

S7 Instrument of Sub-Delegation by CEO



Instrument of Sub-Delegation

by

The Chief Executive Officer

Building Act & Regulations

Instrument of Sub-Delegation

By this Instrument of Sub-Delegation, in exercise of the power conferred by s 47(1) of the *Local Government Act 2020*, I, as Chief Executive Officer of Maroondah City Council –

1. delegate each duty and/or function and/or power respectively described in column 1 of the Schedule (and summarised in column 2 of the Schedule) to the member of Council staff holding, acting in or performing the duties of the office or position respectively described in column 3 of the Schedule;
2. record that on coming into force of this Instrument of Sub-Delegation, all previous sub-delegations made by the Chief Executive Officer in relation to the Building Act 1993, the Domestic Building Contracts Act 1995, the Building Regulations 2018 and Building Miscellaneous and Administrative Powers, are revoked;
3. declare that this Instrument of Sub-Delegation -
 - 3.1 comes into force immediately upon its execution;
 - 3.2 remains in force until varied or revoked;
 - 3.3 is subject to any conditions and limitations set out in paragraph 4, and in the Schedule; and
 - 3.4 must be read in accordance with any guidelines or policies which Council from time to time adopts; and
4. declare that the delegate must not determine the issue, take the action or do the act or thing if:
 - 4.1 the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council; or
 - 4.2 if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a
 - (a) policy; or
 - (b) strategyadopted by Council; or
 - 4.3 if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation, whether on account of ss 11(2)(a) – (n) and 47(2) (inclusive) of the Act or otherwise.

This Instrument of Sub-Delegation is dated 1 November 2021 and is made by the Chief Executive Officer under authority of an instrument of delegation authorised by Resolution of Council made on 18 October 2021.

SIGNED by Stephen Kozlowski
CHIEF EXECUTIVE OFFICER
Maroondah City Council



.....
Dated: 1 November 2021

in the presence of:



.....
Witness

SCHEDULE

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BUILDING ACT 1993			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 3(1)	Power to appoint municipal building surveyor	Director Development & Amenity	The person must be a registered building surveyor (unlimited) as required by s 213
s 11(2)	Duty to publish notice in a newspaper if regulation under Part 2 ceases to have effect	Manager Statutory Planning	Following consultation with Municipal Building Surveyor
s 25AD(1)	Function of receiving written notice of the occurrence of each prescribed event and the prescribed information relating to that event	Municipal Building Surveyor Deputy Building Surveyor	
s 25BE	Function of receiving the building permit number and the information given to the Victorian Building Authority (Authority) by the relevant building surveyor under s 18AA in relation to the application for the building permit number	Municipal Building Surveyor Deputy Building Surveyor	
s 29A	Function of giving consent to building permit for demolition in its capacity as responsible authority under the <i>Planning and Environment Act 1987</i>	Municipal Building Surveyor Deputy Building Surveyor	
s 29B(1)	Duty to give notice where amendment of planning scheme sought in its capacity as responsible authority under the <i>Planning and Environment Act 1987</i>	Municipal Building Surveyor Deputy Building Surveyor	
s 29B(3)	Duty to give notice where request for amendment withdrawn, refused etc. in its capacity as responsible authority under the <i>Planning and Environment Act 1987</i>	Municipal Building Surveyor Deputy Building Surveyor	
s 30	Function of receiving copy permit, plans and other documents	Municipal Building Surveyor	

BUILDING ACT 1993			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 30B	Function of receiving checklist confirming all relevant documents to be provided by building surveyor	Municipal Building Surveyor	
s 31(1)	Duty to keep register of building permits	Municipal Building Surveyor	
s 31(2)	Duty to make register available for inspection	Municipal Building Surveyor	
s 32	Duty to keep documents	Municipal Building Surveyor	
s 32A(2)	Duty to provide Development Victoria notice setting out information in s 32A(3) and a copy of any relevant planning permit within 14 days after being given a copy of building permit under s 30(1), in certain circumstances where s 32A(1) applies	Municipal Building Surveyor	
s 66(b)(i)	Function of determining fees	Manager Engineering & Building Services	
s 73	Function of receiving copy permit, plans and other documents	Municipal Building Surveyor	
s 74(1)	Duty to keep register of occupancy permits, temporary approvals and amendments	Municipal Building Surveyor	
s 74(2)	Duty to make register available	Municipal Building Surveyor	
s 75	Duty to keep documents	Municipal Building Surveyor	
s 80	Function of receiving notification of appointment	Municipal Building Surveyor	

