

Delegations Under Legislation

Acquisition of Land Act 1967

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Chief Executive Officer	Power to give the relevant Chief Executive for the resource interest a written notice.	Section 4B(2) <i>Acquisition of Land Act 1967</i>	7 August 2014	
Chief Executive Officer	Power to: (a) propose to take any land; (b) serve (as prescribed by section 7 of the Acquisition of Land Act 1967) a notice (a notice of intention to resume).	Section 7(1) <i>Acquisition of Land Act 1967</i>	7 August 2014	
Chief Executive Officer	Power to consider the grounds of objection to the taking of any land and the other specified matters.	Section 8(2) <i>Acquisition of Land Act 1967</i>	7 August 2014	
Chief Executive Officer	In the specified circumstances, the power to discontinue a resumption or amend a notice of intention to resume if of the opinion that the resumption should be discontinued or that the notice of intention to resume should be amended.	Section 8(2A) <i>Acquisition of Land Act 1967</i>	7 August 2014	
Chief Executive Officer	In the specified circumstances, the power to apply to the Minister that land be taken as prescribed by section 9 of the <i>Acquisition of Land 1967</i> if of the opinion that the land in question is required for the purpose for which it is proposed to be taken.	Section 9(1) <i>Acquisition of Land Act 1967</i>	7 August 2014	
Chief Executive Officer	In the specified circumstances, the power to agree with a claimant on the amount of compensation.	Section 12(5A) <i>Acquisition of Land Act 1967</i>	7 August 2014	
Chief Executive Officer	In the specified circumstances, the power to serve a copy of the gazette resumption notice upon every person who to your knowledge is entitled, pursuant to section 18 of the <i>Acquisition of Land 1967</i> , to claim compensation or is a mortgagee of the land.	Section 12(7) <i>Acquisition of Land Act 1967</i>	7 August 2014	
Chief Executive Officer	In the specified circumstances, the power to agree in writing with an owner of land that the taking of part of the land will leave, or has left, a parcel of the land that is of no practical use or value to the owner of such land and accordingly that parcel of land will be taken.	Section 13(1)(b) <i>Acquisition of Land Act 1967</i>	7 August 2014	

Register of Delegations - Council to Chief Executive Officer

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Chief Executive Officer	Power to enter into a resumption agreement .	Section 15 <i>Acquisition of Land Act 1967</i>	7 August 2014	
Chief Executive Officer	Power to apply to the relevant Minister for the land to be taken under this section.	Section 15C(1) <i>Acquisition of Land Act 1967</i>	7 August 2014	
Chief Executive Officer	Power to, by gazette notice, declare that the land is taken for the purpose stated in the notice, without making any application under section 15C.	Section 15D(1) <i>Acquisition of Land Act 1967</i>	7 August 2014	
Chief Executive Officer	Power to be satisfied the land: (a) may be taken; and (b) should be taken for the purpose for which it is proposed to be taken.	Section 15D(3) <i>Acquisition of Land Act 1967</i>	7 August 2014	
Chief Executive Officer	Power to at any time before the publication of a gazette resumption notice, serve upon every person who has been served with a notice of intention to resume a further notice stating that the resumption of the land concerned is being discontinued.	Section 16(1) <i>Acquisition of Land Act 1967</i>	7 August 2014	
Chief Executive Officer	Power to agree with a claimant upon the amount of compensation to be paid under section 16(1A) of the <i>Acquisition of Land Act 1967</i> .	Section 16(1B) <i>Acquisition of Land Act 1967</i>	7 August 2014	
Chief Executive Officer	In certain circumstances, power to, by gazette notice (the revoking gazette notice), revoke the gazette resumption notice, in whole or in part.	Section 17(1) <i>Acquisition of Land Act 1967</i>	7 August 2014	
Chief Executive Officer	Power to agree with a claimant: (a) upon the amount of compensation to be paid under section 17(4) of the <i>Acquisition of Land Act 1967</i> ; or (b) that the amount of compensation should be determined by the Land Court.	Section 17(5) <i>Acquisition of Land Act 1967</i>	7 August 2014	
Chief Executive Officer	Power to: (a) satisfy yourself that it is reasonable in all the circumstances to accept, and deal, with a claim for compensation served by the claimant more than 3 years after the day the land was taken; and (b) accept, and deal, with the claim.	Section 19(4) <i>Acquisition of Land Act 1967</i>	7 August 2014	Subject to the limitations contained in section 46 of the <i>Acquisition of Land Act 1967</i> .

