



REGISTER OF DELEGATIONS PART 2

DELEGATION TO COUNCIL EMPLOYEES BY THE GENERAL MANAGER

DELEGATION TO STAFF BY THE GENERAL MANAGER

In accordance with section 378 of the Local Government Act 1993 I, **Adam McSwain** delegate the powers, authorities, duties and functions of Council as set out Parts A - D to the persons who have been employed by Council and hold the named staff positions, (Appointed Delegates) or the persons who from time to time hold (or are acting in) the positions named therein.

In addition to the delegated powers, authorities, duties and functions of Council expressly delegated by me in this document to employees of Council, Council employees are delegated the powers, functions and duties of Council in accordance with the job description of the relevant position the staff member holds from time to time.

All delegations made by me as General Manager in this document (Register of Delegations Part 2)

are subject to the following limitations:

1. The delegated power, authority, duty or function being performed in accordance with Council Policy and Procedures;
2. The delegated power, authority, duty or function being performed in accordance with the Law;
3. Any limitations on the scope of the power, authority, duty or function delegated to the General Manager by the Council in Register of Delegations Part 1;
4. The delegated power, authority, duty or function being performed to not exceed monetary limits in accordance with Council's Procurement Policy. Should performance of the delegated function exceed the applicable monetary threshold, the delegate must obtain the approval of their respective superior Manager, Director or General Manager.

The delegations made as General Manager will remain in force until they are revoked or amended by the General Manager.

ADAM MCSWAIN
GENERAL MANAGER
EDWARD RIVER COUNCIL

Date: 18 December 2018

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STAFF ABBREVIATIONS

DIRECTORS, either substantive or acting, within their own portfolios

DCS	Director Corporate Services
DINF	Director Infrastructure
AO (ES)	Administration Officer (Environmental Services)
AO (Inf)	Administration Officer (Infrastructure)
APC	Assets and Procurement Coordinator
BHS	Building and Health Surveyor
BST	Building Surveyor- Trainee
CO	Creditors Officer
CSO	Customer Service Officer
DO	Debtors Officer
DPE	Design & Projects Engineer
FA	Financial Accountant
F/AO	Finance/Admin Officer
GCO	Governance and Communications Officer
HRAP	Human Resources Advisor/Payroll
MCED	Manager Community and Economic Development
MEA	Manager Engineering and Assets
MES	Manager Environmental Services
MF	Manager Finance
MIM	Manager Information Management
MO	Manager Operations
MPCS	Manager People and Customer Service
PCIC	Planning and Continuous Improvement Coordinator
PO	Planning Officer
RANG	Ranger
REC	Records Officer
RO	Rates Officer
RSO	Road Safety Officer
SE	Services Engineer
SFDSP	Supervisor Fleet, Depots and Special Projects
SPG	Supervisor Parks and Gardens
SR	Supervisor Roads
SWSO	Supervisor Water and Sewerage Operations
TLL	Team leader – Library
TOS	Technical Officer Services

DELEGATION TO STAFF BY THE GENERAL MANAGER

Part A – Financial Matters		Appointed Delegates
1.	<p>Responsible Accounting Officer To be the designated responsible accounting officer, in accordance with accordance with the <i>Local Government Act 1993</i>, <i>Local Government Regulations 2005</i> and the requirements of the current publications issued by the Australian Accounting Standards Board.</p>	MF
2.	<p>Obtain Quotations and Authorise Purchase Orders To obtain quotations, 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) according to Council's Procurement Policy, approved budget and/or Council resolution.</p>	Directors Managers Team leaders (refer to Appendix 1 financial delegation)
3.	<p>Authorise Payment of Salaries and Wages To authorise the payment of salaries and wages.</p>	Directors MF FA F/AO
4.	<p>Payment of Contractors and Direct Creditors To approve or refuse payment to contractors and direct creditors.</p>	Directors MF FA F/AO
5.	<p>Approve Electronic Funds Transfers (EFT), Direct Debits and Sign and Countersign Cheques on Council's Bank Account To approve electronic funds transfer (EFT), Direct Debits and sign or countersign cheques drawn on Council's bank accounts.</p>	Directors MF FA F/AO
6.	<p>Check and Certify the Annual Statutory Accounts To check and certify statutory accounts against the Council records.</p>	DCS MF FA
7.	<p>Authorise Expenditure for Urgent Works To authorise expenditure outside the budget approved by Council to undertake urgent works to reduce or eliminate a significant health or safety hazard.</p>	Directors
8.	<p>Lodgement of a Cash Bond or Bank Guarantee The authority to require the lodgement of a cash bond or bank guarantee.</p>	Directors MES MEA
9.	<p>Overdraft Limit To negotiate Council's overdraft limit.</p>	DCS MF
10.	<p>Sale or Disposal of Materials or Equipment To sell old materials, spoilt or obsolete equipment.</p>	Directors MF MEA MO
11.	<p>Debt Write Off To authorise writing off uncollectible debts (for charges and sundry debtors) up to a maximum amount of \$500 per debt.</p>	DCS
12.	<p>Issue Accounts To authorise the issue of accounts for services provided by Council.</p>	Directors MF DO RO F/AO CO
13.	<p>Borrowings To authorise application for borrowings from financial institutions at the direction of Council and subject to a resolution of Council to approve this</p>	DCS MF FA

	application.	
14.	To Engage Consultants To engage consultants to assist with Council projects, subject to compliance with the Act and law.	Directors Managers
15.	Investment of Money Arrange the investment of money that is not presently required by the Council in a form of investments notified by order of the Minister and published in the Government Gazette and in accordance with Council's adopted policy.	MF DCS FA F/O
16.	Write off Accrued Interest Write off accrued interest on rates and charges if the payment of the accrued interest would cause hardship.	DCS MF FA RO
17.	Accounts Receivable – Payment by Instalment To negotiate with any ratepayer or debtor for payment to be made by reasonable and satisfactory instalments.	MF DCS RO DO FA
18.	Refund of Over-payments To authorise the refund of all over-payments subject to appropriate certification.	DCS MF
19.	Refund of DA/Construction Certificate/CDC/LAP Application Fees <ul style="list-style-type: none"> To determine the refund 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. To determine the refund of all or part of a bond lodged with Council in relation to approval conditions. 	MES
20.	Rebate of Rates To grant rebates of rates to qualified rateable persons in accordance with the provisions of the Act.	DCS MF RO DO
21	Approve Credit Notes	Directors FM FA
22.	Complete all financial certifications To complete all financial certifications required by the Act and Regulations.	FM
23.	Authorise the reduction for water and wastewater consumption charges up to a maximum amount of \$10,000 To reduce water and wastewater consumption charges.	DINF
24.	Waive release fees, maintenance fees and surrender fees as per section 67 of the Companion Animals Act 1998.	MES

Part B – Staffing Matters		Appointed Delegates
1.	Recruitment Recommend to the General Manager the appointment of permanent staff.	Directors MPCS
2.	Payment of Benefits and Allowances Approve or refuse payment of allowances and employment entitlements and benefits in accordance with the Local Government (State) Award 2017 and applicable employment contracts.	Directors MPCS Managers Supervisors
3.	Salary Step Progressions for Staff Recommend to the General Manager the approval or refusal of salary step	Directors MPCS Managers

	progression for staff under the Local Government (State) Award 2017.	Supervisors
4.	<p>Higher Duties</p> <p>a) Approve or refuse higher duties for staff under the Local Government (State) Award 2017.</p> <p>b) Recommend 'discretionary' higher duties to the General Manager</p>	<p>Directors Managers Supervisors</p> <p>Directors</p>
5.	<p>Disciplinary Action for Employees</p> <p>Recommend to the General Manager appropriate disciplinary action, including the dismissal of employees or consultants/contractors on such terms that the General Manager deems appropriate.</p>	Directors Managers Supervisors
6.	<p>Education Assistance</p> <p>Recommend to the General Manager the approval or refusal of education assistance for Council employees.</p>	Directors Managers
7.	<p>Flexible Work Arrangements</p> <p>Approve or refuse flexible work arrangements.</p>	Directors Managers Supervisors
8.	<p>Report of Injury</p> <p>Recommend to the General Manager the approval or refusal for the employer's report of injury to Council's workers compensation insurer.</p>	Directors MPCS Managers Supervisors
9.	<p>Approve Leave</p> <p>Approve or refuse leave for Council employees having due regard to the proper functioning of the Council and maintenance of appropriate levels of service to the public in accordance with Council's policies.</p>	Directors All managers All supervisors
10.	<p>Travelling and Subsistence Expenses</p> <p>To approve or refuse the payment of travelling and related expenses.</p>	Directors Managers
11.	<p>Replacement of Personal Property</p> <p>To approve or refuse claims for the loss of personal property provided that such property was required for the normal performance of the employee's duties.</p>	Directors Managers
12.	<p>Employment Outside of Council</p> <p>Recommend to the General Manager the approval or refusal for employees to engage in private employment or contract work outside of their Council employment.</p>	Directors Managers
13.	<p>Authorise personal use of Council Equipment by Employees</p> <p>To determine any requests for use of Council equipment for the undertaking of any work by employees.</p>	Directors Managers
14.	<p>Use Intellectual Property Created in the Course of Employment</p> <p>Recommend to the General Manager the refusal, approval or conditionally approval of any request by an existing or previous employee of Council for the non-exclusive use of intellectual property of the Council created by the employee during the course of the employment with Council, providing there is no monetary or commercial benefit to the employee.</p>	Directors Managers
15.	<p>Authorise and co-authorise tax file number declaration forms</p>	MPCS HRAP

