringement/Penalty Notices relating to Road Regulations 2018</b> To issue Infringement Notices under the Self Enforcing Infringement Notice Scheme relating to Road Regulations 2018	<b>Roads Regulation 2018</b>
DEG201a	<b>Investigation Officer to exercise functions under EP&amp;A Act</b> Appointed as an Investigation Officer under section 9.14 of the Environmental Planning and Assessment Act 1979 and exercise such functions as are conferred or imposed on an Investigation Officer by or under this Act	<b>Environmental Planning and Assessment Act 1979</b> Section 9.14
DEG212a	<b>Authorised Person to exercise functions under LG Act</b> Appointed as an Authorised Person under Part 2, Chapter 8 of the Local Government Act 1993 and exercise such functions as are conferred or imposed on an Authorised Person by or under this Act	<b>Local Government Act 1993</b> Part 2, Chapter 8

## h. Staffing Matters

Code	Name & Description	Legislation
BSC010	<b>Allocate and reallocate tasks amongst staff under officer's supervision</b> Allocate and reallocate tasks amongst staff under officer's supervision	
BSC011	<b>Report to State Insurance Regulatory Authority (with regard to WHS)</b> Make reports State Insurance Regulatory Authority for any notifiable incidents	
BSC012	<b>Determine Access to Personnel Files</b> Determine and approve requests for access to personnel files and management of documents on personnel files in accordance with Council policy and procedures	
BSC015	<b>Selection and Recruitment Panel</b> Act as the People and Culture Unit representative in selection and recruitment processes	
BSC016	<b>Authorise payments for tax, superannuation and all employee deductions</b> Authorise payments for tax, superannuation and all employee deductions	
BSC017	<b>Report to SafeWork NSW for any notifiable incidents</b> Make any reports to SafeWork NSW for any notifiable incidents	
BSC019	<b>Authorise periodic attendance sheets (timesheets)</b> Authorise periodic attendance sheets for staff under your supervision	
BSC021	<b>Exercise authorities of supervisor during their absence</b> Exercise the authorities and functions of your supervisor during the absence of your supervisor due to annual leave, long service leave, sick leave, attendance at conferences, or the like when directed in writing by the supervisor	
BSC082	<b>Performance management and disciplinary action</b> Implement performance management and disciplinary action, but not dismissal, involving Council staff, other than Managers or Directors, in accordance with the Act, Award and Council policy	
BSC084	<b>Ensure Council's Equal Employment Opportunity (EEO) obligations are fulfilled</b> Ensure Council's Equal Employment Opportunity (EEO) obligations are fulfilled	<b>Local Government Act 1993</b> Section 344-347
BSC112	<b>Make variations if required to the General Manager's Performance Agreement by agreement</b> Make variations if required to the General Manager's Performance Agreement by agreement provided it must be reported to the next available Council meeting.	
DEG028	<b>Approve Salary Step Progressions for Staff</b> Approve salary step progression (2 or more steps for BSC) for staff in accordance with the Agreement and Council's Reward and Recognition Framework Policy and the Local Government (State) Award 2020	<b>Local Government (State) Award 2020</b>
DEG033	<b>Approve a Report of Injury to Council's Workers Compensation Insurer</b> To deal with, determine and sign any correspondence relating to insurance claims, workers compensation claims, work health and safety and risk management matters or as directed by the Manager People and Culture	
DEG034	<b>Approve Leave</b> Approve or refuse leave having due regard to the proper functioning of the Council and maintenance of appropriate levels of service to the public and compliance with Council's policies, including: (a) Long service (all types); (b) Annual; (c) Sick (Full Pay); (d) Carers; (e) Bereavement; (f) Jury service; (g) Trade union training leave; (h) Union conference leave; (i) Parental/maternity leave; (j) Emergency services (up to 5 days per calendar year); (k) Defence Force Reserve; (l) Study leave (if education assistance already approved); (m) Leave without pay; (n) Concurrent parental leave; (o) Purchased annual leave; (p) Approved leave of absence; (q) Sick (Half Pay); (r) Health and Wellbeing leave; and (s) Special leave with or without leave.	

DEG035	<b>Approve Professional Development</b> Approve attendance at professional development programs and reasonable out of pocket expenses, with pay in the following cases: (a) Professional body where staff members are full members of a relevant professional body that is running a conference or meeting -; a maximum of five days leave at any one time, with a maximum in any one year of 15 days; (b) Field days where it is considered that the machinery to be displayed is of some relevance to Council's operations, that senior staff directly associated with the purchase of Council's machinery be allowed to attend one day only; (c) Executive of a professional body where an employee is elected to the executive of a professional body, special leave must fit within the parameters laid down under the professional body category; (d) Attendance at refresher courses (for example, management courses) to be decided by Council in each particular case.	
DEG042	<b>Approve Council Employment Agreements in accordance with the Local Government (State) Award 2020</b> Approve Council Employment Agreements in accordance with the Local Government (State) Award 2020	<b>Local Government (State) Award 2020</b>
DEG047	<b>Approve Overtime Payments</b> Approve or refuse the payment of overtime in accordance with the Local Government (State) Award 2020.	<b>Local Government (State) Award 2017</b>
DEG048	<b>Deal with Industrial Disputes</b> To deal with industrial disputes within the terms of existing Industrial Instruments.	
DEG051	<b>Provide a Reference to a Potential Employer</b> Provide a reference to a potential employer with the consent of a current or former employee: (a) Verbal references can be provided to a potential employer. (b) Written references on Council letterhead can only be provided by the General Manager and Directors. Without the consent of a current or former employee the only information that can be provided to a potential employer, is confirmation that the person has worked for Council, the duration of that work and the position occupied during that time.	

## i. Exemptions

Code	Name & Description	Legislation
BSC069	<b>General Exemptions</b> Delegations relating to Approvals are at all times subject to: a) any resolution, policy, procedure or budget made by Council; b) any directive from the Director; c) any Act, Regulation, Ordinance or by-law; d) any determination been made only following consideration of a recommendation of another officer; and e) any correspondence to the Ombudsman, ICAC, Members of Parliament or State and Federal Government Departments been limited to operational matters or matter which only involves the provision of factual information.	