

DA-126 Building and Demolition Permits

Delegator: Council as permit authority		Delegation No. DA – 089	
Process Owner: Director Urban Planning		Last Review Date: 16 June 2020	
Description	Authority to grant or refuse to grant a building permit or demolition permit; to impose, vary, and revoke permit conditions and extend the time of during which permit has effect.		
Statutory Power or Duty Delegated	<i>Building Act 2011</i> Section 18 Seek further information from applicant to determine permit application Section 20 Grant of building permit Section 21 Grant of demolition permit Section 22 Refuse to grant a building permit or demolition permit Section 27 Impose, add, vary or revoke conditions on a building permit or demolition permit Section 88 Impose a condition specifying the finish of a close wall Building Regulations 2012 Regulation 24 Extension of time during which permit has effect		
Statutory Power to Delegate	<i>Building Act 2011</i> Section 127(1) A local government may delegate any of its powers or duties as a permit authority.		
Delegated to	Chief Executive Officer		
Statutory Power to sub delegate:	<i>Building Act 2011</i> Section 127(6A) The CEO of a local government may delegate to any other local government employee a power or duty that has been delegated to the CEO.		
Sub Delegated to:			
Conditions on Delegation/Sub Delegation	<i>Building Act 2011</i> Section 127(3) A local government may only delegate its powers or duties to a local government employee		
Compliance links	<i>Building Act 2011 Part 2 Division 2</i> Building Regulations 2012 Part 3 and Schedule 2 Building Services (Registration Act) 2011 Section 7 Home Building Contracts Act 1991 Part 3A, Division 2 Building Services (Complaint Resolution and Administration) Act 2011 Part 7, Division 2 Building and Construction Industry Training Levy Act 1990 Heritage Act 2018		
Policy Reference	Nil		
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercises 5.119 P		
Period of Validity	Ongoing		
Adopted by Council	Special Meeting of Council	27 March 2012	P12/3298
Substantive Amendments	Ordinary Meeting of Council 16 June 2020 – amended to incorporate delegations formerly recorded in DA-090, DA-091, DA-092, DA-097, DA-104, and to add power to seek further information under s.18.		

DA-127 Occupancy Permits and Building Approval Certificates

Delegator: Council as permit authority Process Owner: Director Urban Planning		Delegation No. DA – 094 Last Review Date: 16 June 2020	
Description	Authority to grant or to refuse to grant an occupancy permit or a building approval certificate; to impose, vary and revoke conditions, and to extend duration.		
Statutory Power or Duty Delegated	<i>Building Act 2011</i> Section 55 Seek further information from applicant Section 58 – Grant of occupancy permit or building approval certificate (including power to refuse under s.58(3)) Section 62 Impose, add, vary or revoke conditions on an occupancy permit or building approval certificate Section 65 Extend the duration of an occupancy permit or building approval certificate.		
Statutory Power to Delegate	<i>Building Act 2011</i> Section 127(1) A local government may delegate any of its powers or duties as a permit authority. Section 127(3) A local government may only delegate its powers or duties to a local government employee		
Delegated to	Chief Executive Officer		
Statutory Power to sub delegate:	<i>Building Act 2011</i> Section 127(6A) The CEO of a local government may delegate to any other local government employee a power or duty that has been delegated to the CEO.		
Sub Delegated to:			
Conditions on Delegation/Sub Delegation	None		
Compliance links	<i>Building Act 2011 Part 2 Division 3</i> <i>Building Regulations 2012 Part 5 and Schedule 2</i> <i>Building Services (Registration Act) 2011 Sections 3 and 11</i> <i>Home Building Contracts Act 1991 Part 3A Division 2</i> <i>Building Services (Complaint Resolution and Administration) Act 2011 Part 7, Division 2</i> <i>Building and Construction Industry Training Levy Act 1990</i>		
Policy Reference	Nil		
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercises 5.119 P		
Period of Validity	Ongoing		
Adopted by Council	Special Meeting of Council	27 March 2012	P12/3298
Substantive Amendments	Ordinary Meeting of Council 16 June 2020 – amended to incorporate delegations formerly recorded in DA-093, DA-095, DA-096.		

DA-128 Building Orders

Delegator: Council as permit authority Process Owner: Director Urban Planning		Delegation No. DA – 099 Last Review Date: 16 June 2020	
Description	<ol style="list-style-type: none"> 1. Authority to issue building orders, give notice of a building order, revoke a building order and give notice to that effect. 2. In the event of non-compliance with a building order, cause an authorised person to take any action, or commence or complete any work, specified in the order or to take reasonable steps to cause specified action to cease, and recover the reasonable costs in giving effect to the building order. 		
Statutory Power or Duty Delegated	<i>Building Act 2011</i> Section 110(1) – Building orders Section 111 – Notice of proposed building order Section 117 – Revocation of building order Section 118 – Give effect to building order if non-compliance Section 88(3) – Specify the finish of a close wall in a building order		
Statutory Power to Delegate	<i>Building Act 2011</i> Section 127(1) A local government may delegate any of its powers or duties as a permit authority. Section 127(3) A local government may only delegate its powers or duties to a local government employee		
Delegated to	Chief Executive Officer		
Statutory Power to sub delegate:	<i>Building Act 2011</i> Section 127(6A) The CEO of a local government may delegate to any other local government employee a power or duty that has been delegated to the CEO.		
Sub Delegated to:			
Conditions on Delegation/Sub Delegation	None		
Compliance links	<i>Building Act 2011</i> Part 8 Division 5		
Policy Reference	None		
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercises 5.119 P		
Period of Validity	Ongoing		
Adopted by Council	Special Meeting of Council	27 March 2012	P12/3298
Substantive Amendments	Ordinary Meeting of Council	16 June 2020	M20/5749 Amended to incorporate delegations recorded in instruments DA-097, DA-100, DA-101