

## Delegations to the General Manager from Council

Approved By: **Council**

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Doc Controller: **Executive Manager  
Corporate Governance**

Approved Date: **24 Jun 2025**

Review Date: **30 Jun 2026**

Resolutions are ordered with most recent first.

This register displays current delegations. Revoked delegations are removed.

Acting General Manager – Current Appointment	Resolution	Date
<b>2025 Appointment of Acting General Manager</b> <i>THAT Council, in accordance with the provisions of the Local Government Act 1993 under section 61B, appoint Damien Aherne, Director Operations as the Acting General Manager during any absence of the General Manager Shane Crawford, for the period 28 May 2025 until 31 January 2026.</i>	AO082-25 25/14609	27 May 2025
<b>Land Use Planning and Approvals Act 1993</b> <i>Delegation of specific powers from Council to Damien Aherne, while ever appointed as Acting General Manager during any periods of absence of the GM during the period 28 May 2025 until 31 January 2026.</i>	AO078-25 25/14605	27 May 2025

Delegation	Resolution	Date
<b>Local Government Act 1993 – Rates Resolution</b>	AO105-25 25/17164	24 June 2025

(Relevant excerpts from **2025-26 Rates Resolution**):

### B Annual Budget Estimates

*In accordance with section 82(6) of the Local Government Act 1993, by absolute majority, authorises the General Manager to make minor adjustments up to \$200,000 to any individual estimate item (including capital works) as deemed necessary during the 2025-26 financial year provided that the total of estimates remain unaltered.*

### 6.4 Supplementary Rates

6.4.1 *In accordance with the provisions of sections 89A, 92 and 109N of the Act if a supplementary valuation is made prior to 30 June 2026, the General Manager must adjust the amount payable in respect of any rates for that land for that financial year as per the new ...valuation.*

### 6.5 Rebates and Remissions

6.5.1 *In accordance with the provisions of section 129 of the Act, by absolute majority, Council grants a remission of the 2025-26 financial year stormwater removal charge in 3.2.1 a) or 3.2.1 b) as relevant when:*

- a) *The ratepayer has applied in accordance with section 129 of the Act*
- b) *The General Manager establishes that the land or tenancy does not have access to the stormwater system marked as attachment 4 based on the criteria outlined in Council's rates and charges policy for stormwater remission.*

6.5.2 *In accordance with the provisions of section 129 of the Act, by absolute majority, Council grants a remission of the 2025-26 Financial year waste management service charge in 3.1.1 a), b), c), d) or 3.1.3 a), b), c), d) as relevant when:*

Delegation	Resolution	Date
<p>a) <i>The ratepayer has applied in accordance with section 129 of the Act</i></p> <p>b) <i>The General Manager establishes that the land or tenancy does not have access to the waste management service marked as attachment 4 and 5 based on the criteria outlined in Council's rates and charges policy for waste management service remission.</i></p>		
<p><b>Survey Coordination Act 1944</b></p> <p><i>"THAT Council, in accordance with section 22 of the Local Government Act 1993:</i></p> <p>1) <i>[revocation to former employees]</i></p> <p>2) <i>Delegate its powers under sections 4 and 5 of the Survey Coordination Act 1944 to the General Manager, noting that this will allow for the General Manager to appoint a 'proper officer' for the purpose of the Survey Coordination Act 1944."</i></p>	<p>AO200-24 Doc ID TBC</p>	<p>10 Dec 2024</p>
<p><b>Archives Act 1983</b> <b>Public Interest Disclosures Act 2002</b> <b>Right to Information Act 2009</b></p> <p><i>"THAT Council, in accordance with section 22 of the Local Government Act 1993:</i></p> <p>3) <i>Delegate all of its powers and functions as a Relevant Authority under the <b>Archives Act 1983</b>, including any Regulations made under this Act, to the General Manager, with the exception of section 10(1)(c);</i></p> <p>4) <i>Delegate all of its powers and functions as a Public Body under the <b>Public Interest Disclosures Act 2002</b>, including any Regulations made under this Act, to the General Manager, with the exception of section 60; and</i></p> <p>5) <i>Delegate all of its powers and functions as a Public Authority under the <b>Right to Information Act 2009</b>, including any Regulations made under this Act, to the General Manager, with no restrictions; and</i></p> <p>6) <i>Authorise the General Manager under section 64 of the Local Government Act 1993 to delegate any of the above delegated functions and powers to an employee of Council with the appropriate qualifications, skills and experience; and</i></p> <p>7) <i>As of 29 June 2022, revoke its previous delegations to the General Manager under the Archives Act 1983 (Item AO216-12 dated 18 September 2012), the Public Interest Disclosures Act 2002 (Item AO184-12 dated 21 August 2012), and the Right to Information Act 2009 (Item AO184-12 dated 21 August 2012)."</i></p>	<p>AO114-22 22/19130</p>	<p>28 June 2022</p>
<p><b>Heavy Vehicle National Law (Tas) 2013</b> <b>Local Government (Highways) Act 1982</b> <b>Roads and Jetties Act 1935</b></p> <p><i>"THAT Council, in accordance with section 22 of the Local Government Act 1993 and section 124 of the Local Government (Highways) Act 1982, as relevant:</i></p> <p>8) <i>Delegate its powers and functions as a Road Manager under sections 16(b) of the <b>Heavy Vehicle National Law (Tas) 2013</b>, and sections 156, 156A 158, 159, 160, 161, 162, 167, 169, 170, 172, 173, 174, 176, and 178 of the Heavy Vehicle National Law (Tasmania), to the General Manager with no restrictions;</i></p>	<p>AO113-22 22/19129</p>	<p>28 June 2022</p>