Part C – Governance		Appointed Delegates
1.	Act in the Capacity of General Manager To act in the role of General Manager during periods of absence of the General Manager, subject to Council resolution pursuant to section 351(1)(a) of the Act.	Directors
2.	Public and Media Statements To make or authorise public statements and issue media releases on matters involving the Council with the approval of the General Manager.	Directors GCO Managers
3.	Business Papers To determine matters which are included in Council business papers and Committee papers.	Directors Managers
4.	Correspondence To reply to all routine correspondence that does not require the prior consideration of Council and is within the scope of the delegate's position description.	All staff per PD
5.	Invitation to Address Council a) To invite a group or individuals to address any Council b) To invite a group or individuals to address a Council Committee.	Directors Directors and Managers
6.	Destruction of Corporate Documentation Authority to approve destruction of corporate documentation in accordance with the <i>State Records Act 1998</i> .	Records Officer Directors Managers
7.	Signing of Contracts and Agreements To sign contracts, deeds and agreements that do not require the Council Seal.	Directors
8.	Enter into Leases, Licences and Other Legal Transactions Authority to negotiate and enter into any form of Lease or Licence or other transaction for use of land or assets, subject to compliance with the Act, 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.	Directors
9.	Receive and Investigate Complaints To receive complaints and authorise investigation and action to be taken by the appropriate officer regarding any complaints or requests received by Council.	All staff per PD Managers Supervisors Directors
10.	Code of Conduct Complaints Coordinator Pursuant to Council Policy and Clause 3.13 of the Office of Local Government's Procedures for the Administration of the Council's Code of Conduct, act as Code of Conduct Complaints Coordinator.	DCS
11.	Alternate Code of Conduct Complaints Coordinator Pursuant to Council Policy and Clause 3.13 of the Office of Local Government's Procedures for the Administration of the Council's Code of Conduct, act as alternate to the Code of Conduct Complaints Coordinator.	GCO
12.	Act as Council's Public Officer To act as the Public Officer in relation to functions contained within section 343 of the Act.	GCO
13.	Privacy and Personal Information Protection Act 1998 – Powers to	DCS GCO

	Comply with Act Authority to exercise and/or perform all powers and functions necessary or desirable to enable the Council to comply with its obligations under the Act.	
14.	Privacy and Personal Information Protection Act 1998 – Conduct Internal Review Authority to conduct internal review requested by an aggrieved person, pursuant to sections 53 and 54.	DCS GCO
15.	Respond to Minister and Department To respond and liaise with the Minister and his/her representatives and the Department in relation to correspondence, inquiries or requests for information.	Directors
16.	Manage the renewal and maintenance of domain names and IP Addresses	MIM
17.	Manage the renewal and maintenance of Australian Communications and Media Authority radio transmissions licences Administer the provisions and cautions as they apply to Council and in accordance with the radiocommunications Act 1992.	MIM

Part D – Operational		Appointed Delegates
1.	Issue Proceedings in Consultation with the General Manager <ul style="list-style-type: none"> To initiate or carry on proceedings, to act on behalf of Council and to negotiate on matters in issue between parties, and to settle 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 with approval from the General Manager; To 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 with approval from the General Manager; To instruct and engage Council's Solicitors and Counsel, subject to approval from the General Manager. 	Directors Managers
2.	Notice of Intention and Orders To issue Notices of Intention to issue orders and orders under the <i>Local Government Act 1993</i> , the <i>Environmental Planning and Assessment Act 1979</i> <i>Protection of the Environment Operations Act 1997</i> , <i>Companion Animals Act 1998</i> and <i>Roads Act 1993</i> .	MES PCIC PO BHS
3.	Determination of Part 4 applications made under the Environmental Planning and Assessment Act 1979 and relevant regulations. Determine an application under Part 4 of the <i>Environmental Planning and Assessment Act 1979</i> except in the following circumstances: <ul style="list-style-type: none"> a. Any designated development; b. Any development application with an estimated value of \$1 million or more; c. Any development application that seeks a variation to a development standard in an LEP or a requirement of a DCP where it would result in a material adverse impact on a person who made a written objection to the application due to non-compliance; d. Any development application where the Council are the applicant, owner, or have the care and/or control of the land on which the 	MES PCIC PO BHS

	<p>application is proposed;</p> <p>e. Any development application which the General Manager or a Councillor requests in writing, prior to determination under delegated authority that it be referred to Council for determination;</p> <p>f. Any development application where a written objection to the proposal has been received during exhibition where mediation has not resolved the issue raised or Council determination has been requested by the objector; and/or</p> <p>g. Any application for modification of consent where Council (or the Land and Environment Court) made the determination on the application, other than:</p> <ul style="list-style-type: none"> • Modifications to a Council consent which involve only minor changes; or • Modification which, following renotification receive no submissions. 	
4.	<p>Issue of Permits, Certificates or Approvals To approve or refuse the issue of permits, certificates and approvals for activities that are required to be regulated under the provisions of the Act and the Environmental Planning and Assessment Act 1979 or related legislation including, but not limited to:</p> <ul style="list-style-type: none"> • Certificates issued under Part 6 of the <i>Environmental Planning and Assessment Act 1979</i>; and Section 68 of the <i>Local Government Act 1993</i>. 	MES, BHS, PO, PCIC
5.	<p>Ministerial Delegation of Local Environmental Plan Making Decisions Recommend to the General Manager subject to the Minister delegating functions under section 3.36 of the <i>Environmental Planning and Assessment Act 1979</i>, and subject to the Council resolving to accept the Ministerial delegation, only those functions identified in the Ministerial delegation may be carried out.</p>	MES
6.	<p>Storm Water Drainage Works Where the Council has approved a subdivision or development application subject to the construction of storm water drainage works that revert to the care, control and management of Council, to approve such works upon submission of all necessary plans and documentation.</p>	MEA DINF DPE
7.	<p>Issue concurrence to the Local Land Services under s78 Local Land Services Act 2013 Issue concurrence to the Local Land Services under s78 Local Land Services Act 2013 for the issuing of a stock permit on a road vested in Council that is not a Crown road.</p>	DINF MES MEA
8.	<p>Implementation of Adopted Operational Plan In accordance with Section 405 of the Act, implement any work, service or action provided for in the adopted Operational Plan</p>	Directors Managers
9.	<p>Funding Application Authority to sign funding applications and associated documents, once approved by the Council.</p>	Directors Managers
10.	<p>Provision of Witnesses and Information To determine the fee to be charged for the provision of Council's employees as witnesses and/or the supplying of information for Court cases in accordance with Council fees and charges adopted by resolution of Council.</p>	DCS MPCS
11.	<p>Removal of Derelict Vehicles Authority to engage contractors to remove derelict vehicles from roads, road reserves and public places.</p>	RANG MES
12.		MES

