



DELEGATION OF AUTHORITY	
TITLE: INDUSTRIAL RELATIONS	
Delegation by the Council to: Chief Executive Officer	Date:
Source of Authority: <i>Local Government Act 2009 Section 257</i> <i>Industrial Relations Act 2016</i> <i>Industrial Relations Regulation 2018</i>	

Delegated Power:

- To exercise powers of the Council pursuant to the *Industrial Relations Act 2016*.

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as the employer, to ask or require an employee to work additional hours if the hours are reasonable under section 26.	Section 23(2)
Power, as the employer, to agree with an employee who is not covered by an applicable industrial instrument, to an averaging arrangement.	Section 25(1)
Power, as the employer, to decide an employee's request for flexible working arrangements with or without conditions	Sections 28(1) and (2)
Power, as the employer, to give written notice of the decision on an employee's request for flexible working arrangements.	Section 28(3)
Power, as the employer, to agree when an employee is to take annual leave.	Section 33(1)
Power, as the employer, and where the employer and employee cannot agree when the employee is to take annual leave, to decide when the employee is to take the leave and give the applicable notice to the employee.	Section 33(3)
Power, as the employer, to agree that an employee may take annual leave before becoming entitled to it.	Section 33(4)
Power, as the employer, to agree to pay the employee for annual leave otherwise than in advance.	Section 35(1)
Power, as the employer, to agree that an employee may cash out a particular amount of annual leave.	Section 37(2)
Power, as the employer, to pay an employee for annual leave not taken on termination of employment.	Section 38(3)
Power, as the employer, to agree to an employee taking additional unpaid carer's leave.	Section 42(4)
Power, as the employer, to agree to an employee who is a short term casual taking additional unpaid carer's leave.	Section 43(3)
Power, as the employer, to agree to an employee who is a long term casual taking additional unpaid carer's leave	Section 44(3)
Power, as the employer, to require an employee to give a doctor's certificate or statutory declaration as evidence of the need to take carer's leave for more than 2 consecutive days.	Section 45(1)
Power, as the employer, to require an employee to give a statutory declaration or evidence mentioned in section 45(3)(a) to (d) as evidence of the need to take carer's leave to care for or support a person who has experienced domestic violence	Section 45(2)

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as the employer, to require an employee to give a copy of a funeral notice or other evidence as evidence of a death resulting in the taking of bereavement leave.	Section 49(1)
Power, as the employer, to require an employee to give evidence to satisfy a reasonable person that the employee was taking compassionate leave because a member of the employee's family or household's life was threatened by personal illness or personal injury.	Section 49(2)
Power, as the employer, to agree to an employee taking additional unpaid bereavement leave or compassionate leave.	Section 50
Power, as the employer, to agree to an employee taking unpaid cultural leave	Section 51(2)
Power, as the employer, to agree to an employee taking additional unpaid domestic and family violence leave.	Section 52(5)
Power, as the employer, and where an employee has claimed domestic and family violence leave, to ask the employee for evidence that the employee has experienced domestic violence and needs to take leave as a result	Section 54(1)
Power, as the employer, to inform the employee his/her entitlements and obligations under chapter 2, part 3, division 8	Section 71(2)
Power, as the employer that has decided to implement significant change at a workplace, to advise employees on parental leave about the proposed change before it is implemented and give each employee reasonable opportunity to discuss any significant effect the change will have on the employee's position	Section 72
Power, as the employer, to agree to an employee entitled to parental leave under subdivision 2, or who is taking parental leave, making more than 1 application under subsection (1) within a 12-month period in relation to a particular instance of parental leave.	Section 73(2)
Power, as the employer, to agree to an employee on parental leave, making more than 1 application under subsection (1) within a 12-month period.	Section 74(2)
Power, as the employer, to decide an application by an employee entitled to or taking parental leave to extend parental leave if the circumstances of section 73 exist, to discuss the application and to give written notice of that decision.	Section 76
Power, as the employer, to decide an application by an employee on parental leave to return to work on a part-time basis pursuant to section 74, to discuss the application and to give written notice of that decision.	Section 76
Power, as the employer, to nominate a time for the employee to resume work.	Section 78(3)
Power, as the employer, to agree to an employee taking paid sick leave or other paid leave whilst the employee is on unpaid parental leave.	Section 79(3)
Power, as the employer, to agree to an employee on parental leave performing work on a keeping in touch day.	Section 80(1)(b)
Power, as the employer, to agree that an employee break the period of parental leave by returning to work.	Section 81
Power, as the employer, to agree to an employee on parental leave shortening the period of leave.	Section 83
Power, as the employer, to give notice to the employee of the day on which the employee must return to work and, if the employee returns to work, to cancel the rest of the parental leave.	Section 84
Power, as the employer of a female employee whose present work is, because of her pregnancy or breastfeeding, a risk to the health or safety of the employee or her unborn or newborn child, to temporarily adjust the employee's working conditions or hours of work, or transfer the employee to other appropriate work.	Section 89
Power, as the employer of a replacement employee, to give the replacement employee written notice of the temporary nature of the employment and the parent's right to return to work.	Section 92(1)