BUILDING ACT 1993			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 80A(3)(a)	Function of receiving written notice of designated building surveyor referred to in s 80A(2)	Municipal Building Surveyor	
s 80A(4)(a)	Function of receiving notice of the new designated building surveyor	Municipal Building Surveyor	
s 80C(4)(c)	Function of receiving a copy of the transfer form	Municipal Building Surveyor	
s 80D(6)(b)	Function of receiving notification of functions being transferred from an employee building surveyor or a designated building surveyor in accordance with a direction under s 80D(1) or (2)	Municipal Building Surveyor	
s 81(2)	Function of receiving notification for work terminated	Municipal Building Surveyor	
s 83F	Function of receiving notice of appointment of manager for private building surveyor's business from the Authority	Municipal Building Surveyor	
s 101(2)	Function of receiving copy documents	Municipal Building Surveyor	
s 120(2)(a)	Function of receiving notification that an order is complied with	Municipal Building Surveyor	
s 123(1)	Power to determine whether to recover from the owner the costs of work carried out or action taken under Part 8 Division 3 of the Act by the municipal building surveyor as a debt due to Council pursuant to s 123(1) of the Act	Municipal Building Surveyor	

BUILDING ACT 1993			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 123(2)	Power to determine whether to apply any sum or part of any sum for which a bond or undertaking is deposited with Council under a condition imposed on a permit under s 22 of the Act towards the costs of carrying out work or taking action pursuant to s 123(2) of the Act	Manager Engineering & Building Services	Following consultation with Municipal Building Surveyor
s 125(1)	Function of receiving copy notice or order	Municipal Building Surveyor	
s 125(2)	Function of receiving written notice of the compliance, amendment or cancellation	Municipal Building Surveyor	
s 126(1)	Duty to keep register of emergency orders, building notices and building orders	Municipal Building Surveyor	
s 126(2)	Duty to make register available for inspection	Municipal Building Surveyor	
s 138(5)	Power to appeal to the Building Appeals Board	Municipal Building Surveyor Deputy Building Surveyor	Where Council is a prescribed reporting authority
s 160(3)(d)	Power to make application to the Building Appeals Board	Municipal Building Surveyor Deputy Building Surveyor	
s 162(1)(a)(i)	Function of being consulted by the Building Appeals Board	Municipal Building Surveyor Deputy Building Surveyor	
s 162(4)(b)	Function of entering into an agreement when directed by Building Appeals Board	Manager Engineering & Building Services	
s 164(1)	Power to agree to terminate or vary agreement	Manager Engineering & Building Services	Following consultation with Municipal Building Surveyor

BUILDING ACT 1993			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 164(2)	Power to terminate or vary agreement	Manager Engineering & Building Services	Following consultation with Municipal Building Surveyor
s 164(4)	Power to apply for approval	Manager Engineering & Building Services	Following consultation with Municipal Building Surveyor
s 165(1)(a)	Duty to lodge copy or give notice	Manager Engineering & Building Services	Following consultation with Municipal Building Surveyor
s 165(1)(b)	Duty to apply to agreement made in the Register	Manager Engineering & Building Services	Following consultation with Municipal Building Surveyor
s 192(1)	Function of consulting with Minister regarding Alpine resorts		Maroondah CC does not have an Alpine Area
s 192A(7)	Function of receiving a copy of the map prepared by the Minister		Maroondah CC does not have an Alpine Area
s 192A(8)	Duty to make a copy of the most recent map available for inspection by members of the public without charge, during business hours, at Council's offices		Maroondah CC does not have an Alpine Area
s 214(1)	Power to enter into agreement	Director Development & Amenity	
s 215(1)	Power to enter into agreements with a private building surveyor	Director Development & Amenity	
s 216A	Power to apply to the Minister for exemption	Director Development & Amenity	

