

### 1.2.1 Public Places and Local Government Property Local Law 2020

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Public Places and Local Government Property Local Law 2020</i> <i>Local Government and Public Property Local Law 2014</i> cl.2.3 Discretion to erect a sign cl.2.5 Register of Determinations cl 4.2 – cl 4.4 Advertising signs on thoroughfares cl. 6.6 Powers of authorised persons or surf life saving club members cl.6.10 Use by aircraft cl 6.11 Right of entry to airport cl 6.14 Application for consent and application fee cl.6.17 When a boat may remain berthed cl 7.3 Declaration of flora road cl.7.5 Signpost flora road cl.7.7 Designation of special environmental area cl.7.8 Marking of special environmental area cl 7.9 Permit to plant cl 7.15 Approve permit to burn thoroughfare cl 7.17 Permit for firebreaks on thoroughfares cl.7.20 Permit for revegetation projects cl.8.4 Permissible verge treatments cl.8.12 Signs erected by local government cl.12.5 Local government may undertake requirements of notice cl.12.8 Prescribed offences cl 2.3 schedule 1 Children’s Playgrounds cl.2.5 Activities prohibited on local government property
<b>Delegate:</b>	Chief Executive Officer
<b>Function:</b> <i>This is a precis only.</i> <i>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Determination in Respect of Local Government Property <ol style="list-style-type: none"> <li>a. Erect a sign on local government property to give notice of the effect of a determination cl2.3</li> <li>b. Keep register of determinations under cl2.1- cl2.5</li> </ol> 2. Advertising Signs on Thoroughfares <ol style="list-style-type: none"> <li>a. Determine application for permit for portable sign or advertising sign, bill or advertisement in a thoroughfare subject to conditions, cl 4.3 in accordance with cl 4.2, 4.3.</li> </ol> 3. Powers of authorised persons or surf life saving club members <ol style="list-style-type: none"> <li>a. Authorise one or more members of a surf life saving club ( under section 9.10 of the <i>Local Government Act 1995</i>) to perform functions - cl 6.6(2)any or all as listed in subclause 6.6(1)</li> </ol> 4. Use by Aircraft <ol style="list-style-type: none"> <li>a. Close the airport to aircraft movements if the surface of the airport is considered to be unsafe cl 6.10(2)</li> </ol>

	<p>5. Right of entry to Airport</p> <ul style="list-style-type: none"> <li>a. Approval to enter or remain upon the airport or part thereof cl 6.11(1)</li> <li>b. Designate or set apart any specified part or parts of the Airport cl 6.11(2)</li> <li>c. Place signs markings or notices at the airport indicating the limits of any part of the airport set apart for any special or limited use under 6.11(2) – cl 6.11(3)</li> </ul> <p>6. Jetties</p> <ul style="list-style-type: none"> <li>a. Give consent under Division 5 – Jetties cl 6.14             <ul style="list-style-type: none"> <li>i. launch a boat from or over any jetty cl6.19</li> <li>ii. load or discharge cargo between 6.00pm and 6.00am on the next day , or for longer than 2 consecutive hours cl6.20</li> <li>iii. place or deposit bulk cargo from a vehicle , boat or container on to a jetty cl6.24</li> </ul> </li> <li>b. Refuse to consider application for consent cl 6.14(3)</li> <li>c. Give decision in writing on application for consent 6.14(4)</li> <li>d. Consent to berth or make fast a boat to a jetty for a consecutive period exceeding two 2 hours, whilst the embarking or disembarking of passengers is in progress</li> </ul> <p>7. Roadside conservation</p> <ul style="list-style-type: none"> <li>a. Declare a thoroughfare with high quality roadside vegetation to be a flora road cl7.3</li> <li>b. Signpost flora roads cl7.5</li> <li>c. Exempt a person from the application of subclause (1) – <i>a person may only drive or ride a vehicle on the carriageway when driving or riding a vehicle on a flora road- cl 7.6(2)(c)</i></li> <li>d. Designate a thoroughfare , or any part thereof as a special environmental area cl 7.7 and mark and keep a register of each thoroughfare or part thereof designated cl 7.8</li> <li>e. Determine an application for a permit to plant any plant or sow any seeds in a thoroughfare, cl 7.9 - relevant considerations cl 7.10</li> <li>f. Approve an application for permit for purpose of cl 7.13 (permit to burn thoroughfare) cl 7.15. subject to cl 7.16 prohibitions on burning.</li> <li>g. Approve an application for a permit for firebreak on thoroughfare cl 7.17 - subject to cl7.18</li> <li>h. Approve an application for a permit to collect seed from native flora on a thoroughfare cl 7.20</li> </ul> <p>8. Activities in Streets</p> <ul style="list-style-type: none"> <li>a. Erect a sign in a street specifying any conditions of use which apply to the street cl 8.12</li> <li>b. Approve any material which would create a hard surface as an <i>acceptable material</i> cl 8.4(3)</li> </ul> <p>9. Enforcement</p> <ul style="list-style-type: none"> <li>a. Do the thing specified in the notice if a person fails to comply with a notice referred to in cl12.2 and recover costs - cl12.5(1)</li> </ul>
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	<ul style="list-style-type: none"> <li>b. Take remedial action if a person fails to comply with a notice referred to in cl12.3, recover costs cl12.5(2)</li> <li>c. Before giving an infringement notice to a person in respect of the commission of a prescribed offence comply with cl12.8 (3)</li> </ul> <p>10. Schedule 1 Determinations</p> <ul style="list-style-type: none"> <li>a. Set aside a public reserve or any portion of a public reserve as a children’s playground cl 2.3(1) (schedule 1) and limit the ages of persons who are permitted to use a children’s playground cl 2.3(2) schedule 1 and erect a sign.</li> <li>b. Reserve land for the purpose of the play or practice of archery or pistol or rifle shooting cl2.5(1) schedule 1</li> <li>c. Set aside reserve as a golf course cl2.5(2) schedule 1</li> </ul>
<b>Council Conditions on this Delegation:</b>	This delegation may only be exercised in accordance with policies or strategies formally adopted by Council.
<b>Express Power to Sub-Delegate:</b>	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Refer to Register of Delegation - CEO to Employees
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<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	This delegation may only be exercised in accordance with policies or strategies formally adopted by Council.
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<b>Compliance Links:</b>	<p>Local Government Act 1995 – section 5.46(3)</p> <p>Local Government (Administration) Regulations 1996 – regulation 19</p> <p>A register of all special environmental areas must be maintained under cl.7.8 of the <a href="#">Public Places and Local Government Property Local Law 2020</a></p> <p>Security deposits for Dangerous Excavations and Private Works in Public Places, are a permit condition determined in accordance with Regs 11 and 17 of the <a href="#">Local Government (Uniform Local Provisions) Regulations 1996</a> – refer CEO Delegations 1.3.3 and 1.3.4. Crossing permits are approved under Regulations 12 and 13 of the <a href="#">Local Government (Uniform Local Provisions) Regulations 1996</a> – refer Delegation 1.2.13</p> <p>Crossings – Construction, Repair and Removal.</p>
<b>Recordkeeping:</b>	<p>Council Policy 4.13 Recordkeeping and Operational Policy OP053 Document Management Protocols</p> <p>Electronic Document Management System (TRIM)</p>