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as the employer, to agree when an employee is to take long service leave.	Section 97(2)
Power, as the employer, and where the employer and employee cannot agree when the employee is to take long service leave, to decide when the employee is to take the leave and give the applicable notice to the employee.	Section 97(3)
Power, as the employer, where the employee is on long service leave and where the ordinary rate is increased or reduced, to pay the employee at the increased or reduced rate for the leave period to which the increased or reduced rate applies.	Section 98(4)
Power, as the employer, to agree on when, and the way in which, the employee will be paid for long service leave	Section 101
Power, as the employer, to agree in writing with the employee that the employee be paid for all or part of an entitlement to long service leave instead of taking the leave.	Section 110(2)
Power, as the employer, upon an employee's death, to pay the employee's legal personal representative any amount payable for the employee's entitlement to long service leave that has not already been paid.	Section 111(2)
Power, as the employer, to ask an employee to work on a public holiday if the request is reasonable.	Section 116(2)
Power, as the employer, to dismiss an employee if the circumstances of section 121(1) exist.	Section 121(1)
Power, as the employer who obtains other acceptable employment for the employee or cannot pay the amount, to apply to the commission for an order reducing the amount of the redundancy pay to a stated amount the commission considers appropriate.	Section 127(2)
Power, as the employer, to give each employee before, or as soon as practicable after, the employee starts working for the employer, the information and documents required by section 129(1).	Section 129
Power, as an employer, to apply to the commission to:- (a) make a modern award; or (b) make an order varying a modern award.	Section 147(2)(b)
Power, as an employer, to apply to the commission to make an order revoking a modern award.	Section 150(3)(b)(iii)
Power, as a person to whom a modern award applies, to apply to the commission to review the award.	Section 156(1)(b)(i)
Power, as an employer, to make a certified agreement with 1 or more employee organisations that represent, or are entitled to represent, Council's employees, or the employees of Council at the time the agreement is made.	Section 165
Power, as an employer, to consent to the making of a bargaining award.	Section 167(a)
Power, as a proposer, to give a notice of intention to:- (a) the other proposed parties to the negotiations; (b) if the negotiations relate to a project agreement—all relevant employee organisations and the commission.	Section 169(2)
Power, as a recipient of a notice of intention where the negotiations:- (a) relate to a project agreement; or (b) involve a multi-employer agreement, to give written notice of Council's intention to be a party to the negotiations to the proposer and the commission.	Section 170(2)
Power, as the employer and where the circumstances of section 171(1) exist, to take reasonable steps to ensure compliance with section 171(2).	Section 171(2)
Power, as the employer and where the circumstances of section 171(1) exist, to give the relevant employee organisation a reasonable opportunity to represent the employee as required by section 171(4).	Section 171(4)

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as the employer and where the circumstances of section 172(1) exist, to negotiate with the single bargaining unit.	Section 172(2)
Power, as negotiating party, to negotiate in good faith and do all things listed in subsections (2) and (3).	Section 173
Power, as negotiating party, where the peace obligation period has ended, to ask the commission to help the parties reach an agreement	Section 175(1)(b)
Power, as one of the negotiating parties, to notify the commission that the parties intend to resume negotiating without the commission's help.	Section 175(2)
Power, as a negotiating party, to comply with an attendance notice and negotiate on Council's behalf at a conciliation conference.	Section 176(2)
Power, as one of the negotiating parties, to apply to the commission for arbitration of the matter.	Section 178(1)
Power, as one of the negotiating parties, to agree matters with the other negotiating parties before or during an arbitration of the matter.	Section 181(1)
Power, as a negotiating party, to agree with the other negotiating parties the nominal expiry date for the arbitration determination.	Section 183(1)
Power, as a negotiating party, to apply to the commission for a scope order.	Section 184(1)
Power, as a party to an agreement, to apply to the commission to certify the agreement.	Section 189(1)
Power, as a party to a proposed bargaining award, to apply to the commission to:- (a) make the bargaining award; and (b) terminate the relevant modern award.	Section 190(2)
Power, as a person who will be covered by a proposed bargaining instrument, to take action that may be necessary to enable the commission to grant the application, including participating in a conciliation on Council's behalf.	Section 194
Power, as a party to a proposed bargaining instrument, to sign it on Council's behalf.	Section 196(1)(b)
Power, as an employer in the circumstances set out in subsection (1), to apply to the commission for a decision under subsection (3).	Section 213(3)
Power, as the employer, on or before the nominal expiry date of a bargaining instrument, to, apply to the commission to extend the nominal expiry date.	Section 223(1))
Power, as an employer, to apply to the commission to amend a bargaining instrument.	Section 225(1)
Power, as an approving party, to approve an amendment to a bargaining instrument.	Section 225(2)(a)(i)
Power, as a person to whom a bargaining instrument applies, to apply to the commission to amend the instrument in one of the ways set out in subsection (5) and to agree to any amendment.	Section 225(5)
Power, as a party to a bargaining award or a proposed new party to the award, to, in the circumstances set out in subsection (1), apply to the commission to amend the bargaining award so the award applies to the proposed new party.	Section 226(2)
Power, as the employer, on or before the nominal expiry date of a certified agreement or arbitration determination, to apply to the commission to terminate the agreement or determination.	Section 227(1)
Power, as the employer, after the nominal expiry date of a certified agreement or arbitration determination, to apply to the commission to terminate the agreement or determination.	Section 228(1)
Power, as the person who intends to terminate the agreement or determination to give all other persons to whom the agreement or determination applies, notice of the intention.	Section 228(2)