BUILDING ACT 1993			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 216C	Power to appoint a municipal building surveyor to carry out certain functions outside of the municipal district	Director Development & Amenity	
s 216D(2)	Duty to establish and maintain a register of swimming pools located in Council's municipal district	Municipal Building Surveyor	
s 216D(5)(a)	Duty to submit, on request, all or any part of the information, record and document recorded in the register to the Authority	Municipal Building Surveyor	
s 216D(5)(b)	Duty to submit, on request, all or any part of the information, record and document recorded in the register to any other prescribed person, agency or body	Municipal Building Surveyor	
s 222	Function of receiving order from Minister	Director Development & Amenity	
s 230(2)	Duty to keep a register containing the prescribed information relating to the exercise of a power of entry under Subdivision 5 by any of the authorised persons referred to in s 230(2)(a) and (b)	Municipal Building Surveyor	
s 230(7)(a)	Duty to keep the prescribed information relating to each exercise of a power of entry under Subdivision 5 for 10 years after the date of the entry	Municipal Building Surveyor Deputy Building Surveyor	
s 230(7)(b)	Duty to make the register required under s 230(2) available for inspection by the Authority on request, and at a time agreed to between Council and the Authority	Municipal Building Surveyor	
s 230(7)(c)	Duty to provide an extract under s 230(6), if requested	Municipal Building Surveyor	

BUILDING ACT 1993			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 232	Power to receive complaints about the exercise of a power under Part 13 Division 2 by Council's municipal building surveyor, or a person authorised by Council's municipal building surveyor to act on behalf of the municipal building surveyor	Director Development & Amenity	
s 234A	Duty to consider the complaint and give a written report to the complainant of the person's consideration of the complaint	Director Development & Amenity	If the complaint is brought under Part 12 Division 2 of the Act
s 236(7)	Power to consent to remove or deface an order or notice put up under s 236(4) or 236(4A)	Municipal Building Surveyor Deputy Building Surveyor	
s 241(1)&(4)	Power to authorise a person or persons to bring proceedings for a summary offence against Part 3, 4, 5, 7 or 8 of the Act or the building regulations within Council's municipal district pursuant to s 241(1) and 241(4)	Municipal Building Surveyor	
s 242	Function of receiving funds recovered through prosecution	Municipal Building Surveyor	
s 252(1)	Power to determine whether to apply to the Magistrates' Court for a warrant under s 252 of the Act if a person refuses to vacate a building or land when required to do so by order under the Act pursuant to s 252(1) of the Act	Municipal Building Surveyor	
s 259AB(1)	Function of entering an information sharing arrangement with the Authority	Director Development & Amenity	Subject to s 259AB(2) Where Council is a relevant agency

BUILDING ACT 1993			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 259AB(3)	Power to request and receive information held by the Authority, and power to disclose information to the Authority	Municipal Building Surveyor Deputy Building Surveyor	Only to the extent that the information is reasonably necessary to assist in the exercise of functions under this Act, or the functions of Council Where Council is a relevant agency
s 259AB(4)(a)	Function of being referred, by the Authority, any matter (including any complaint) with respect to building work, plumbing work or architectural services	Municipal Building Surveyor Deputy Building Surveyor	Where Council is a building regulator
s 259AB(4)(b)	Function of receiving from the Authority any matter of a type described in s 259AB(4)(a)	Municipal Building Surveyor Deputy Building Surveyor	Where Council is a building regulator
s 259AB(4)(c)	Function of conducting a joint investigation with the Authority into any matter of a type described in s 259AB(4)(a)	Municipal Building Surveyor Deputy Building Surveyor	Where Council is a building regulator
s 259AB(5)	Power to, despite any other Act or law of the State, refer a matter referred to in s 259AB(4) to the Authority, or to conduct an investigation into the matter jointly with the Authority	Municipal Building Surveyor Deputy Building Surveyor	Where Council is a building regulator
sch 2 cl 1(c)(i)	Function of determining fees	Manager Engineering & Building Services	
sch 2 cl 4(2)	Function of receiving copy application	Municipal Building Surveyor Deputy Building Surveyor	