	<p>Approve Applications for Street Activities Recommend to the General Manager to approve or refuse:</p> <ul style="list-style-type: none"> • applications for street stalls or similar activity; • applications for the collection of money for charitable appeals or similar activity. 	MEA MPCS
13.	<p>Filming/Photography in Parks, Reserves and Public Places To approve applications to film/photograph in Council's parks, reserves and public places, subject to the conditions and fees determined by Council.</p>	DINF MES
14.	<p>Casual Use of Council Parks, Reserves or Council Property To approve or refuse applications for the casual use of parks, reserves or property in accordance with Council Policy (if any) and subject to approved fees (if any).</p>	DINF MES
15.	<p>Government Information (Public Access) Act 2009 – Overriding Public Interest Against Disclosure Authority to decide whether there is an overriding public interest against disclosure for the purposes of sections 6-9, 32(1)(d), 58(1)(d) and (f).</p>	DCS GCO
16.	<p>Government Information (Public Access) Act 2009 – Authorised Proactive Release of Information Authority to make any government information held by the Council publicly available unless there is an overriding public interest against disclosure of the information, pursuant to section 7.</p>	Directors Managers GCO REC
17.	<p>Government Information (Public Access) Act 2009 – Informal Release of Information Authority to release government information held by it to a person in response to an informal request by the person (that is, a request that is not an access application) unless there is an overriding public interest against disclosure of the information.</p>	Directors Managers GCO REC
18.	<p>Government Information (Public Access) Act 2009 – Validity of Application: Authority to decide whether the application is a valid access application and notify the applicant of its decision in accordance with sections 51, 51A and 52, pursuant to section 51.</p>	DCS GCO
19.	<p>Government Information (Public Access) Act 2009 – Consultation Authority to consult with a person before providing access to information relating to the person and decide whether information about a person consulted under this section is likely to be included in the agency's disclosure for the purposes of giving a written notice to the person, in accordance with section 54, pursuant to section 54.</p>	DCS GCO
20.	<p>Government Information (Public Access) Act 2009 – Personal Factors of the Application Authority to require an applicant to provide evidence concerning any personal factors of the application that were relevant to a decision by the agency that there was not an overriding public interest against disclosure of the information, pursuant to section 55.</p>	DCS GCO
21.	<p>Government Information (Public Access) Act 2009 – Deciding Access Applications Authority to decide an access application and give the applicant notice of the decision in accordance with section 9 and Part 4, Division 4 (sections 57 – 63), pursuant to section 9 and Part 4, Division 4.</p>	DCS GCO
22.	<p>Government Information (Public Access) Act 2009 – Processing Charge Authority to carry out the functions of the Council as an agency under the Government Information (Public Access) Act 2009 which are provided for in Part 4, Division 5 (sections 64-71) of the Government Information (Public Access) Act 2009 in accordance with those sections, including the following functions:</p> <ul style="list-style-type: none"> • To impose or waive a processing charge, or discounted processing charge, for dealing with an access application, • to require the applicant to make an advance payment of a processing 	DCS GCO

	charge <ul style="list-style-type: none"> to refuse to deal further with an access application if the applicant has failed to pay an advance deposit within the time required for payment. 	
23.	Government Information (Public Access) Act 2009 - Deferral of Access Authority to defer access to information where the Council has decided to provide access in response to an access application, in accordance with section 78.	DCS GCO
24.	Government Information (Public Access) Act 2009 – Application of Internal Review Authority to agree to accept an application for internal review out of time, pursuant to section 83.	DCS GCO
25.	Government Information (Public Access) Act 2009 – Conduct of Internal Review Authority to determine an application for internal review of a decision of the Council and give the applicant notice of the decision in accordance with Part 5, Division 2.	DCS GCO
26.	Government Information (Public Access) Act 2009 – Review by Information Commissioner Authority, pursuant to a recommendation by the Information Commissioner, to reconsider a decision and make a new decision in accordance with section 93.	DCS GCO
27.	Government Information (Public Access) Act 2009 – Waiver, Reduction or Refund of Fees and Charges Authority to waive, reduce or refund any fee or charge payable or paid under the Government Information (Public Access) Act 2009 in any case that the delegate thinks appropriate, pursuant to section 127.	DCS GCO
28.	Government Information (Public Access) Act 2009 – Confidential Information in Register Authority to decide whether or not to include information in the register, pursuant to section 32.	DCS GCO
29.	To Enforce the Payment of Rates <ul style="list-style-type: none"> To issue notices under the Act for the recovery of rates. To approve alternative options for the collection of outstanding rates, including collection of rent in lieu of rates, issuing of proceedings, accepting exchange of land and such other alternatives available to Council under the Act. 	DCS MF RO
30.	Rate Books Authority to: <ul style="list-style-type: none"> amend the rate and valuation books/records where such amendment is necessary by reason of change of ownership, occupancy or address; raise or reduce the sum rates owing due to error; include any land which ought to have been rated; to write off accrued interest to a maximum of \$50; act in accordance with the Act to manage the rate books/records and recover rates and charges owing to the Council. 	DCS MF RO DO
31.	Insurance Claims – Policy Excess To resolve claims on Council's behalf up to the level of the excess applicable to each insurance policy.	DCS APC DINF
32.	Council Property – Notices to Quit Recommend to the General Manager to authorise and sign notices to quit to tenants whose rent arrears exceed four weeks, or to take such alternative action necessary to manage tenants and recover outstanding rent or payments.	Directors APC

33.	Use of Council Owned Properties To approve or refuse to grant Council's consent to a third-party development application that may traverse or impact upon Council land.	Directors
34.	Maintenance and Repair of Council Properties To authorise repairs/maintenance of Council's buildings, equipment and plant within the limits approved in the annual budget.	DINF MO MEA
35.	Replacement of Council's Motor Vehicles and Plant To authorise the expenditure of funds for the replacement of Council's plant, equipment and vehicles within budget.	DINF
36.	Maintenance of Council's Motor Vehicles and Plant To authorise the expenditure of funds for the repair and maintenance of Council's plant, equipment and vehicles within budget.	DINF MO SFDSP
37.	Hire of Council Plant To authorise the letting or hire of any of the Council's public works plant, machinery and equipment in accordance with rates determined by Council.	DINF MO
38.	Determination of Reserve Price and Disposal of Plant, Equipment and Vehicles by Public Auction, Tender or Trade-in Authority to approve a sale price for Council plant, equipment or vehicles if: <ul style="list-style-type: none"> • the best offer is more than 10% below the reserve price; and • the reserve price has been set by consulting either a valuer, auctioneer, or professional book (i.e., Red Book); and • results from previous auctions for similar plant, equipment or vehicles has been considered. 	DINF AP MO
39.	Dividing Fences To authorise a contribution on behalf of Council for not more than one half the cost of fencing a boundary common to land owned by Council or under the Council's care, control and management, subject to two quotations being obtained and subject to the <i>Dividing Fences Act 1991</i> .	DINF
40.	Airstrip To operate and maintain the Council airstrip in accordance with all applicable legislative requirements.	DINF MEA
41.	Impounding Officer To exercise the powers of Council's Impounding Officer.	MES RANG
42.	Pruning or Removal of Trees To approve or refuse applications from residents to prune, top, lop or remove trees either on the applicant's property or Council's property, subject to the payment of any required fee, if any, and in accordance with Council's Tree Preservation Order, if any.	DINF
43.	Waste Management Centre (Landfill and Transfer Stations) To operate and maintain Council's Landfill and Transfer Stations in accordance with all applicable legislative requirements.	DINF MO SPG
44.	Cemeteries and Crematorium To operate and maintain Council's Cemeteries and Crematorium in	DINF MO SPG

	accordance with all applicable legislative requirements.	
45.	Maintain Cemetery Records Update and maintain Council's Cemetery records in accordance with all applicable legislative requirements.	DINF MO SPG AO (Inf) MPCS CSO
46.	Public Swimming Pools To operate and maintain Council's Public Swimming Pools in accordance with all applicable legislative requirements.	DINF & Contractor MEA
47.	Water Supply System To operate and maintain Council's Water Supply System in accordance with all applicable legislative requirements.	DINF MO MEA SWSO
48.	Sewer System To operate and maintain Council's Sewer System in accordance with all applicable legislative requirements.	DINF MEA MO SWSO
49.	Administer Functions Provided by Other Legislation To administer the provisions of the following legislation as they apply to Council: The list below is not exhaustive and will change per legislative changes.	Appointed Delegates
	<ul style="list-style-type: none"> • Cemeteries and Crematorium Act 2013 	DINF MEA MO SPG CSO MPCS DCS
	<ul style="list-style-type: none"> • Community Land Development Act 1989 	MES PO PCIC
	<ul style="list-style-type: none"> • Companion Animals Act 1998 	RANG MES
	<ul style="list-style-type: none"> • Conveyancing Act 1919 	DIRECTORS MES PO PCIC
	<ul style="list-style-type: none"> • Crown Lands Management Act 2016 	MES RANG
	<ul style="list-style-type: none"> • Environmental Planning and Assessment Act 1979 <ul style="list-style-type: none"> ○ Note- BST and AO (ES) have power of entry only 	MES RANG PCIC BHS PO BST AO (ES)
	<ul style="list-style-type: none"> • Fire Brigades Act 1989 	DINF, MEA
	<ul style="list-style-type: none"> • Fluoridation of Public Water Supplies Act 1957 	DINF, SE, MO, SWSO MEA
	<ul style="list-style-type: none"> • Food Act 2003 	MES, BHS BST, PCIC
	<ul style="list-style-type: none"> • Note- BST has power of entry only 	
	<ul style="list-style-type: none"> • Government Information (Public Access) Act 2009 	DCS, REC, GCO