Delegation	Resolution	Date
<p>9) Delegate all of its powers and functions under the <b>Local Government (Highways) Act 1982</b>, including any Regulations made under this Act, to the General Manager, with the exception of sections 12, 19(1)(c), 43, 46(2C), 73, 80, 114(8), 124 and with the following condition, that section 104(2) be delegated in accordance with Council's annual Fees and Charges Schedule;</p> <p>10) Delegate all of its powers and functions as a Council, as a Road Authority, and as a Local Authority under the <b>Roads and Jetties Act 1935</b>, including any Regulations made under this Act, to the General Manager, with no restrictions;</p> <p>11) Authorise the General Manager under section 64 of the Local Government Act 1993 to delegate any of the above delegated functions and powers to an employee of Council with the appropriate qualifications, skills and experience; and</p> <p>12) As of 29 June 2022, revoke its previous delegations to the General Manager under the Heavy Vehicle National Law (Tas) 2013 (Item AO192-15 dated 18 August 2015), the Local Government (Highways) Act 1982 (Item AO216-12 dated 18 September 2012), and the Roads and Jetties Act 1935 (Item AO216-12 dated 18 September 2012)."</p>		
<p><b>Environmental Management and Pollution Control Act 1994</b></p> <p><b>Burial and Cremation Act 2019</b></p> <p><b>Dog Control Act 2000</b></p> <p><b>Food Act 2003</b></p> <p><b>Litter Act 2007</b></p> <p><b>Monetary Penalties Enforcement Act 2005</b></p> <p><b>Public Health Act 1997</b></p> <p><b>Weed Management Act 1999</b></p>	AO112-22 22/19128	28 June 2022
<p>"THAT Council, in accordance with section 22 of the Local Government Act 1993:</p> <p>13) Delegate all of its powers and functions under the <b>Environmental Management and Pollution Control Act 1994</b>, including any Regulations made under this Act, to the General Manager with no restrictions;</p> <p>14) Delegate all of its powers and functions as a Council, as a Cemetery Manager, and as a Person in Charge of a Monument under the <b>Burial and Cremation Act 2019</b>, including any Regulations made under this Act, to the General Manager, with the exception of:</p> <p>a) Part 4 Division 4 Subdivisions 1, 2 and 3 (being sections 49-62 inclusive relating to the sale of cemeteries) and</p> <p>b) Sections 66, 67, 68, 69 and 71 (relating to the closure of cemeteries); and</p> <p>c) That section 39 of the Act be delegated with the condition that fees must be in accordance with Council's annual Fees and Charges Schedule;</p> <p>15) Delegate all of its powers and functions under the <b>Dog Control Act 2000</b>, including any Regulations made under this Act, to the General Manager with the exception of sections 7, 20, 21, 22, 23, 24, 25, 26 and 80;</p> <p>16) Delegate all of its powers and functions as a Council, as a Relevant Authority, and as an Enforcement Agency under the <b>Food Act 2003</b>, including any Regulations made under this Act, to the General Manager, with the exception of section 130;</p> <p>17) Delegate all of its powers and functions under the <b>Litter Act 2007</b>, including any Regulations made under this Act, to the General Manager, with no restrictions;</p>		