BUILDING ACT 1993			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
sch 2 cl 4(3)	Function of receiving fees	Municipal Building Surveyor Deputy Building Surveyor	
sch 2 cl 4(4)	Power to fix fees in accordance with cl 4(5)	Manager Engineering & Building Services	
sch 2 cl 4A(2)(b)	Duty to give the owner of the allotment an opportunity to make a submission in respect of the possible detriment	Municipal Building Surveyor	Where Council is the reporting authority

DOMESTIC BUILDING CONTRACTS ACT 1995			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 48R	Function of receiving details of alleged contraventions of building legislation	Municipal Building Surveyor	

BUILDING REGULATIONS 2018			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 5(2)	Power to designate an area liable to flooding	Manager Engineering & Building Services	Where Council is the relevant council
r 44	Function of receiving documents	Municipal Building Surveyor	Where Council is the relevant council
r 49	Duty to keep documents in any manner specified by the Keeper of Public Records until the building is demolished or removed from the allotment	Municipal Building Surveyor	Where Council is the relevant council
r 50	Duty to make documents available on request	Municipal Building Surveyor	Where Council is the relevant council
r 51	Function of providing information	Municipal Building Surveyor Deputy Building Surveyor	Where Council is the relevant council
r 73(2)	Power of providing report and consent	Manager Statutory Planning	Where Council is the relevant council
r 74(4)	Power of providing report and consent	Manager Statutory Planning	Where Council is the relevant council
r 75(4)	Power of providing report and consent	Municipal Building Surveyor Deputy Building Surveyor	Where Council is the relevant council
r 76(4)	Power of providing report and consent	Municipal Building Surveyor Deputy Building Surveyor	Where Council is the relevant council

BUILDING REGULATIONS 2018			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 77(3)	Power of providing report and consent	Municipal Building Surveyor Deputy Building Surveyor	Where Council is the relevant council
r 78(6)	Power of providing report and consent	Municipal Building Surveyor Deputy Building Surveyor	Where Council is the relevant council
r 79(6)	Power of providing report and consent	Manager Statutory Planning	Where Council is the relevant council
r 80(6)	Power of providing report and consent	Municipal Building Surveyor Deputy Building Surveyor	Where Council is the relevant council
r 81(6)	Power of providing report and consent	Municipal Building Surveyor Deputy Building Surveyor	Where Council is the relevant council
r 82(5)	Power of providing report and consent	Municipal Building Surveyor Deputy Building Surveyor	Where Council is the relevant council
r 83(3)	Power of providing report and consent	Municipal Building Surveyor Deputy Building Surveyor	Where Council is the relevant council
r 84(9)	Power of providing report and consent	Municipal Building Surveyor Deputy Building Surveyor	Where Council is the relevant council
r 85(3)	Power of providing report and consent	Municipal Building Surveyor Deputy Building Surveyor	Where Council is the relevant council

BUILDING REGULATIONS 2018			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 86(3)	Power of providing report and consent	Municipal Building Surveyor Deputy Building Surveyor	Where Council is the relevant council
r 87(2)	Power of providing report and consent	Municipal Building Surveyor Deputy Building Surveyor	Where Council is the relevant council
r 89(3)	Power of providing report and consent	Manager Statutory Planning	Where Council is the relevant council
r 90(2)	Power of providing report and consent	Municipal Building Surveyor Deputy Building Surveyor	Where Council is the relevant council
r 91(5)	Power of providing report and consent	Municipal Building Surveyor Deputy Building Surveyor	Where Council is the relevant council
r 92(2)	Power of providing report and consent	Municipal Building Surveyor	Where Council is the relevant council
r 94(6)	Power of providing report and consent	Municipal Building Surveyor Deputy Building Surveyor	Where Council is the relevant council
r 95(3)	Power of providing report and consent	Municipal Building Surveyor Deputy Building Surveyor	Where Council is the relevant council
r 96(3)	Power of providing report and consent	Municipal Building Surveyor Deputy Building Surveyor	Where Council is the relevant council