• Graffiti Control Act 2008	MES RANG
• Heritage Act 1977	MES PCIC PO
• Impounding Act 1993	MES RANG
• Library Act 1939	TLL MCED
• Liquor Act 2007	MES BHS PCIC PO
• Local Government Act 1993 <ul style="list-style-type: none"> ○ Note- BST and AO (ES) have power of entry only 	All staff per PD Directors MES RANG BST AO (ES) PCIC BHS PO
• Mine Health and Safety Act 2004	DINF MO MPCS
• Privacy and Personal Information Protection Act 1998	Applies to all staff
• Protection of the Environment Operations Act 1997 <ul style="list-style-type: none"> ○ Note- BST has power of entry only 	MES RANG BST PCIC BHS PO
• Public Health Act 2010	MES RANG BST PCIC BHS
• Roads Act 1993	DINF MEA MO MES RANG
• Roads Transport (General) Act 2005	DINF MEA MO MES RANG
• Rural Fires Act 1997	DINF MEA MO MES RANG
• State Emergency and Rescue Management Act 1989	DINF MEA MO
• Swimming Pools Act 1992	MES BST PCIC BHS DINF

		MO
	<ul style="list-style-type: none"> The Plumbing and Drainage Act 2011 	DINF MES MO BST PCIC BHS
	<ul style="list-style-type: none"> Unclaimed Money Act 1995 	DCS, MF
	<ul style="list-style-type: none"> Water Supply Authorities Act 	DINF, MEA, SWSO
	<ul style="list-style-type: none"> Work Health and Safety Act 	Applies to all Council staff
50.	<p>Road Rules To administer the provisions of the Road Rules 2014 and Australian Road Rules as they apply to Council, subject to any applicable standards, protocols and directions from State Government departments and/or NSW Police.</p>	DINF MEA
51.	<p>Parking Infringement Notices To issue Parking Infringement Notices.</p>	RANG MES
52.	<p>Issue General Infringement/Penalty Notices Relating but not limited to companion animals, illegal dumping, wandering stock.</p>	RANG MES
53.	<p>Temporary Road Closure To approve temporary road closures where:</p> <ul style="list-style-type: none"> the temporary road closure is not more than two consecutive days; and the Road and Maritime Services approves the Traffic Management Plan and grants a road occupancy licence (as required); and the NSW Police approve the closure; and the application complies with Council's Policy. 	DINF MEA
54.	<p>Sign Adjustment To under the following sign adjustments to:</p> <ul style="list-style-type: none"> change old "No Standing" signs to "No Parking" signs, as per the Australian Road Rules change existing parking restriction times move existing signs to a more visible location (e.g. move a sign hidden behind a tree trunk) install "repeater"/additional signs (e.g. where there are existing parking restrictions signs, install an additional sign in the middle to emphasise the restrictions). 	DINF MEA
55.	<p>Special Use Zones Authority to approve and/or refuse an application for the following Special Use Zones:</p> <ul style="list-style-type: none"> Works Zones; Loading Zones; Mail Zones; Motorcycle Parking; Bus Zone; Taxi Zone; Police Vehicles Zone; Disabled Parking; Temporary Bus Zones (e.g. for Railway Buses); <p>Subject to consent being obtained from the NSW Police and in addition:</p> <ul style="list-style-type: none"> in the instance of Mail Zones, consent is obtained from Australia Post; and in the instance of Bus Zones, consent is obtained from the State 	DINF MEA

	Transit Authority.	
56.	<p>Traffic Facilities</p> <p>To approve the installation of individual traffic facilities projects, where:</p> <ul style="list-style-type: none"> the individual traffic facility project forms part of that financial year's Traffic Facilities Program which has previously been approved; and subject to consultation of residents. 	DINF
57.	<p>Warning Signs</p> <p>To approve the installation of Warning Signs, as defined in applicable Australian Standards, and where the NSW Police agree with the installation.</p>	DINF MEA
58.	<p>Signs Across Driveways</p> <p>To approve or refuse an application for signs or line marking across a driveway.</p>	DINF MEA
59.	<p>Traffic Bollards</p> <p>To approve or refuse an application for the use of traffic bollards.</p>	DINF MEA MO
60.	<p>Vehicular Crossings and Footpath Restorations</p> <p>To approve or refuse the construction of vehicular crossings and/or restoration works on Council land or over Council controlled road reserves.</p>	DINF MEA TOS MO
61.	<p>Street Lighting</p> <p>To approve the installation of additional street lighting facilities and associated charges.</p>	DINF MEA TOS MO
62.	<p>Storm Water Drainage Works</p> <p>To approve or refuse all connections from private property to Council's storm water systems where those works are for the sole benefit of the development and do not revert to the control and management of the Council.</p>	DINF MEA MO SWSO MES BHS PCIC
63.	<p>Variation of Working Hours</p> <p>To authorise a one-off variation to the restricted hours of building works where:</p> <ul style="list-style-type: none"> urgent building works are required to be carried out; large cranes must stand on streets; the loading/unloading of materials and pouring of the concrete would otherwise cause interference to traffic; and the work requires the erection or removal of hoarding tower cranes, awnings and the like. 	MES BHS PCIC MO
64.	<p>Positive Covenants, Easements and Section 88B Instruments under the Conveyancing Act, 1919</p> <p>Recommend to the General Manager to 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 <i>Conveyancing Act 1919</i>, in accordance with section 28 of the <i>Environmental Planning and Assessment Act 1979</i> and subject to applicable Council Policy and legislation.</p>	MES PO PCIC DINF MEA
65.	<p>Public Notification of Applications</p> <ul style="list-style-type: none"> To determine whether a development application should be exempt from notification, subject to any applicable Council Policy. 	MES PO BHS PCIC

	<ul style="list-style-type: none"> To determine such persons who own land or who reside in properties that may be detrimentally affected by a development and to ensure such persons are notified in accordance with any Council Policy. 	
66.	Professional Certifications To approve or refuse professional certification from an Accredited Certifier in respect of Complying Development or Building Certification where that Certifier is accredited to undertake that work.	MES BHS PCIC
67.	Building Professionals Act 2005 Authority under section 5 of the <i>Building Professionals Act 2005</i> to make a recommendation on behalf of Council in support of an application to the Board for accreditation to carry out certification work (or the renewal of accreditation) on behalf of Council.	MES DINF
68.	Work on Private Land by Agreement To exercise Council's power to carry out work on private land.	DIRECTORS MES, BHS PCIC PO Mo MEA
69.	Entering of Premises To enter and authorise Council employees (or other persons) to enter, any premises for the purposes of enabling the Council to exercise its functions under any Act.	RANG MES PO BHS BHT PCIC AO (ES) DINF MO
70.	Water Restrictions Recommend to Council Water Restrictions in accordance with NSW State Government direction.	DINF
71.	Motor Vehicle Fleet To manage Council's motor vehicle fleet.	DINF MO SFDSP
72.	Suspend or cancel the operation of an Alcohol-Free Zone in accordance with section 645 of the Act	MES

GLOSSARY OF TERMS

Act	means <i>Local Government Act 1993</i>
Authority	means any government (state or federal), government department, statutory corporation or other body having power to legally direct the Council or its officers
Chief Executive	means the Chief Executive of the Office of Local Government or the Chief Executive of any other government department which has the carriage of the administrative functions of the Act and the portfolio of Local Government
Director-General	means the Director-General of the Department of Local Government or the Director-General of any other government department which has the carriage of the administrative functions of the Act and the portfolio of Local Government.
Law	means the requirements of all statutes, rules, ordinances, codes, regulations, proclamations, by-laws, environmental planning instruments, directions and consents of any Authority

Minister	means the Minister for Local Government or any future title given to a ministerial position of a future New South Wales State Government portfolio that includes governance of Local Government.
Office	means the Office of Local Government, Department of Premier & Cabinet, or any future department (or combined department) carrying out the functions of the present Division of Local Government for the State of New South Wales