Register of Delegations - Council to Chief Executive Officer

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Chief Executive Officer	Power to agree with a claimant that the claimant will be granted, in satisfaction wholly or partly of the claimant's claim for compensation, any easement, right of way, lease or other right of occupation, or any other right, privilege or concession in, upon, over or under the land taken or any other land the property of Council.	Section 21(1) <i>Acquisition of Land Act 1967</i>	7 August 2014	
Chief Executive Officer	Power to agree with the claimant that the claimant will be transferred land held in fee simple by Council in satisfaction wholly or partly of the Claimants claim for compensation.	Section 21(1A) <i>Acquisition of Land Act 1967</i>	7 August 2014	
Chief Executive Officer	Power to agree with a claimant that the extent to which a grant (referred to in section 21(1) of the <i>Acquisition of Land 1967</i>) shall satisfy the claim for compensation, should be determined by the Land Court.	Section 21(2) <i>Acquisition of Land Act 1967</i>	7 August 2014	
Chief Executive Officer	In the specified circumstances, the power to agree with a claimant upon the amount of compensation to be paid.	Section 29(1) <i>Acquisition of Land Act 1967</i>	7 August 2014	
Chief Executive Officer	Power to: (a) enter upon any land, for the purpose of making any inspection, valuation, survey or taking levels; (b) affix or set up thereon trigonometrical stations, survey pegs, marks, or poles, and from time to time alter, remove, inspect, reinstate and repair the same; (c) dig and bore into the land so as to ascertain the nature of the soil, and set out the lines of any works thereon; and do all things necessary for the purposes aforesaid.	Section 36(1) <i>Acquisition of Land Act 1967</i>	7 August 2014	
Chief Executive Officer	Power to: (a) re-enter from time to time; (b) remain upon that land for such time as is necessary to achieve the purpose of the entry; and take such assistants, vehicles, materials, equipment or things as are necessary to achieve the purpose of the entry.	Section 36(2) <i>Acquisition of Land Act 1967</i>	7 August 2014	

Register of Delegations - Council to Chief Executive Officer

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Chief Executive Officer	Power to: (c) re-enter from time to time; (d) remain upon that land for such time as is necessary to achieve the purpose of the entry; and take such assistants, vehicles, materials, equipment or things as are necessary to achieve the purpose of the entry.	Section 36(2) <i>Acquisition of Land Act 1967</i>	7 August 2014	
Chief Executive Officer	Power to give to an occupier or an owner at least 7 days notice in writing.	Section 36(3) <i>Acquisition of Land Act 1967</i>	7 August 2014	
Chief Executive Officer	In the specified circumstances, the power to give an occupier or an owner at least 7 days notice in writing.	Section 37(2) <i>Acquisition of Land Act 1967</i>	7 August 2014	
Chief Executive Officer	In the specified circumstances, the power to agree with a claimant: (a) upon the amount of compensation to be paid under section 37 of the <i>Acquisition of Land Act 1967</i> ; or that the amount of compensation is to be determined by the Land Court.	Section 37(5) <i>Acquisition of Land Act 1967</i>	7 August 2014	
Chief Executive Officer	In the specified circumstances, the power to issue a warrant to the sheriff to deliver possession of any land to the person appointed in the warrant.	Section 38(1) <i>Acquisition of Land Act 1967</i>	7 August 2014	