BUILDING REGULATIONS 2018			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 97(2)	Power of providing report and consent	Municipal Building Surveyor Deputy Building Surveyor	Where Council is the relevant council
r 109(1)	Power of providing report and consent	Municipal Building Surveyor Deputy Building Surveyor	Where Council is the relevant council
r 109(2)	Power of providing report and consent	Municipal Building Surveyor Deputy Building Surveyor	Where Council is the relevant council
r 109(3)	Power to give consent under rr 109(1) or 109(2)	Municipal Building Surveyor Deputy Building Surveyor	Where Council is the relevant council if it considers that the projection of the part of the building beyond the street alignment will not be detrimental to the safety of the public
r 116(4)	Power of providing report and consent	Municipal Building Surveyor Deputy Building Surveyor	Where Council is the relevant council
r 130(1)	Power of providing report and consent	Manager Engineering & Building Services	Where Council is the relevant service authority

BUILDING REGULATIONS 2018			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 132(1)	Power of providing report and consent	Manager Health, Local Laws & Emergency Management Coordinator Community Health Team Leader Environmental Health Environmental Health Officer	Where Council is the relevant council
r 133(2)	Power of providing report	Manager Engineering & Building Services Coordinator Engineering Services & Strategy Municipal Building Surveyor Deputy Building Surveyor	Where Council is the relevant council
r 134(2)	Power of providing report and consent	Municipal Building Surveyor Deputy Building Surveyor	Where Council is the relevant council
r 147L(2)	Function of receiving an application for registration	Municipal Building Surveyor Deputy Building Surveyor	Where Council is the relevant council
r 147M(2)	Function of receiving an application for registration	Municipal Building Surveyor Deputy Building Surveyor	Where Council is the relevant council

BUILDING REGULATIONS 2018			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 147N(2)	Function of receiving an application for registration	Municipal Building Surveyor Deputy Building Surveyor	Where Council is the relevant council
r 147O(1)	Power to give notice	Municipal Building Surveyor Deputy Building Surveyor	Where Council is the relevant council
r 147Q	Duty to enter information relating to a swimming pool or spa into Council's register	Municipal Building Surveyor Deputy Building Surveyor	Where Council is the relevant council
r 147R(1)	Duty to give notice of the matters in r 147R(1)(a) – (g)	Municipal Building Surveyor Deputy Building Surveyor	Where Council is the relevant council
r 147R(4)	Duty to specify a date for the purposes of r 147R(1)(g)	Municipal Building Surveyor Deputy Building Surveyor	Where Council is the relevant council
r 147R(5)	Power to specify date	Municipal Building Surveyor Deputy Building Surveyor	Where Council is the relevant council
r 147S(1)	Duty to remove from the register the information about the swimming pool or spa set out in r 147J, as soon as practicable, where satisfied that a registered swimming pool or registered spa no longer exists or is no longer capable of containing water to a depth of greater than 300 mm	Municipal Building Surveyor Deputy Building Surveyor	Where Council is the relevant council
r 147S(2)	Duty to give a notice in writing after removing the information about the swimming pool or spa from the register	Municipal Building Surveyor Deputy Building Surveyor	Where Council is the relevant council

BUILDING REGULATIONS 2018			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 147T(1)	Duty to determine the date of construction	Municipal Building Surveyor Deputy Building Surveyor	Where Council is the relevant council
r 147U(1)	Duty to determine the date of construction	Municipal Building Surveyor Deputy Building Surveyor	Where Council is the relevant council
r 147V(1)	Duty of receiving a certificate of compliance	Municipal Building Surveyor Deputy Building Surveyor	Where Council is the relevant council
r 147V(4)	Duty to give notice in writing following lodgement of a certificate of pool and spa barrier compliance by the owner	Municipal Building Surveyor Deputy Building Surveyor	Where Council is the relevant council
r 147W(1)	Power to exempt an owner from the requirement under r 147V(1) to lodge a certificate of pool and spa barrier compliance	Municipal Building Surveyor Deputy Building Surveyor	Where Council is the relevant council
r 147W(2)	Duty to give a notice in writing if an owner is exempted under r 147V(1)	Municipal Building Surveyor Deputy Building Surveyor	Where Council is the relevant council
r 147Z(1)	Power to extend the period for lodgement of a certificate of pool and spa barrier compliance if satisfied of the criteria in r 147Z(1)(a) – (e)	Municipal Building Surveyor Deputy Building Surveyor	Where Council is the relevant council
r 147Z(3)	Duty to give a notice, in writing, to the owner of the land specifying a new due date for the lodgement of a certificate of pool and spa barrier compliance as soon as practicable after that decision is made	Municipal Building Surveyor Deputy Building Surveyor	Where Council is the relevant council