VERSION CONTROL

Title	Delegations of Authority		
ECM Doc Set ID	33290		
Date Adopted			
Council Minute No.			
Responsible Officer	Governance and Communications Officer		
Version Number	Modified By	Modifications Made	Date Endorsed by General Manager
2	Caroline Wallis	Update to Register structure i.e. separated into 2 parts. Updated S377 of LG Act, incl of clauses (1A), and (3) Amended list of Council Committees Corrected reference to repealed legislation. Insert (Part D – Point 7), ref to Local Land Services Act 2013	
3	Cian Middleton	Amendments to: <ul style="list-style-type: none"> • Part C – Delegations. • Appendix 1 – Expenditure Level Delegations for Authorisation and Payment 	18 December 2018

APPENDIX 1

Expenditure Level Delegations for Authorisation And Payment

APPENDIX 1:

Expenditure Level Delegations for Authorisation and Payment

Position Title	Current Incumbent	Maximum Authorisation (inc GST) for Requisition of Goods or Services and Works under delegation	Maximum Authorisation (inc GST) for requisition of goods or services approved by council resolution	Authorisation to invest	Authorised to approve petty cash expenditure limited to \$100 per transaction	Approval level for Purchasing of goods and services by purchasing card per month	Power to sign cheques	Power to approve EFT payments
Mayor	Norm Brennan	0	0	0	0	\$2,000	No	No
General Manager	Adam McSwain	\$149,999	unlimited	\$2,000,000	Yes	\$10,000	Yes	Yes
Director Corporate Services	Patricia Kirkland	\$149,999	\$250,000	\$2,000,000	Yes	\$7,500	Yes	Yes
Manager Finance	Colleen O'Connor	50,000	\$50,000	\$1,000,000	Yes	\$5,000	Yes	Yes
Financial Accountant	Rindayi Matienga	\$20,000	\$20,000	\$500,000	Yes	0	Yes	Yes
Finance/Admin Officer	Jacinta Hawley	\$3,000	\$3,000	No	No	0	Yes	Yes
Manager People & Customer Service	Helen Flisher	\$20,000	\$20,000	0	Yes	0	No	No
Manager Information Management	Mark Siena	\$50,000	\$50,000	0	No	\$5,000	No	No
Manager Environmental Services	Julie Rogers	\$50,000	\$50,000	0	No	\$5,000	No	No
Planning Officer	Shavaun Tasker	\$5,000	\$5,000	0	No	0	No	No
Building & Health Surveyor	Vacant	\$3,000	\$3,000	0	No	0	No	No
Planning & Continuous Improvement Coordinator	Marie Sutton	\$5,000	\$5,000	0	No	0	No	No
Manager Community & Economic Development	Michelle Cobb	\$50,000	\$50,000	0	Yes	\$5,000	No	No
Director Infrastructure	Oliver McNulty	\$149,999	\$250,000	0	Yes	\$7,500	Yes	Yes
Assets & Procurement Coordinator	Michael Todd	\$20,000	\$20,000	0	No	0	No	No
Manager Operations	Warwick Newell	\$50,000	\$50,000	0	No	\$10,000	No	No
Supervisor Water & Sewerage Operations	Shanon Williams	\$20,000	\$20,000	0	No	\$5,000	No	No

Technical Officer Services	Mark Cook	\$10,000	\$10,000	0	No	0	No	No
Operations, Administration & Stores Officer	Annette Danckert	\$5,000	\$5,000	0	No	\$5,000	No	No
Supervisor Parks & Gardens	Paul Hussey	\$20,000	\$20,000	0	No	\$1,000	No	No
Design & Projects Engineer	Michael Williams	\$20,000	\$20,000	0	No	0	No	No
Administration Officer (Inf)	Nicole Rogers	\$5,000	5,000	0	No	0	No	No
Supervisor Roads	Tony Oddy	\$20,000	\$20,000	0	No	0	No	No
Manager Engineering & Assets	Mark Dalzell	\$50,000	\$50,000	0	No	\$5,000	No	No
Technical Officer Assets	Kevin Campbell	\$10,000	\$10,000	0	No	0	No	No
Supervisor Fleet, Depots & Special Projects	Geoff Pitt	\$20,000	\$20,000	0	No	\$5,000	No	No
Team Leader General Maintenance	Glenn Beehag	\$5,000	\$5,000	0	No	0	No	No
Team Leader Mechanics	Ricky Hayes	\$10,000	\$10,000	0	No	\$5,000	No	No
Team Leader Water & Sewerage Operations	Adam Goodear	\$5,000	\$5,000	0	No	0	No	No
Team Leader Parks & Gardens	Brad Knight	\$5,000	\$5,000	0	No	\$1,000	No	Np
Executive Assistant	Belinda Perrett	\$5,000	\$5,000	0	Yes	0	No	No
Team Leader Tourism & Culture	Jane Frazer	\$5000	\$5000	0	Yes	0	No	No
Administration Officer (ES)	Margie Butcher	\$1,000	\$1,000	0	No	0	No	No
Ranger	Justin Learmonth	\$1,000	\$1,000	0	No	0	No	No
Team Leader Parks & Gardens	Brad Knight	\$5,000	\$5,000	0	No	\$1,000	No	No
Team Leader Library Services	Ariane Fehring	\$5,000	\$5,000	0	Yes	\$1,000	No	No
Community & Economic Development Project Officer	Erica Laing	\$5,000	\$5,000	0	No	0	No	No
Governance and Communications Officer	Cian Middleton	\$5,000	\$5,000	0	No	0	No	No



Mechanic	Ben Burge	\$10,000	\$10,000	0	No	0	No	No
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APPENDIX 2

Certificates of Authority

CERTIFICATE OF AUTHORITY

(for Council officers carrying out enforcement and compliance)

Certificate of Authority			
Name:	Julie Rogers		
Position:	Manager Environmental Services		
Date:			

1. This certificate evidences the delegation of authority granted by the General Manager of Edward River Council to the above named Council Officer.

Source of Powers

2. The named Council officer is authorised to exercise all powers, authorities, duties and functions of an authorised officer, impounding officer or delegated employee (or such other title describing an employee substantially carrying out the duties of the position of the recipient) pursuant to all Acts of New South Wales (and any applicable Federal legislation) that this certificate identifies and extends to all related Rules and Regulations, including, but not limited to the following:

<i>Environmental Planning and Assessment Act 1979</i>	<i>Local Government Act 1993</i>	<i>Companion Animals Act 1998</i>
<i>Impounding Act 1993</i>	<i>Crown Lands Management Act 2016</i>	<i>Plumbing and Drainage Act 2011</i>
<i>Protection of the Environment Operations Act 1997</i>	<i>Swimming Pools Act 1992</i>	<i>Heritage Act 1977</i>
<i>Roads Act 1993 and Road Transport (General) Act 2013</i>	<i>Rural Fires Act 1997</i>	<i>Public Health Act 2010</i>
<i>Boarding Houses Act 2012</i>	<i>Graffiti Control Act 2008</i>	<i>Road Rules 2014 NSW Consolidated Regulations – under the Road Transport Act 2013</i>
<i>Food Act 2003</i>		

Nature and Limitation of Powers

3. The named Council officer has been delegated with the authority to exercise and/or perform on Council's behalf all powers, authorities, duties and functions of all Acts identified in paragraph 2 and any corresponding Rules and Regulations, subject to:
 - (a) any subsequent and contrary resolution of the Council;
 - (b) any subsequent and contrary written or oral direction of the General Manager;
 - (c) any limitation or control placed upon a delegation detailed in paragraph 5 below;

4. any limitation or control prescribed within the Council's *Register of Delegations*
5. For the purposes of the *Plumbing and Drainage Act 2011*, the named Council officer is an inspector.
6. The named Council officer is limited in the operation of his/her powers, authorities, duties and functions as follows:
 - (a) No Limitations
7. If, under any other legislation or planning instrument, a power, authority, duty or function is conferred or imposed on a person in the above named position of the Council officer (or such other title describing an employee substantially carrying out the duties of the position of the named Council officer), that power, authority, duty or function is expressly delegated to the named Council officer.
8. This Certificate of Authority permits the exercise of all powers at the following premises:
 - (a) Residential, providing:
 - (i) the Council officer has the consent of the owner,
 - (ii) the Council officer is exercising a legal power of entry in accordance with one of the prescribed Acts identified in paragraph 2 above;
 - (iii) the Council officer is exercising a search warrant,
 - (b) Industrial; and
 - (c) Business Premises

unless the applicable legislation expressly restrains access.