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as a party to an agreement or determination that does not provide for the way it may be terminated, to agree to the agreement or determination being terminated.	Section 228(3)(b)(i)
Power, as a negotiating party for a proposed bargaining instrument, to take protected industrial action for the proposed instrument subject to the requirements of Chapter 4, Part 8.	Section 232
Power, as the employer intending to take the industrial action, to give notice of the intention to all of the negotiating parties for the proposed bargaining instrument, either in writing or by taking other reasonable steps to notify employees of the intended action.	Section 236
Power, as the employer taking industrial action that is the lockout of an employee, to refuse to pay the employee for the period of the lockout.	Section 237(3)
Power, as a negotiating party for a proposed bargaining instrument, to apply to the commission for an order to suspend or terminate protected industrial action for the proposed bargaining instrument being engaged in, or threatened to be engaged in	Section 240(1)
Power, as a negotiating party for a proposed bargaining instrument, to apply to the commission for an order to suspend or terminate protected industrial action for the proposed bargaining instrument being engaged in, where the industrial action has threatened, is threatening or would threaten;- (a) to endanger the life, personal safety or health, or welfare of the State's population or part of it; or (b) to cause significant damage to the State's economy or an important part of it.	Section 241(1)
Power, as the employer, to apply to the registrar for a certificate stating that the employer need not negotiate with an employee organisation under chapter 4 because of a circumstance in section 171(5).	Section 242(2)
Power, as a party to a certified agreement or a bargaining award, to sign the affidavit prepared pursuant to subsection (2) on behalf of Council.	Section 250(3)
Power, as a relevant party subject to a direction of the commission, to comply with the direction on behalf of Council, including signing any affidavit required under subsection (3).	Section 251(4)
Power, as a party to an industrial dispute, in the circumstances referred to in subsection (1), to give the registrar written notice of the dispute.	Section 261(1)
Power, as a party directly involved in an industrial cause, to request the registrar act as mediator in the cause.	Section 263(a)
Power, as a person served with an attendance notice, to attend the compulsory conference and agree to measures which attempt to prevent or settle the dispute.	Section 264(1)
Power, as a person the subject of an order, to prepare, file and sign an affidavit under subsection (3)(c).	Section 265(3)
Power, as a person served with a show cause notice, to show cause to the full bench at the stated time why Council should not be dealt with under section 266.	Section 265(7)
Power, as the employer, to pay or refuse to pay, an employee for a period when the employee engages in a strike.	Section 268(1)
Power, as an employer against whom the strike was organised, engaged in or threatened, to make an application to the commission for an order for a contravention of section 268.	Section 269(2)
Power, as a person who has been affected by a contravention of Chapter 8, Part 1, to apply to the commission for the commission to deal with the dispute.	Section 309(1)
Power, as an applicant or an employer, to attend a conciliation conference at a stated time and place and attempt to settle the matter on behalf of Council.	Section 312(2)