BUILDING REGULATIONS 2018			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 147ZD	Duty to update the applicable barrier standard on the register to include the applicable barrier standard referred to in the certificate	Municipal Building Surveyor Deputy Building Surveyor	Where Council is the relevant council
r 147ZE	Duty to give a notice, in writing, to the owner as soon as practicable following lodgement of a certificate of pool and spa barrier compliance under r 147ZC	Municipal Building Surveyor Deputy Building Surveyor	Where Council is the relevant council
r 147ZJ(3)	Duty to give a notice, in writing, to the owner of the land on which the swimming pool or spa relating to the barrier is located	Municipal Building Surveyor Deputy Building Surveyor	Where Council is the relevant council
r 147ZL(1)	Duty to update the register with details of the name of the new owner of the land as soon as practicable	Municipal Building Surveyor Deputy Building Surveyor	Where Council is the relevant council
r 147ZL(2)	Duty to give a notice, in writing, to the new owner of the land	Municipal Building Surveyor Deputy Building Surveyor	Where Council is the relevant council
r 147ZM	Duty to submit the requested information to the Authority in the form approved by the Authority	Municipal Building Surveyor Deputy Building Surveyor	Where Council is the relevant council
r 148	Duty to prepare maps	Manager Engineering & Building Services Coordinator Engineering Services & Strategy Municipal Building Surveyor Deputy Building Surveyor	

BUILDING REGULATIONS 2018			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 149(1)	Duty to amend or prepare map for the existing or new designated special area	Manager Engineering & Building Services Coordinator Engineering Services & Strategy Municipal Building Surveyor Deputy Building Surveyor	Where Council is the relevant council
r 149(2)	Duty to advise the Authority if a designated special area is altered or created	Manager Engineering & Building Services Coordinator Engineering Services & Strategy Municipal Building Surveyor Deputy Building Surveyor	
r 149(3)	Duty to lodge copies of designated special area maps with the Authority	Manager Engineering & Building Services Coordinator Engineering Services & Strategy Municipal Building Surveyor Deputy Building Surveyor	Where Council is the relevant council

BUILDING REGULATIONS 2018			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 149(4)	Duty to make an up-to-date copy of each designated special area map, applicable to Council's municipal district, available to the public for inspection	Manager Engineering & Building Services Coordinator Engineering Services & Strategy Municipal Building Surveyor Deputy Building Surveyor	
r 150	Power to designate areas within Council's municipal district in which buildings are likely to be subject to attack by termites	Municipal Building Surveyor Deputy Building Surveyor	
r 152(1)	Power to designate areas in Council's municipal district that are likely to be subject to significant snowfalls	Municipal Building Surveyor Deputy Building Surveyor	For the purposes of the BCA
r 153(2)	Power of providing report and consent	Manager Engineering & Building Services Coordinator Engineering Services & Strategy	Where Council is the relevant council
r 153(4)	Duty not to give consent under r 153(2) if there is likely to be a danger to the life, health or safety of the occupants of the building due to flooding of the site	Manager Engineering & Building Services Coordinator Engineering Services & Strategy	Where Council is the relevant council
r 153(5)	Power to specify, Council's report, a level for the surface of the lowest floor of a building on the site	Manager Engineering & Building Services Coordinator Engineering Services & Strategy	Where Council is the relevant council