Identification of Council officer

9. The named Council officer is identified by the attached photograph and signature.
10. This Certificate of Authority constitutes an 'Identification Card' and a 'written authorisation' for the purposes of any applicable legislation contained in paragraph 2.
11. This Certificate of Authority will be produced by the named Council officer upon request.

Authentication and Application of Authority

12. This Certificate of Authority is issued by the General Manager of the Council and is endorsed by the execution of this Certificate by the General Manager.
13. This Authority supersedes all prior Certificates of Authority issued to the named Council officer.
14. This Authority will remain in force until:
 - (a) withdrawn by the General Manager;
 - (b) superseded by a subsequent Certificate of Authority; or
 - (c) the named Council officer ceases employment with Council.

By executing this document, I acknowledge the contents of this Certificate of Authority and agree to be bound by its controls and limitations.

 General Manager
 Date.....

 Signature of Council officer
acknowledging delegation
 Date.....

CERTIFICATE OF AUTHORITY

(for Council officers carrying out enforcement and compliance)

Certificate of Authority			
Name:	Justin Learmonth		
Position:	Ranger		
Date:			

1. This certificate evidences the delegation of authority granted by the General Manager of Edward River Council to the above named Council Officer.

Source of Powers

2. The named Council officer is authorised to exercise all powers, authorities, duties and functions of an authorised officer, impounding officer or delegated employee (or such other title describing an employee substantially carrying out the duties of the position of the recipient) pursuant to all Acts of New South Wales (and any applicable Federal legislation) that this certificate identifies and extends to all related Rules and Regulations, including, but not limited to the following:

<i>Environmental Planning and Assessment Act 1979</i>	<i>Local Government Act 1993</i>	<i>Companion Animals Act 1998</i>
<i>Impounding Act 1993</i>	<i>Crown Lands Management Act 2016</i>	<i>Road Rules 2014 NSW Consolidated Regulations – under the Road Transport Act 2013</i>
<i>Protection of the Environment Operations Act 1997</i>	<i>Rural Fires Act 1997</i>	
<i>Roads Act 1993 and Road Transport (General) Act 2013</i>	<i>Graffiti Control Act 2008</i>	

Nature and Limitation of Powers

3. The named Council officer has been delegated with the authority to exercise and/or perform on Council's behalf all powers, authorities, duties and functions of all Acts identified in paragraph 2 and any corresponding Rules and Regulations, subject to:
 - (a) any subsequent and contrary resolution of the Council;
 - (b) any subsequent and contrary written or oral direction of the General Manager;
 - (c) any limitation or control placed upon a delegation detailed in paragraph 5 below;
 - (d) any limitation or control prescribed within the Council's *Register of Delegations*.
4. For the purposes of the *Plumbing and Drainage Act 2011*, the named Council officer is an inspector.
5. The named Council officer is limited in the operation of his/her powers, authorities, duties and functions as follows:
 - (a) No Limitations

6. If, under any other legislation or planning instrument, a power, authority, duty or function is conferred or imposed on a person in the above named position of the Council officer (or such other title describing an employee substantially carrying out the duties of the position of the named Council officer), that power, authority, duty or function is expressly delegated to the named Council officer.
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 - (a) Residential, providing:
 - (i) the Council officer has the consent of the owner,
 - (ii) the Council officer is exercising a legal power of entry in accordance with one of the prescribed Acts identified in paragraph 2 above;
 - (iii) the Council officer is exercising a search warrant,
 - (b) Industrial; and
 - (c) Business Premises

unless the applicable legislation expressly restrains access.

Identification of Council officer

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Authentication and Application of Authority

11. This Certificate of Authority is issued by the General Manager of the Council and is endorsed by the execution of this Certificate by the General Manager.
12. This Authority supersedes all prior Certificates of Authority issued to the named Council officer.
13. This Authority will remain in force until:
 - (a) withdrawn by the General Manager;
 - (b) superseded by a subsequent Certificate of Authority; or
 - (c) the named Council officer ceases employment with Council.



By executing this document, I acknowledge the contents of this Certificate of Authority and agree to be bound by its controls and limitations.

 General Manager
 Date.....

 Signature of Council officer
acknowledging delegation
 Date.....

CERTIFICATE OF AUTHORITY

(for Council officers carrying out enforcement and compliance)

Certificate of Authority		 Edward River COUNCIL	
Name:	Maggie McCalman		
Position:	Building Surveyor Trainee		
Date:			

1. This certificate evidences the delegation of authority granted by the General Manager of Edward River Council to the above named Council Officer.

Source of Powers

2. The named Council officer is authorised to exercise all powers, authorities, duties and functions of an authorised officer, impounding officer or delegated employee (or such other title describing an employee substantially carrying out the duties of the position of the recipient) pursuant to all Acts of New South Wales (and any applicable Federal legislation) that this certificate identifies and extends to all related Rules and Regulations, including, but not limited to the following:

<i>Environmental Planning and Assessment Act 1979</i>	<i>Local Government Act 1993</i>	<i>Plumbing and Drainage Act 2011</i>
<i>Protection of the Environment Operations Act 1997</i>	<i>Swimming Pools Act 1992</i>	<i>Public Health Act 2010</i>
<i>Boarding Houses Act 2012</i>	<i>Food Act 2003</i>	

Nature and Limitation of Powers

3. The named Council officer has been delegated with the authority to exercise and/or perform on Council's behalf all powers, authorities, duties and functions of all Acts identified in paragraph 2 and any corresponding Rules and Regulations, subject to:
 - (a) any subsequent and contrary resolution of the Council;
 - (b) any subsequent and contrary written or oral direction of the General Manager;
 - (c) any limitation or control placed upon a delegation detailed in paragraph 5 below;
 - (d) any limitation or control prescribed within the Council's *Register of Delegations*.
4. For the purposes of the *Plumbing and Drainage Act 2011*, the named Council officer is an inspector.
5. The named Council officer is limited in the operation of his/her powers, authorities, duties and functions as follows:
 - (a) No Limitations

6. If, under any other legislation or planning instrument, a power, authority, duty or function is conferred or imposed on a person in the above named position of the Council officer (or such other title describing an employee substantially carrying out the duties of the position of the named Council officer), that power, authority, duty or function is expressly delegated to the named Council officer.
7. This Certificate of Authority permits the exercise of all powers at the following premises:
 - (a) Residential, providing:
 - (i) the Council officer has the consent of the owner,
 - (ii) the Council officer is exercising a legal power of entry in accordance with one of the prescribed Acts identified in paragraph 2 above;
 - (iii) the Council officer is exercising a search warrant,
 - (b) Industrial; and
 - (c) Business Premises

unless the applicable legislation expressly restrains access.

Identification of Council officer

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Authentication and Application of Authority

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 - (b) superseded by a subsequent Certificate of Authority; or
 - (c) the named Council officer ceases employment with Council.



By executing this document, I acknowledge the contents of this Certificate of Authority and agree to be bound by its controls and limitations.

 General Manager
 Date.....

 Signature of Council officer
acknowledging delegation
 Date.....

CERTIFICATE OF AUTHORITY

(for Council officers carrying out enforcement and compliance)

Certificate of Authority		 Edward River COUNCIL	
Name:	Margie Butcher		
Position:	Administration Officer		
Date:			

1. This certificate evidences the delegation of authority granted by the General Manager of Edward River Council to the above named Council Officer.

Source of Powers

2. The named Council officer is authorised to exercise all powers, authorities, duties and functions of an authorised officer, impounding officer or delegated employee (or such other title describing an employee substantially carrying out the duties of the position of the recipient) pursuant to all Acts of New South Wales (and any applicable Federal legislation) that this certificate identifies and extends to all related Rules and Regulations, including, but not limited to the following:

<i>Environmental Planning and Assessment Act 1979</i>	<i>Local Government Act 1993</i>	
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Nature and Limitation of Powers

3. The named Council officer has been delegated with the authority to exercise and/or perform on Council's behalf all powers, authorities, duties and functions of all Acts identified in paragraph 2 and any corresponding Rules and Regulations, subject to:
 - (a) any subsequent and contrary resolution of the Council;
 - (b) any subsequent and contrary written or oral direction of the General Manager;
 - (c) any limitation or control placed upon a delegation detailed in paragraph 5 below;
 - (d) any limitation or control prescribed within the Council's *Register of Delegations*.
4. For the purposes of the *Plumbing and Drainage Act 2011*, the named Council officer is an inspector.
5. The named Council officer is limited in the operation of his/her powers, authorities, duties and functions as follows:
 - (a) No Limitations
6. If, under any other legislation or planning instrument, a power, authority, duty or function is conferred or imposed on a person in the above named position of the Council officer (or such other title describing an employee substantially carrying out the duties of the position of the

named Council officer), that power, authority, duty or function is expressly delegated to the named Council officer.