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as an employer, to attend a conciliation conference at a stated time and place and attempt to settle the matter on behalf of Council.	Section 318(2)
Power, as a party, to seek further conciliation, or settle the matter, at any time before an order is made under section 321 or 322.	Section 318(5)
Power, as the employer that has decided to dismiss 15 or more employees for economic, technological or structural reasons, to dismiss the employees if the circumstances of section 329(1) apply and give the requisite notices.	Section 329(1)
Power, as the employer, to give each employee organisation the opportunity to consult on the ways listed in section 330(1).	Section 330
Power, as the employer, to stand down an employee if the circumstances of section 333 apply	Section 333
Power, as the employer, to apply to the commission for an authorised officer's authority under section 337 to be revoked or suspended	Section 338(1)
Power, as the employer, to keep a time and wages record for each industrial instrument employee as required by section 339.	Section 339(1)
Power, as the employer and upon request by the employee, to give the employee a certificate stating the total hours recorded under section 339(1)(d) for the employee, worked out to the previous 30 June.	Section 339(5)
Power, as the employer, to keep a time and wages record for each non-industrial instrument employee as required by section 340.	Section 340(1)
Power, as the employer and upon request by the employee, to give the employee a certificate stating the total hours recorded under section 340(1)(d) for the employee, worked out to the previous 30 June.	Section 340(5)
Power, as the employer, to keep an employee register as required by section 341.	Section 341(1)
Power, as the employer, when paying an employee wages, to give the employee a written statement as required by section 343(2).	Section 343(1)
Power, as the employer, when asked by the inspector to inspect, or for electronic access to, the time and wages record, to comply with the request.	Section 344(2)
Power, as the employer, when asked by the registrar to inspect, or for electronic access to, the time and wages record, to comply with the request	Section 346(2)
Power, as the employer, when directed by the registrar, to give the employee register or index to a stated person, at a stated reasonable time and place.	Section 346(4)
Power, as the employer, to agree to an employee inspecting the time and wages record for that employee's particulars, as permitted by section 347(2)(a) and (b), and to give the particulars to the employee in writing.	Section 347
Power, as the employer, to agree to an employee inspecting the time and wages record:- (a) more than once in any 12-month period; or (b) outside the employer's business hours; or (c) during the employee's working time.	Section 347(2)
Power, as the employer, to require an authorised officer to produce the officer's authorisation.	Section 348(2)
Power, as the employer, where an authorised officer fails to produce the officer's authorisation, to treat the office as a trespasser.	Section 348(5)
Power, as the employer, when asked by the authorised officer for an item in section 350(1), to comply with the request and to refuse to comply if the circumstances of section 350(3) or 350(5) exist.	Section 350
Power, as the employer, to keep an accurate written account of the amounts received from the prime contractor, and of the way the amounts have been disbursed or disposed of.	Section 359(4)

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as the employer, to produce the account for inspection to an employee in the circumstances set out in subsection (a) to (c) and allow the employee to make a copy of the account.	Section 359(5)
Power, as a prime contractor served with an attachment notice, to keep from the amounts payable, or to become payable, by the prime contractor to the employer for the contracted work, an amount sufficient to satisfy:- (a) the claim for wages stated in the notice; and (b) all further claims for wages stated in notices of attachment served on the prime contractor within 7 days after the service of the first notice.	Section 361(2)
Power, as a prime contractor served with an attachment notice, to pay the amount to which the notice relates to a clerk of the Magistrates Court.	Section 361(4)
Power, as a prime contractor, to pay the amount stated in the relevant order to the employee from the amounts attached and kept in the hands of the prime contractor.	Section 362(4)
Power, as a prime contractor, to ask the employee to sign a discharge for the amount paid for a claim for wages to which an order under section 362 relates	Section 366
Power, as the employer, where an employee's consent authorising a deduction to be made from wages is not written, to, before making the deduction, give the employee written acknowledgement of the consent.	Section 371(5)
Power, as the employer, to pay each employee's wages at least monthly to the employee.	Section 373(1)
Power, as the employer, where the circumstances in subsection (1) apply, to immediately at the end of the 30 days, pay the wages payable to the former employee to the nearest clerk of the Magistrates Court.	Section 375(2)
Power, as the employer, to recover an amount to which the employee is not entitled by deducting amounts from the employee's wages for a subsequent pay period or periods.	Section 376(2)
Power, as the employer, where an employee ceases employment without giving the employer the notice required by an industrial instrument, to deduct from the employee's wages an amount stated by an industrial instrument.	Section 377
Power, as the employer, to contribute, for eligible employees, to the approved superannuation fund at the level required by the relevant industrial instrument.	Section 394(1)
Power, as a person who may be directly affected by the declaration, to apply to the commission for a declaration about an industrial matter.	Section 463(1)
Power, as an employer, to apply to the commission for an interpretation of an industrial instrument, other than a certified agreement or bargaining award.	Section 467(1) and 468(1)
Power, as a person bound by the agreement, to apply to the commission for an interpretation of a certified agreement or bargaining award.	Section 467(1) and 468(2)
Power, as a party to an industrial cause, to agree in writing to the parties requesting the commission to assist the parties in negotiating or resolving a matter relevant to the industrial cause, whether or not the matter is within the jurisdiction of the commission and to agree that the request being amended.	Section 469(1) and (2)
Power, as a party to an industrial cause, to agree, in writing, for the decision of the commission to bind the parties.	Section 469(4)
Power, as a party to a dispute, to make a referral agreement with the other parties to the dispute.	Section 470 (1)(b)
Power, as a party to a dispute, in the circumstances set out in subsection (1), to apply to the commission for the commission to perform its dispute resolution functions.	Section 470(2)
Power, as a party to a contract, in the circumstances set out in subsection (1), to apply to the commission for the commission to amend or declare void (wholly or partly) the contract.	Section 471(1)