### 1.2.8 Waste Local Law

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Waste Local Law 2020</i> cl 2.3 General waste receptacles cl 2.4 Recycling waste receptacles cl 2.5 Organic waste receptacles cl 2.7 Duties of owner or occupier cl 2.8 Exemption cl 2.9 Damaging or removing receptacles cl 4.2 Hours of operation cl 4.5 Depositing waste cl 4.6 Prohibited Activities Schedule 1 (l) Non Collectable Waste
<b>Delegate:</b>	Chief Executive Officer
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to determine; <ol style="list-style-type: none"> <li>a. the weight for general waste receptacles [cl2.3(1b)]</li> <li>b. the weight for recycling waste receptacles [cl2.4(c)]</li> <li>c. the weight for organic waste receptacles [cl2.5(c)]</li> <li>d. an area for placing a receptacle for collection [cl2.7(b)]</li> <li>e. the hours of operation of a waste facility [cl4.2]</li> <li>f. the classification of any waste that may be deposited at a waste facility [cl4.5(2)]</li> <li>g. non-collectable waste [Schedule 1]</li> </ol> 2. Authority to authorise; <ol style="list-style-type: none"> <li>a. damage, destroy or interfere with a receptacle [cl2.9(b)]</li> <li>b. a person to remove any waste or any other thing from a waste facility [cl4.6(1a)]</li> <li>c. a person to deposit at a waste facility that is a landfill site any waste that is toxic, poisonous or hazardous, or the depositing of which is regulated or prohibited by any written law [cl4.6(1b)]</li> <li>d. a person to light a fire in a waste facility [cl4.6(1c)]</li> <li>e. a person to remove, damage or otherwise interfere with any flora in a waste facility [cl4.6(1d)]</li> <li>f. a person to remove, injure or otherwise interfere with any fauna in a waste facility [cl4.6(1e)]</li> <li>g. a person to damage, deface or destroy any building, equipment, plant or property within a waste facility [cl4.6(1f)]</li> </ol> 3. Authority to; <ol style="list-style-type: none"> <li>a. decide if an exemption ceases to apply on reasonable grounds, that there has been a failure to comply with a condition of the exemption [cl2.8(4a)]</li> <li>b. inform the owner or occupier of its decision under clause</li> </ol>

## Delegation Register – Council to CEO

	2.8(4)(a) [cl2.8(4b)]
Council Conditions on this Delegation:	This delegation may only be exercised in accordance with policies or strategies formally adopted by Council.
Express Power to Sub-Delegate:	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: <i>Appointed by CEO</i>	Refer to Register of Delegation - CEO to Employees
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CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	This delegation may only be exercised in accordance with policies or strategies formally adopted by Council.
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Compliance Links:	Local Government Act 1995 – section 5.46(3) Local Government (functions and general ) Regulations 1996 Waste Local Law 2020
Recordkeeping:	Council Policy 4.13 Recordkeeping and Operational Policy OP053 Document Management Protocols Electronic Document Management System (TRIM)