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- (a) Residential, providing:
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 - (iii) the Council officer is exercising a search warrant,
 - (b) Industrial; and
 - (c) Business Premises

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- (a) withdrawn by the General Manager;
 - (b) superseded by a subsequent Certificate of Authority; or
 - (c) the named Council officer ceases employment with Council.

By executing this document, I acknowledge the contents of this Certificate of Authority and agree to be bound by its controls and limitations.

General Manager

Date.....

Signature of Council officer
acknowledging delegation

Date.....

CERTIFICATE OF AUTHORITY

(for Council officers carrying out enforcement and compliance)

Certificate of Authority		 Edward River COUNCIL	
Name:	Marie Sutton		
Position:	Planning and Continuous Improvement Officer		
Date:			

1. This certificate evidences the delegation of authority granted by the General Manager of Edward River Council to the above named Council Officer.

Source of Powers

2. The named Council officer is authorised to exercise all powers, authorities, duties and functions of an authorised officer, impounding officer or delegated employee (or such other title describing an employee substantially carrying out the duties of the position of the recipient) pursuant to all Acts of New South Wales (and any applicable Federal legislation) that this certificate identifies and extends to all related Rules and Regulations, including, but not limited to the following:

<i>Environmental Planning and Assessment Act 1979</i>	<i>Local Government Act 1993</i>	<i>Plumbing and Drainage Act 2011</i>
<i>Protection of the Environment Operations Act 1997</i>	<i>Swimming Pools Act 1992</i>	<i>Heritage Act 1977</i>
<i>Boarding Houses Act 2012</i>	<i>Public Health Act 2010</i>	<i>Food Act 2003</i>

Nature and Limitation of Powers

3. The named Council officer has been delegated with the authority to exercise and/or perform on Council's behalf all powers, authorities, duties and functions of all Acts identified in paragraph 2 and any corresponding Rules and Regulations, subject to:
 - (a) any subsequent and contrary resolution of the Council;
 - (b) any subsequent and contrary written or oral direction of the General Manager;
 - (c) any limitation or control placed upon a delegation detailed in paragraph 5 below;
 - (d) any limitation or control prescribed within the Council's *Register of Delegations*.
4. For the purposes of the *Plumbing and Drainage Act 2011*, the named Council officer is an inspector.
5. The named Council officer is limited in the operation of his/her powers, authorities, duties and functions as follows:
 - (a) No Limitations
6. If, under any other legislation or planning instrument, a power, authority, duty or function is conferred or imposed on a person in the above named position of the Council officer (or such other title describing an employee substantially carrying out the duties of the position of the

named Council officer), that power, authority, duty or function is expressly delegated to the named Council officer.

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 - (ii) the Council officer is exercising a legal power of entry in accordance with one of the prescribed Acts identified in paragraph 2 above;
 - (iii) the Council officer is exercising a search warrant,
- (b) Industrial; and
- (c) Business Premises

unless the applicable legislation expressly restrains access.

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Authentication and Application of Authority

11. This Certificate of Authority is issued by the General Manager of the Council and is endorsed by the execution of this Certificate by the General Manager.

12. This Authority supersedes all prior Certificates of Authority issued to the named Council officer.

13. This Authority will remain in force until:

- (a) withdrawn by the General Manager;
- (b) superseded by a subsequent Certificate of Authority; or
- (c) the named Council officer ceases employment with Council.

By executing this document, I acknowledge the contents of this Certificate of Authority and agree to be bound by its controls and limitations.

General Manager

Date.....

Signature of Council officer
acknowledging delegation

Date.....

CERTIFICATE OF AUTHORITY

(for Council officers carrying out enforcement and compliance)

Certificate of Authority		 Edward River COUNCIL	
Name:	Janette Borella		
Position:	Ranger		
Date:			

1. This certificate evidences the delegation of authority granted by the General Manager of Edward River Council to the above named Council Officer.

Source of Powers

2. The named Council officer is authorised to exercise all powers, authorities, duties and functions of an authorised officer, impounding officer or delegated employee (or such other title describing an employee substantially carrying out the duties of the position of the recipient) pursuant to all Acts of New South Wales (and any applicable Federal legislation) that this certificate identifies and extends to all related Rules and Regulations, including, but not limited to the following:

<i>Environmental Planning and Assessment Act 1979</i>	<i>Local Government Act 1993</i>	<i>Companion Animals Act 1998</i>
<i>Impounding Act 1993</i>	<i>Rural Fires Act 1997</i>	<i>Road Rules 2014 NSW Consolidated Regulations – under the Road Transport Act 2013</i>
<i>Protection of the Environment Operations Act 1997</i>	<i>Graffiti Control Act 2008</i>	
<i>Roads Act 1993 and Road Transport (General) Act 2013</i>		

Nature and Limitation of Powers

3. The named Council officer has been delegated with the authority to exercise and/or perform on Council's behalf all powers, authorities, duties and functions of all Acts identified in paragraph 2 and any corresponding Rules and Regulations, subject to:
 - (a) any subsequent and contrary resolution of the Council;
 - (b) any subsequent and contrary written or oral direction of the General Manager;
 - (c) any limitation or control placed upon a delegation detailed in paragraph 5 below;
 - (d) any limitation or control prescribed within the Council's *Register of Delegations*.
4. For the purposes of the *Plumbing and Drainage Act 2011*, the named Council officer is an inspector.
5. The named Council officer is limited in the operation of his/her powers, authorities, duties and functions as follows:
 - (a) No Limitations

6. If, under any other legislation or planning instrument, a power, authority, duty or function is conferred or imposed on a person in the above named position of the Council officer (or such other title describing an employee substantially carrying out the duties of the position of the named Council officer), that power, authority, duty or function is expressly delegated to the named Council officer.
7. This Certificate of Authority permits the exercise of all powers at the following premises:
 - (a) Residential, providing:
 - (i) the Council officer has the consent of the owner,
 - (ii) the Council officer is exercising a legal power of entry in accordance with one of the prescribed Acts identified in paragraph 2 above;
 - (iii) the Council officer is exercising a search warrant,
 - (b) Industrial; and
 - (c) Business Premises

unless the applicable legislation expressly restrains access.

Identification of Council officer

8. The named Council officer is identified by the attached photograph and signature.
9. This Certificate of Authority constitutes an 'Identification Card' and a 'written authorisation' for the purposes of any applicable legislation contained in paragraph 2.
10. This Certificate of Authority will be produced by the named Council officer upon request.

Authentication and Application of Authority

11. This Certificate of Authority is issued by the General Manager of the Council and is endorsed by the execution of this Certificate by the General Manager.
12. This Authority supersedes all prior Certificates of Authority issued to the named Council officer.
13. This Authority will remain in force until:
 - (a) withdrawn by the General Manager;
 - (b) superseded by a subsequent Certificate of Authority; or
 - (c) the named Council officer ceases employment with Council.

By executing this document, I acknowledge the contents of this Certificate of Authority and agree to be bound by its controls and limitations.

 General Manager
 Date.....

 Signature of Council officer
acknowledging delegation
 Date.....

CERTIFICATE OF AUTHORITY

(for Council officers carrying out enforcement and compliance)

Certificate of Authority		 Edward River COUNCIL	
Name:	Michael Maher		
Position:	Ranger		
Date:			

1. This certificate evidences the delegation of authority granted by the General Manager of Edward River Council to the above named Council Officer.