Delegation	Resolution	Date
<p>18) Delegate its powers and functions as an Issuing Authority and a Fee Paying Public Sector Body, under sections 17(2), 18(1), 21, 23(1), 39(1), 40(3) and 40(5)(c) of the <b>Monetary Penalties Enforcement Act 2005</b>, to the General Manager;</p> <p>19) Delegate all of its powers and functions as a Council, and as a Public Authority, under the <b>Public Health Act 1997</b>, including any Regulations made under this Act, to the General Manager, with the exception of section 185(1);</p> <p>20) Delegate all of its powers and functions under the <b>Weed Management Act 1999</b>, including any Regulations made under this Act, to the General Manager, with no restrictions;</p> <p>21) Authorise the General Manager under section 64 of the Local Government Act 1993 to delegate any of the above delegated functions and powers to an employee of Council with the appropriate qualifications, skills and experience; and</p> <p>22) As of 29 June 2022, revoke its previous delegations to the General Manager under the Environmental Management and Pollution Control Act 1994 (Item AO184-12 dated 21 August 2012), the Burial and Cremation Act 2019 (Item AO218-20 dated 15 September 2020), the Dog Control Act 2000 (Item AO153-12 dated 17 July 2012), the Food Act 2003 (Item AO153-12 dated 17 July 2012), the Public Health Act 1997 (Item AO153-12 dated 17 July 2012), the Weed Management Act 1999 (Item AO216-12 dated 18 September 2012), and the Monetary Penalties Enforcement Act 2005 (Item AO91-14 dated 15 April 2014)."</p>		
<p><b>Historic Cultural Heritage Act 1995</b></p> <p><b>Local Government (Building and Miscellaneous Provisions) Act 1993</b></p> <p><b>Place Names Act 2020</b></p> <p><b>Strata Titles Act 1998</b></p> <p><b>Survey Coordination Act 1994</b> <b>see new delegation above, made 10 Dec 2024</b></p>	<p>AO111-22 22/19127</p>	<p>28 June 2022</p>
<p>"THAT Council, in accordance with section 22 of the Local Government Act 1993:</p>		
<p>1) Delegate its powers as a Planning Authority under sections 30, 36, 37, 38, 39, 39A, 39B and 41 of the <b>Historic Cultural Heritage Act 1995</b> to the General Manager;</p>		
<p>2) Delegate its powers under sections 83, 84, 85, 86, 89, 91, 92, 93, 96, 103, 105(2), 107, 109(1)(6), 110, 115, 118, Part 7 (being sections 225-234 inclusive), sections 246 and 247 of the <b>Local Government (Building and Miscellaneous Provisions) Act 1993</b>, to the General Manager;</p>		
<p>3) Delegate all of its powers and functions as a "responsible authority" under section 11 of the <b>Place Names Act 2020</b>, to name, or to alter, revoke, clarify extend or reduce the name of a highway, road, street, lane or thoroughfare within the Burnie municipal area, to the General Manager;</p>		
<p>4) Delegate its powers under sections 6(1A), 12(2)(b), 14(2)(ab), 19(2)(b)(ii), 23(2)(d), 27(2)(d), 30, 31(6), 31AA, 37, 38, 41, 42(5), 42(6), 43(2)(b), 54, 55(1)(b), 57, 58, 59, 6(1A) of the <b>Strata Titles Act 1998</b>, to the General Manager;</p>		
<p>5) Delegate its powers under S.5 of the Survey Co-ordination Act 1944 to the General Manager, and appoint Sally Pearce (Manager Development Services), under S.4(2) of the <b>Survey Co-ordination Act 1944</b>, as the 'proper officer' for Burnie City Council, for the purposes of the Survey Co-ordination Act 1944; <b>[New delegation issued 10 Dec 2024, council resolution AO200-24]</b></p>		

Delegation	Resolution	Date
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- 6) Authorise the General Manager under section 64 of the Local Government Act 1993 to delegate any of the above delegated functions and powers to an employee of Council with the appropriate qualifications, skills and experience; and
- 7) As of 29 June 2022, revoke its previous delegations to the General Manager under the Historic Cultural Heritage Act 1995 (Item AO321-12 dated 11 December 2012), the Local Government (Building and Miscellaneous Provisions) Act 1993 (Item AO321-12 dated 11 December 2012), the Place Names Act 2000 (Item AO172-20 dated 21 July 2020), the Strata Titles Act 1998 (Item AO321-12 dated 11 December 2012), the Survey Coordination Act 1994 (Item AO321-12 dated 11 December 2012); and revoke its former appointment of Patrick Earle as the 'proper officer' for Burnie City Council, for the purposes of the Survey Co-ordination Act 1944 (Item AO321-12 dated 11 December 2012)."