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as a person under section 474, to apply to the commission for the commission to grant an injunction:- (a) to compel compliance with an industrial instrument, a permit or this Act; or (b) to restrain or prevent a contravention, or continuance of a contravention, of an industrial instrument, a permit or this Act.	Section 473(1)
Power, as an employer, to apply to the full bench for the orders set out in section 479 about a demarcation dispute.	Section 479
Power, as a person mentioned in section 485, to apply to the full bench or the commission for proceedings to be reopened.	Section 484(1)
Power, as a party to proceedings, to appoint in writing, an agent to represent Council in the proceedings.	Section 529(1)(a)
Power, as a person aggrieved by a decision of the court or the full bench constituted by the president and 2 or more other members, to appeal to the Court of Appeal.	Section 554(1)
Power, as a person aggrieved by a decision of the full bench constituted by the president and 2 or more other members, to seek the leave of the Court of Appeal to appeal.	Section 554(2)
Power, as a person aggrieved by a decision of a magistrate, to appeal to the court.	Section 556
Power, as a person aggrieved by a decision of the commission, to appeal to the court.	Section 557(1)
Power, as a person aggrieved by a decision of the commission, to seek the leave of the court to appeal.	Section 557(2)
Power, as a person aggrieved by a decision of the registrar, to appeal to the full bench.	Section 560(1)
Power, as a person aggrieved by a decision of the registrar, to seek the leave of the full bench to appeal.	Section 560(2)
Power to apply to the industrial tribunal to allow a longer period in which to start an appeal.	Section 564(2)
Power, as a person mentioned in column 2 of schedule 3 to apply to the relevant industrial tribunal for an order in relation to a contravention, or alleged contravention, of a civil penalty provision.	Section 572
Power, as a person subject to a requirement from an inspector to produce a document, to comply with the requirement.	Section 912(2)
Power, as an employer subject to a written demand by an inspector under subsection (1), to comply with the demand.	Section 915(2)
Power, as an employer, to pay wages payment to an employee under the Act, a relevant industrial instrument or a permit, in accordance with the employee's written direction.	Section 928(1)(b)
Power, as the employer in a workplace where an industrial instrument applies, to display a copy of the industrial instrument as required by section 934(2).	Section 934(2)
Power, as the employer, where a person whose employment with the employer has been terminated has asked for a certificate described in section 935(1), to give the certificate.	Section 935(2)

2. To exercise powers of the Council pursuant to the *Industrial Relations Regulation 2018*.

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as the employer, when working out continuous service under section 123(1) of the Industrial Relations Act 2016, to notify the employee that another absence from work breaks the employee's continuous service	Section 4(1)(c)

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as the employer, when working out continuous service under section 123(1) of the Industrial Relations Act 2016, to withdraw a notice to the employee given under section 4(1)(c)	Section 4(5)(b)

Conditions of Delegation:

1. The delegated officer must exercise this delegation in accordance with council; resolutions, policies, guidelines, procedures, industrial instruments and agreements.
2. If the Chief Executive Officer delegates any of these powers the delegated officer must exercise any delegated power in accordance with the scope and limitations of the subject officer's letter of appointment and/or, position description, qualifications, technical knowledge and legislative requirements.
3. In the event that there is a change to any Delegate Position as set out in the schedule of this instrument (Former Delegated Position) which is not then reflected in this Instrument:
 - a. for any Former Delegated Position that remains in existence and has been renamed, the reference in this Instrument to the Former Delegated Position will be read as a reference to the renamed position; and
 - b. for and Former Delegated Position that ceases to exist, the reference in this Instrument to the Former Delegated Position will be read as being a reference to the position that then most closely resembles the Former Delegated Position.

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1. The powers and authorities set out above are hereby delegated to the Officer(s) designated.
 2. This Delegation is authorised for inclusion in the Delegation of Authority Register.

