

INSTRUMENT OF DELEGATION

Napranum Aboriginal Shire Council **Local Law No. 1 (Administration) 2018**

Under section 257 of the *Local Government Act 2009*, **NAPRANUM ABORIGINAL SHIRE COUNCIL** resolves to delegate the exercise of the powers contained in Schedule 1 to the Chief Executive Officer.

These powers must be exercised subject to the limitations contained in Schedule 2.

All prior resolutions delegating the same powers to the Chief Executive Officer are repealed.

Schedule 1	
Powers Conferred	
Section of LL1	Description
Part 2 - Approvals for prescribed activities	
6(1)	Power to approve a form of application for a prescribed activity.
6(2)	Power to, by written notice, request the applicant to provide further reasonable information or clarification of information, documents or materials not included in the application.
6(6)	Power to extend period for receipt of information.
7(1)	Subject to s7(2), power to, by written notice to the applicant - (a) grant the approval unconditionally; (b) grant the approval subject to conditions; or (c) refuse to grant the approval.
7(2)	Power to be satisfied of the matters stated in s7(2).
7(3)	Power to give the applicant an information notice if the local government refuses an application for an approval.
8(1)	Power to consider and impose appropriate conditions on an approval.
10(2)(a)	Power to approve a form for application for proposed amendment to approval.
10(3)	Power to decide whether to grant or refuse the application.
10(4)	Power to give the approval holder written notice of the amended conditions.
10(6)	If conditions are not amended, power to give the approval holder an information notice.
10(7)	Subject to 10(8) and 10(9), power to unilaterally change a condition of an approval if satisfied the change is urgently necessary.
10(8)	Power to give the approval holder written notice under subsection (a), and consider written submissions under subsection (b).

Schedule 1	
Powers Conferred	
Section of LL1	Description
10(9)	Power to give written notice of the type contemplated by the subsection.
11(2)(a)(iii)	Power to approve a form for application for renewal or transfer of an approval.
11(3)	Power to renew or transfer an approval, or refuse to renew or transfer an approval.
11(4)	Power to give the applicant an information notice.
12(1)	Power to accept the certificate of an independent certifier.
14(1)(a)	Power to amend, cancel or suspend an approval.
14(1)(b)	Power to reasonably consider a matter contemplated in subsection (1)(b).
14(2)	Power to give the approval holder a show cause notice stating the matters referred to in subsection (2).
14(3)(a)	Power to give written notice.
14(3)(b)	If the approval is to be amended, suspended or cancelled, power to give the approval holder an information notice.
15(1)	Power to immediately suspend an approval.
15(2)(a)	Power to give a notice, together with a show cause notice about the decision to immediately suspend the approval.
15(2)(c)(i)	Power to cancel the suspension of an approval.
Part 4 - Review of decisions	
18(3)	Power to extend the time for making a review application.
19(1)	Power to make a review decision
19(3)	Power to give the applicant a review notice of the decision.
Part 5 – Enforcement	
23(3)	Power to recover cost of action.
Part 6 – Legal proceedings	
28(1)	Power to publish public notice.
Part 7 - Miscellaneous	
30(2)	Power to waive or partially remit a fee.
32(3)	Power to dispose of an item.

Council Resolution: 230625-13

Schedule 2	
Limitations to the Exercise of Power	
1.	The Chief Executive Officer may sub-delegate the powers contained in Schedule 1.