BUILDING REGULATIONS 2018			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 153(6)	Duty to consult with the floodplain management authority for the site and specify a level in line with r 153(6)(b) requirements	Manager Engineering & Building Services Coordinator Engineering Services & Strategy	Where Council is the relevant council
r 153(7)	Duty to, without delay, advise the floodplain management authority and sewerage authority for the site of the floor level (if any) specified under r 153(5)	Manager Engineering & Building Services Coordinator Engineering Services & Strategy	Where Council is the relevant council
r 154(1)	Power of providing report and consent	Manager Engineering & Building Services Coordinator Engineering Services & Strategy	Where Council is the relevant council
r 154(2)	Power to include, in the report and consent Council provides, recommendations controlling the location and construction of retaining walls and fences in relation to designated land or designated work	Manager Engineering & Building Services Coordinator Engineering Services & Strategy	Where Council is the relevant council
r 154(3)	Duty to consult with the waterway management authority for the designated land or designated works before giving consent under r 154(1)	Manager Engineering & Building Services Coordinator Engineering Services & Strategy	
r 166B(c)(ii)	Power to approve floor area size greater than 60m ²		

BUILDING REGULATIONS 2018			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 166C(1)(a)	Function of receiving notification from building owner of intention to commence occupying the building as the owner's principal place of residence		
r 166C(1)(b)	Function of receiving notification from building owner of the proposed commencement date of that occupation		
r 166C(2)	Function of receiving notification from building owner of proposed commencement date of occupation		
r 166F(1)(a)(v)	Power to approve reticulated sewerage system or septic tank system		For the purpose of s 53MB of the <i>Environment Protection Act 1970</i>
r 187(2)	Power of providing report and consent	Manager Health, Local Laws & Emergency Management Coordinator Community Health Team Leader Environmental Health Environmental Health Officer	Where Council is the relevant council Subject to r 187(3)
r 202(1)	Duty to keep the documents relating to occupancy permits in any manner specified by the Keeper of Public Records	Municipal Building Surveyor	For the purposes of s 75 of the <i>Building Act 1993</i>
r 202(2)	Duty to keep documents relating to a temporary approval for 3 years after the earlier of the two periods set out in r 202(2)(a) and 202(2)(b)	Municipal Building Surveyor	For the purposes of s 75 of the <i>Building Act 1993</i>

BUILDING REGULATIONS 2018			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 203	Function of receiving documents	Municipal Building Surveyor	
r 205	Function of receiving information	Municipal Building Surveyor	Where Council is the relevant council
r 215(3)(c)	Function of receiving a determination and report under s 120(2)(a) of the <i>Building Act 1993</i>	Municipal Building Surveyor	Where Council is the relevant council If the essential safety measure is required under an emergency order or a building order under Part 8 of the <i>Building Act 1993</i>
r 280(1)	Power to exempt a Class 10 building, that is to be constructed on farm land and used for farming purposes, from all or any of the requirements of these Regulations	Municipal Building Surveyor	Where Council is the relevant council

MISCELLANEOUS AND ADMINISTRATIVE POWERS			
Column 1	Column 2	Column 3	Column 4
THING DELEGATED		DELEGATE	CONDITIONS & LIMITATIONS
Section A – Finance Issues			
Section B – Building Issues			
Power to determine fees required under cl 1(c)(i) of sch 2 and ss 18, 42 and 54 of the <i>Building Act 1993</i> for building permit, application for an occupancy permit (building work) and application for an occupancy permit (places of public entertainment).		Municipal Building Surveyor	Following consultation with Manager Engineering & Building Services
Power to determine fees payable, person responsible for payment of fees and method of payment and recovery of fees for any application, approval, permit, consent, referral, request, information, inspection, consultation, advice, report, the keeping of documents and records or other function, service or work performed or provided under the <i>Building Act 1993</i> , <i>Building Regulations 2018</i> or for the purposes of any other building control or related function of the Council by the Council or its delegate or any member of staff of the Council.		Municipal Building Surveyor	Following consultation with Manager Engineering & Building Services
Section C – Miscellaneous Issues			