DELEGATION OF AUTHORITY

TITLE: LAND TITLE

Delegation by the Council to:

Date:

Chief Executive Officer

Source of Authority:

Local Government Act 2009 - Section 257

Land Title Act 1994

Delegated Power:

1. To exercise powers of the Council pursuant to the *Land Title Act 1994*.

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as a person served with a written notice by the registrar, to give public notice of a request listed in subsection (1) and to satisfy the registrar that the public notification has been given.	Section 18
Power to undertake the searches and obtain copies of the documents described in section 35(1)/	Section 35(1)
Power, as the registered owner, to ask the registrar to issue a certificate of title.	Section 42(1)
Power, as the registered owner, to agree to a plan of subdivision and dedicating the public use land	Section 50(1)(b)
Power, as the relevant planning body, to approve a plan of subdivision.	Section 50(1)(h)
Power, as the registered proprietor whose interests are affected by the plan, to consent to a plan of subdivision.	Section 50(1)(j)
Power, as the registered owner of a lot, to dedicate the lot as a road for public use.	Section 54(1)
Power, as the relevant planning body, to approve a dedication notice to dedicate a lot as a road for public use.	Section 54(3)
Power, as the registered owner, to sign a building management statement for registration.	Section 54B(1)
Power, as the registered owner, to sign an instrument of amendment for a building management statement.	Section 54E(2)
Power, as the registered owner of all lots to which a building management statement applies, to ask the registrar to extinguish the building management statement.	Section 54G
Power, as the registered owner, to sign an instrument of extinguishment or partial extinguishment for a building management statement.	Section 54H(3)

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as the registered owner of a lot with two or more registered owners, to request the registrar create separate a indefeasible title for the interest of each owner.	Section 57
Power, as a registered owner subject to a joint tenancy, to unilaterally sever the joint tenancy.	Section 59(1)
Power, as a registered owner subject to a joint tenancy, to give notice of the severing of the joint tenancy in the way prescribed by subsection (2).	Section 59(2)
Power to register an instrument of transfer for the transfer of a lot or interest to or from Council.	Section 60(1)
Power to register an instrument of lease for the lease of a lot, or part of a lot, to or from Council.	Section 64
Power to register an instrument of amendment of a lease to or from Council.	Section 67(1)
Power, as the relevant local government, to approve the instrument of lease where it is for reconfiguring a lot within the meaning of the Planning Act 2016.	Section 65(3A)
Power, as a lessor under a registered lease who has lawfully re-entered and taken possession under the lease, to lodge a request for the registrar to register the re-entry.	Section 68(1)
Power, as a lessor or lessee under a registered lease, to execute and register an instrument of surrender of the lease.	Section 69(1)
Power, as a sublessee, to consent to the surrender of the lease.	Section 69(2)
Power, as a sublessee, to consent to the surrender of the lease.	Section 69(2)
Power to register an instrument of easement benefiting or burdening land owned by Council.	Section 82(1)
Power, as the registered owner, lessee, person entitled to the land or public utility provider, to sign an instrument of easement for particular easements.	Section 83(1)(b)
Power, as the relevant local government, to approve the plan of survey for the creation of an easement giving access to a lot from a constructed road where it is the reconfiguring of a lot under the Planning Act 2016.	Section 83(2)
Power, as the registered owner of a lot burdened by an easement in favour of a public utility provider that is not a public thoroughfare easement, to recover from the public utility provider a reasonable contribution towards the cost of keeping the part of the lot affected by the easement in a condition appropriate for enjoyment of the easement.	Section 85B(2)
Power, as the registered owner of the lot benefited and the lot burdened by an easement, to ask the registrar to extinguish the easement.	Section 87
Power to register an instrument of surrender of an easement benefiting or burdening land owned by Council.	Section 90(1)
Power to sign an instrument of surrender of an easement.	Section 90(2)
Power, as a lessee or sublessee of a lot benefited by an easement, to consent to surrender of the easement.	Section 90(3)
Power to register an instrument of amendment of an easement benefiting or burdening land owned by Council	Section 91(1)

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as a local government and covenantee, to register an instrument of covenant.	Section 97A
Power, as a local government and covenantee, to register an instrument of amendment of a covenant.	Section 97C
Power, as a local government and covenantee, to sign and register an instrument of surrender of a covenant.	Section 97D
Power to register an instrument of profit a prendre benefiting or burdening land owned by Council.	Section 97E
Power, as the registered owner of the lot benefited and the lot burdened by a profit a prendre, to ask the registrar to extinguish the profit a prendre.	Section 97I
Power to register an instrument of amendment of a profit a prendre benefiting or burdening land owned by Council.	Section 97K
Power to register an instrument of release of a profit a prendre benefiting or burdening land owned by Council.	Section 97L
Power to register instrument of carbon abatement interest for a lot owned by Council or over which Council has an interest.	Section 97O
Power to apply to be registered as owner of a lot as an adverse possessor.	Section 99(1)
Power to withdraw an application to be registered as owner of a lot as an adverse possessor and request that all documents lodged in support of the claim be returned	Section 100
Power, as a person claiming an interest in a lot the subject of an adverse possession claim, to lodge a caveat	Section 104
Power, as a caveator given a written notice under subsection (1), to:- (a) start a proceeding in the Supreme Court to recover the lot; and (b) give written notice, in the way the registrar requires, to the registrar that the proceeding has started.	Section 106(2)
Power, as a caveator that does not agree to the registration of the applicant for a lesser interest in the lot, to:- (a) start a proceeding in the Supreme Court to recover the lot; and (b) give written notice, in the way the registrar requires, to the registrar that the proceeding has started.	Section 107(2)
Power, as an applicant, to sign the plan of subdivision as if the applicant were the registered owner of the relevant lot.	Section 108A
Power, as the registered owner holding the interest in the lot as trustee, to lodge an instrument of transfer to register the interest as being held as trustee.	Section 110(1)
Power, as a person who is beneficially entitled under a will to a lot or an interest in a lot of a deceased registered proprietor, to apply to the registrar to be registered as proprietor of the lot.	Section 112(1)
Power, as a person mentioned in section 114(1), to apply to the Supreme Court for an order to be registered as proprietor of the lot.	Section 114(2)
Power to lodge a caveat.	Section 122
Power to withdraw a caveat.	Section 125