Source of Powers

2. The named Council officer is authorised to exercise all powers, authorities, duties and functions of an authorised officer, impounding officer or delegated employee (or such other title describing an employee substantially carrying out the duties of the position of the recipient) pursuant to all Acts of New South Wales (and any applicable Federal legislation) that this certificate identifies and extends to all related Rules and Regulations, including, but not limited to the following:

<i>Environmental Planning and Assessment Act 1979</i>	<i>Local Government Act 1993</i>	<i>Companion Animals Act 1998</i>
<i>Impounding Act 1993</i>	<i>Rural Fires Act 1997</i>	<i>Road Rules 2014 NSW Consolidated Regulations – under the Road Transport Act 2013</i>
<i>Protection of the Environment Operations Act 1997</i>	<i>Graffiti Control Act 2008</i>	
<i>Roads Act 1993 and Road Transport (General) Act 2013</i>		

Nature and Limitation of Powers

3. The named Council officer has been delegated with the authority to exercise and/or perform on Council's behalf all powers, authorities, duties and functions of all Acts identified in paragraph 2 and any corresponding Rules and Regulations, subject to:
 - (e) any subsequent and contrary resolution of the Council;
 - (f) any subsequent and contrary written or oral direction of the General Manager;
 - (g) any limitation or control placed upon a delegation detailed in paragraph 5 below;
 - (h) any limitation or control prescribed within the Council's *Register of Delegations*.
4. For the purposes of the *Plumbing and Drainage Act 2011*, the named Council officer is an inspector.
5. The named Council officer is limited in the operation of his/her powers, authorities, duties and functions as follows:
 - (b) No Limitations

6. If, under any other legislation or planning instrument, a power, authority, duty or function is conferred or imposed on a person in the above named position of the Council officer (or such other title describing an employee substantially carrying out the duties of the position of the named Council officer), that power, authority, duty or function is expressly delegated to the named Council officer.
7. This Certificate of Authority permits the exercise of all powers at the following premises:
 - (d) Residential, providing:
 - (iv) the Council officer has the consent of the owner,
 - (v) the Council officer is exercising a legal power of entry in accordance with one of the prescribed Acts identified in paragraph 2 above;
 - (vi) the Council officer is exercising a search warrant,
 - (e) Industrial; and
 - (f) Business Premises

unless the applicable legislation expressly restrains access.

Identification of Council officer

8. The named Council officer is identified by the attached photograph and signature.
9. This Certificate of Authority constitutes an 'Identification Card' and a 'written authorisation' for the purposes of any applicable legislation contained in paragraph 2.
10. This Certificate of Authority will be produced by the named Council officer upon request.

Authentication and Application of Authority

11. This Certificate of Authority is issued by the General Manager of the Council and is endorsed by the execution of this Certificate by the General Manager.
12. This Authority supersedes all prior Certificates of Authority issued to the named Council officer.
13. This Authority will remain in force until:
 - (d) withdrawn by the General Manager;
 - (e) superseded by a subsequent Certificate of Authority; or
 - (f) the named Council officer ceases employment with Council.

By executing this document, I acknowledge the contents of this Certificate of Authority and agree to be bound by its controls and limitations.

 General Manager
 Date.....

 Signature of Council officer
acknowledging delegation
 Date.....

CERTIFICATE OF AUTHORITY

(for Council officers carrying out enforcement and compliance)

Certificate of Authority		 Edward River COUNCIL	
Name:	Shavaun Tasker		
Position:	Planning Officer		
Date:			

1. This certificate evidences the delegation of authority granted by the General Manager of Edward River Council to the above named Council Officer.

Source of Powers

2. The named Council officer is authorised to exercise all powers, authorities, duties and functions of an authorised officer, impounding officer or delegated employee (or such other title describing an employee substantially carrying out the duties of the position of the recipient) pursuant to all Acts of New South Wales (and any applicable Federal legislation) that this certificate identifies and extends to all related Rules and Regulations, including, but not limited to the following:

<i>Environmental Planning and Assessment Act 1979</i>	<i>Local Government Act 1993</i>	<i>Heritage Act 1977</i>
<i>Protection of the Environment Operations Act 1997</i>	<i>Boarding Houses Act 2012</i>	

Nature and Limitation of Powers

3. The named Council officer has been delegated with the authority to exercise and/or perform on Council's behalf all powers, authorities, duties and functions of all Acts identified in paragraph 2 and any corresponding Rules and Regulations, subject to:
 - (a) any subsequent and contrary resolution of the Council;
 - (b) any subsequent and contrary written or oral direction of the General Manager;
 - (c) any limitation or control placed upon a delegation detailed in paragraph 5 below;
 - (d) any limitation or control prescribed within the Council's *Register of Delegations*.
4. For the purposes of the *Plumbing and Drainage Act 2011*, the named Council officer is an inspector.
5. The named Council officer is limited in the operation of his/her powers, authorities, duties and functions as follows:
 - (a) No Limitations
6. If, under any other legislation or planning instrument, a power, authority, duty or function is conferred or imposed on a person in the above named position of the Council officer (or such other title describing an employee substantially carrying out the duties of the position of the

named Council officer), that power, authority, duty or function is expressly delegated to the named Council officer.

7. This Certificate of Authority permits the exercise of all powers at the following premises:

- (a) Residential, providing:
 - (i) the Council officer has the consent of the owner,
 - (ii) the Council officer is exercising a legal power of entry in accordance with one of the prescribed Acts identified in paragraph 2 above;
 - (iii) the Council officer is exercising a search warrant,
- (b) Industrial; and
- (c) Business Premises

unless the applicable legislation expressly restrains access.

Identification of Council officer

8. The named Council officer is identified by the attached photograph and signature.

9. This Certificate of Authority constitutes an 'Identification Card' and a 'written authorisation' for the purposes of any applicable legislation contained in paragraph 2.

10. This Certificate of Authority will be produced by the named Council officer upon request.

Authentication and Application of Authority

11. This Certificate of Authority is issued by the General Manager of the Council and is endorsed by the execution of this Certificate by the General Manager.

12. This Authority supersedes all prior Certificates of Authority issued to the named Council officer.

13. This Authority will remain in force until:

- (a) withdrawn by the General Manager;
- (b) superseded by a subsequent Certificate of Authority; or
- (c) the named Council officer ceases employment with Council.

By executing this document I acknowledge the contents of this Certificate of Authority and agree to be bound by its controls and limitations.

General Manager

Date.....

Signature of Council officer
acknowledging delegation

Date.....

APPENDIX 3:

Swimming Pool Certificates of Identification

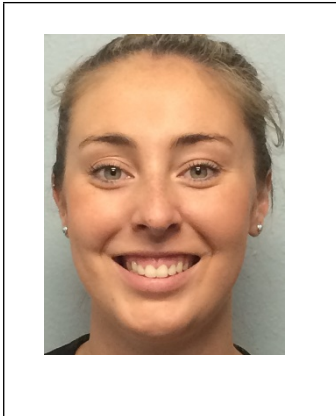


Swimming Pools Regulation 2008

Schedule 1: Certificate of Identification

Swimming Pools Act 1992

This certifies that Maggie McCalman, whose photograph and signature appear below, is an inspector for Edward River Council for the purposes of the *Swimming Pools Act 1992*.



Maggie McCalman

The holder of this certificate is empowered, by section 27B or 28 of the [Swimming Pools Act 1992](#), to enter any premises in or on which he or she suspects that a swimming pool is situated and to examine the premises and, in particular, any swimming pool, and any barrier or other means of restricting access to any swimming pool, situated in or on the premises.

This power may be exercised with the consent of the occupier of the premises or, if that consent cannot be obtained, at any time (between 9.00 a.m. and sunset) after 24 hours' notice of the proposed exercise of the power has been given to the occupier of the premises.

The holder of this certificate is not empowered to enter such part of any building as is used for residential purposes, or any moveable dwelling, otherwise than with the consent of the occupier of the building or dwelling or under a search warrant.

General Manager

Date.....

Signature of Council officer
acknowledging delegation

Date.....



Swimming Pools Regulation 2008

Schedule 1: Certificate of Identification
Swimming Pools Act 1992

This certifies that Marie Sutton, whose photograph and signature appear below, is an inspector for Edward River Council for the purposes of the *Swimming Pools Act 1992*.



Marie Sutton

The holder of this certificate is empowered, by section 27B or 28 of the [Swimming Pools Act 1992](#), to enter any premises in or on which he or she suspects that a swimming pool is situated and to examine the premises and, in particular, any swimming pool, and any barrier or other means of restricting access to any swimming pool, situated in or on the premises.

This power may be exercised with the consent of the occupier of the premises or, if that consent cannot be obtained, at any time (between 9.00 a.m. and sunset) after 24 hours' notice of the proposed exercise of the power has been given to the occupier of the premises.

The holder of this certificate is not empowered to enter such part of any building as is used for residential purposes, or any moveable dwelling, otherwise than with the consent of the occupier of the building or dwelling or under a search warrant.

General Manager

Date.....

Signature of Council officer
acknowledging delegation

Date.....