#### Building Act 2016

AO110-22  
22/19126

28 June 2022

"THAT Council:

- 1) In accordance with section 8(3) of the **Building Act 2016**, delegate the following powers and functions under the Building Act 2016 and the Building Regulations 2016 to the General Manager with the conditions and restrictions as shown;

Provision	Function or Power	Condition or Restriction
<b>Building Act 2016</b>		
Section 16	To respond on any matter on which the Director of Building Control may liaise with the council	Nil
27(2)	Maintain records of the permit authority	Nil
27(3)	Make records of the permit authority available to authorised persons	Nil
27(3)(b)	Control access by council staff to records of the permit authority	Nil
27(4)	Collect any fee applicable for provision of a copy of the record of the permit authority	Nil
41	a) Ensure the owners of property are informed of their duties under the Act in relation to building, demolition and plumbing work and for the maintenance and occupation of buildings b) Be aware of building, demolition and plumbing work being performed, and the use and occupation of buildings, in the municipal area c) As applicable, ensure proceedings are initiated against any person or body failing to comply with the Building Act d) Enforce any order issued by a building surveyor if appropriate to do so	Nil
75	Undertake the duties and protect the interests of the Council as an adjoining owner of premises where work is being performed on a building	Nil
265(3)	Perform work required by an emergency order, building order or plumbing order if the person to whom the order is issued fails to comply	Nil
265(4)	Undertake specified actions associated with performing work to rectify a breach	Nil

Delegation			Resolution	Date
266	Initiation of proceedings to take possession of a building or temporary structure resulting from the failure to comply with emergency, building or plumbing orders	Nil		
267(1) and (2)	Serve a demolition order	Nil		
267(3)	Enter onto land and perform demolition work	Nil		
269	Recover the cost of performing compliance work from a court	Nil		
271(1)	Sell materials acquired from demolition of a building	Nil		
271(2)	Grant the purchaser of building materials the right to perform work required by a demolition order under s265	Nil		
271(6) and (7)	Pay the owner of a building which is demolished the balance proceeds after deducting reasonable expenses	Nil		
324(4)	Collect any payment of penalties due under an infringement notice served by the general manager or the permit authority for the Burnie municipal area	Nil		
<b>Building Regulations 2016</b>				
43(1)	Written consent for plumbing work involving network utility operator's stormwater drainage systems (delegation of powers as a network utility operator for the stormwater drainage system)	Nil		
43(3)	Enter premises and perform necessary work to correctly seal connection (delegation of powers as a network utility operator for the stormwater drainage system)	Nil		
53	Riverine inundation - assessment of probability of flooding	Nil		

- 2) Note the General Manager's power under section 8(4) of the Building Act 2016 to delegate any of the General Manager's powers under this Act, including any of the above delegated functions and powers, to any person, as required; and
- 3) As of 29 June 2022, revoke its previous delegations to the General Manager under the Building Act 2016 (Item AO014-17 dated 31 January 2017)."

#### **Local Government Act 1993**

(See also LGA Rates Resolution listed separately in this document)

AO084-22  
22/14203

24 May 2022

"THAT Council, by absolute majority:

- 1) Delegate all of its powers and functions under Section 19 from Part 3 of the **Local Government Act 1993** to the General Manager with the condition that all use of the common seal must be reported regularly to Council;
- 2) Delegate all of its powers and functions under Sections 74, 75, 76, 77 and 81 from Part 8 of the Local Government Act 1993, with the condition that:
  - a) A limit of \$5,000 per debt applies to Section 76, and
  - b) Any write off made under Section 76 be reported regularly to Council;
- 3) Authorises the General Manager to make minor adjustments up to \$350,000 to any individual estimate item (including capital works) as deemed necessary during the financial year, provided that:



Delegation	Resolution	Date
<p><del>a) The total of the Estimates remains unaltered, and</del>  <del>b) The General Manager advises Councillors of the changes with 14 days' notice of their taking effect, and</del>  <del>c) The General Manager advises of the changes as part of the regular financial reporting to Council;</del></p> <p><i>[Superseded by revised delegation in Rates Resolution 2025-26 issued 24 June 2025, council resolution AO101-25]</i></p> <p>4) Delegate all of its powers and functions under Sections 113, 127, 128, 133 and 135 from <u>Part 9</u> of the Local Government Act 1993 to the General Manager, with the condition that the delegated powers must be exercised in accordance with the Rates and Charges Policy, and the Investment Policy, as reviewed from time to time;</p> <p>5) Delegate the power to grant remissions of rates, penalty or interest under Section 129(3) of the Local Government Act 1993, up to a value of \$1,000 per debt, on the condition that:</p> <p>a) The ratepayer has applied in accordance with Section 129(2) of the Act, and</p> <p>b) The applicant has satisfied the General Manager that the remission should be granted;</p> <p>And with the requirement that any decision taken under the delegation of Section 129(3) that exceeds \$500 in value, must be reported regularly to the Council;</p> <p>6) Delegate all of its powers and functions under Sections 175, 176, 189, 197, 200, 201, 205, 207 and 209 from <u>Part 12</u> of the Local Government Act 1993 to the General Manager with:</p> <p>a) The condition that the delegation under Section 175 that applies to leasing of land only and does not include the purchase of land,</p> <p>b) The restriction on Section 176 to apply only to the delegated provisions under Regulations 37 (d) (e) (f) (g) and (h) of the Local Government (General) Regulations 2015, and</p> <p>c) The condition that the delegation under Section 205 applies only to items not contained in the annual Fees and Charges Schedule, and</p> <p>d) The condition that the delegation under Section 207 is limited to \$2,500 per remission; and</p> <p>7) Delegate all of its powers and functions under Section 252 from <u>Part 14</u> of the Local Government Act 1993 to the General Manager;</p> <p>8) Delegate all of its powers and functions under Regulations 25 and 37 (d) (e) (f) (g) and (h) of the Local Government (General) Regulations 2015;</p> <p>9) In accordance with Section 64 of the Act, authorise the General Manager to delegate the above powers and functions to an employee of Council with the appropriate qualifications, skills and experience; and</p> <p>10) As of 24 May 2022, with the exception of the annual Rates Resolution approved each year, revoke its previous delegations to the General Manager under the Local Government Act 1993 and associated Regulations thereunder."</p>		
<b>Land Use Planning and Approvals Act 1993</b>	AO192/24 [Doc ID TBC]	10 Dec 2024
Delegation of specific powers from Council to named persons:		
<ul style="list-style-type: none"> <li>Shane Crawford - Refer CM Document 24/36666</li> <li>Troy McCarthy – Refer CM Document 25/1978 and 25/1979</li> </ul>		

Delegation	Resolution	Date
<ul style="list-style-type: none"> <li>Samantha Seaton – Refer CM Document 25/2804 and 25/2878</li> <li>Vacant (when Acting GM up to 31 Jan 20XX) – Refer CM Document XXX (no current appointment)</li> </ul>		
<b>Street Dining By-law, Number 1 of 2020</b>  “THAT Council: ... 2) Delegate all of its powers and functions under the <u>Street Dining By-law Number 1 of 2020</u> , to the General Manager with no restrictions; and  3) Authorise the General Manager to delegate the above powers and functions to an employee of Council with the appropriate qualifications, skills and experience.”	AO085-22 22/14205	24 May 2022
<b>Strategic Infrastructure Corridor (Strategic And Recreational Use) Act 2016</b>  (Relevant excerpts from AO213-21)  That Council: ... 2) Delegate all of its powers and functions as an appointed Corridor Manager under the <b>Strategic Infrastructure Corridors (Strategic and Recreational Use) Act 2016</b> including any Regulations made under this Act, to the General Manager with no restrictions; and  3) That the General Manager be authorised to delegate the above powers and functions to an employee of Council with the appropriate qualifications, skills and experience.	AO213-21 21/56393	15 Dec 2021
<b>Highways By-law, Number 3 of 2013</b> <i>[By-law since expired – new by-law pending]</i>	AO010-14 843678	28 Jan 2014
THAT Council  1) Delegate all of its powers and functions under the <b>Highways By-law, By-law Number 3 of 2013</b> to the General Manager with no restrictions; and  2) That the General Manager be authorised to delegate the above powers and functions to an employee of Council with the appropriate qualifications, skills and experience;		

Document Management	
Responsibility:	The Executive Manager Corporate Governance is responsible for maintaining this document in the Corporate Document Framework.
Review Requirements:	Delegations to the General Manager are to be reviewed every two years. This Register is also updated in the interim as required by further resolutions of Council.
Documents Superseded:	Version 20.3 supercedes version 20.3 dated 3 Feb 2025. Subsequent revisions are made periodically to add new delegations made since the last review (version).
Strategic Plan Reference:	Strategy 7.3.1 Ensure Council remains compliant with all its statutory and regulatory obligations and contributes to the regulatory environment which affects our community.
Legislative Reference:	Section 22 of the <i>Local Government Act 1993</i> (4) The general manager is to – (a) keep a register of any delegation; and (b) make the register available for inspection at a public office.