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as a caveatee, to serve on the caveator a notice requiring the caveator to start a proceeding in a court of competent jurisdiction to establish the interest claimed under the caveat and to notify the registrar of service of the notice.	Section 126(2) and (3)
Power, as a caveator served with a notice under subsection (2), to:- (a) start a proceeding in a court of competent jurisdiction to establish the interest claimed under the caveat; and (b) notify the registrar that a proceeding has been started and the identity of the proceeding.	Section 126(4)
Power, as a caveatee, to apply to the Supreme Court for an order that a caveat be removed.	Section 127(1)
Power to lodge a request to cancel a caveat.	Section 128(1)
Power to seek the leave of a court of competent jurisdiction to lodge a further caveat.	Section 129(2)
Power to deposit a priority notice for a lot.	Section 139(1)
Power to deposit a request to extend a priority notice.	Section 141(1)
Power to deposit a request to withdraw a priority notice.	Section 143(1)
Power, as an affected person for a lot to which a priority notice applies, to apply to the Supreme Court for an order that the priority notice be removed.	Section 144(1)
Power to deposit a request to cancel a priority notice.	Section 145 (1)(a)
Power, as the depositor of a priority notice, to request a correction to the priority notice.	Section 149(1)
Power to comply with a requisition given to Council by the registrar.	Section 156(3)
Power to apply to the registrar to relodge an instrument that the registrar has permitted to be withdrawn.	Section 159(4)
Power to comply with a requirement of the registrar to deposit an instrument for correction or cancellation.	Section 160
Power to comply with a requirement of the registrar to lodge a plan of survey for the lot.	Section 165
Power to lodge a standard terms document and amend a standard terms document on Council's behalf.	Section 169(1)
Power to request the registrar to withdraw a standard terms document on Council's behalf.	Section 172(1)
Power, as a person affected by a correction, to apply to the Supreme Court for an order that the correction be amended or set aside.	Section 186(2)
Power, as a person with an entitlement to compensation under section 188 or 188A, to apply to the Supreme Court for an order:- (a)for compensation to be paid by the State; (b)directing the registrar to take stated action	Section 188B(1)

Conditions of Delegation:

1. The delegated officer must exercise this delegation in accordance with Council resolutions, policies, guidelines, procedures, industrial instruments and agreements.
2. If the CEO on delegates any of these powers the delegated officer must exercise any delegated power in accordance with the scope and limitations of the subject officer's letter of appointment and/or, position description, qualifications, technical knowledge and legislative requirements.
3. In the event that there is a change to any Delegate Position as set out in the schedule of this instrument (Former Delegated Position) which is not then reflected in this Instrument:
 - a. for any Former Delegated Position that remains in existence and has been renamed, the reference in this Instrument to the Former Delegated Position will be read as a reference to the renamed position; and
 - b. for and Former Delegated Position that ceases to exist, the reference in this Instrument to the Former Delegated Position will be read as being a reference to the position that then most closely resembles the Former Delegated Position.

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1. The powers and authorities set out above are hereby delegated to the Officer(s) designated.
 2. This Delegation is authorised for inclusion in the Delegation of Authority Register.

DELEGATION OF AUTHORITY

TITLE: NATURE CONSERVATION

Delegation by the Council to:

Date:

Chief Executive Officer

Source of Authority:

Local Government Act 2009 - Section 257

Nature Conservation Act 1992

Nature Conservation (Wildlife Management) Regulation 2006

Delegated Power:

1. To exercise powers of the Council pursuant to the *Nature Conservation Act 1992*.

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as a landholder, to make a submission to the Minister about the proposed declaration of a nature refuge.	Section 44(4)
Power, as a landholder, to make an objection to a proposed compulsory declaration of a nature refuge.	Section 49(2) (c)
Power, as a local government, to prepare a statement of management intent for protected wildlife required by the Minister and publish it on Council's website.	Section 100K
Power, as a landholder of land subject to an interim conservation order, to claim compensation.	Section 108(1)
Power, as a landholder, to make a submission about a draft management plan.	Section 115A(3)(c)
Power, as a landholder, to claim compensation for injurious affection arising where:- (a) a regulation is made, or a conservation plan is approved, for an area identified under the regulation or plan as, or including, a critical habitat or an area of major interest; and (b) a landholder's interest in land in the area is injuriously affected by a restriction or prohibition imposed under the regulation or plan on	Section 137A(5)

2. To exercise powers of the Council pursuant to the *Nature Conservation (Wildlife Management) Regulation 2006*.

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as the holder of a damage mitigation permit, to give a return of operations for the permit to the chief executive.	Section 188

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power, as the holder of a flying-fox roost management permit, to give a return of operations for the permit to the chief executive.	Section 188G
Power, as a local government, to give the Chief Executive information about:- (a) an area zoned for use for residential or commercial purposes under the local government’s planning scheme; and (b) ask the chief executive to amend the urban flying-fox management area map to include the area.	Section 379(2)
Power, as a local government, to respond to a request from the Chief Executive pursuant to this section.	Section 383(2)(a)

Conditions of Delegation:

1. The delegated officer must exercise this delegation in accordance with Council resolutions, policies, guidelines, procedures, industrial instruments and agreements.
2. If the CEO on delegates any of these powers the delegated officer must exercise any delegated power in accordance with the scope and limitations of the subject officer’s letter of appointment and/or, position description, qualifications, technical knowledge and legislative requirements.
3. In the event that there is a change to any Delegate Position as set out in the schedule of this instrument (Former Delegated Position) which is not then reflected in this Instrument:
 - a. for any Former Delegated Position that remains in existence and has been renamed, the reference in this Instrument to the Former Delegated Position will be read as a reference to the renamed position; and
 - b. for and Former Delegated Position that ceases to exist, the reference in this Instrument to the Former Delegated Position will be read as being a reference to the position that then most closely resembles the Former Delegated Position.

1. The powers and authorities set out above are hereby delegated to the Officer(s) designated.
 2. This Delegation is authorised for inclusion in the Delegation of Authority Register.

DELEGATION OF AUTHORITY

TITLE: PEACEFUL ASSEMBLY ACT 1992

Delegation by the Council to:

Date:

Chief Executive Officer

Source of Authority:

Local Government Act 2009 - Section 257

Peaceful Assembly Act 1992

Delegated Power:

1. To exercise the powers of Council pursuant to the *Peaceful Assembly Act 1992*.

DESCRIPTION OF POWER DELEGATED	LEGISLATION
Power to nominate an officer of Council as a “ <i>representative</i> ”.	Section 4
Power, as a local authority, to give a notice under subsection (2)(b) and impose conditions in the notice.	Sections 10(2)(b) and 11
Power, as an owner or occupier, to give a notice under subsection (2)(c).	Section 10(2)(c)
Power, as a relevant authority, to consult under subsections (4) or (5).	Sections 11(4) or (5)
Power, as a relevant authority, to apply to a Magistrates Court for an order refusing to authorise the holding of the assembly.	Section 12
Power, as a relevant authority, to consult with each interested person.	Section 13(1)(c)
Power, as a relevant authority, to engage in a mediation process.	Section 13(1)(d)
Power, in the circumstances provided in subsection (3), to:- (a) fix a reasonable time and place for holding the consultations; and (b) cause a notice of the time and place to be published in a newspaper circulating in the area in which the assembly is proposed to be held.	Section 13(3)
Power, as a relevant authority, to notify the organiser in writing that it does not oppose the holding of the assembly.	Section 15(1)
Power, as a relevant authority, to participate in a mediation process.	Section 15(2)

Conditions of Delegation:

1. The delegated officer must exercise this delegation in accordance with council; resolutions, policies, guidelines, procedures, industrial instruments and agreements.
2. If the Chief Executive Officer delegates any of these powers the delegated officer must exercise any delegated power in accordance with the scope and limitations of the subject officer’s letter of appointment and/or, position description, qualifications, technical knowledge and legislative requirements.

3. In the event that there is a change to any Delegate Position as set out in the schedule of this instrument (Former Delegated Position) which is not then reflected in this Instrument:

- a. for any Former Delegated Position that remains in existence and has been renamed, the reference in this Instrument to the Former Delegated Position will be read as a reference to the renamed position; and
- b. for and Former Delegated Position that ceases to exist, the reference in this Instrument to the Former Delegated Position will be read as being a reference to the position that then most closely resembles the Former Delegated Position.

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1. The powers and authorities set out above are hereby delegated to the Officer(s) designated.
 2. This Delegation is authorised for inclusion in the Delegation of Authority Register.