

DELEGATION OF AUTHORITY

TITLE: ROAD CLOSURES

Delegation by Council to:

Chief Executive Officer

Council Resolution date:

Delegation from Chief Executive Officer to:

Date approved:

Source of Authority:

Local Government Act 2009
Land Act 1994

Delegated Power:

1. To exercise Council's powers under the *Land Act 1994* and the *Local Government Act 2009* (section 68) including to:
 - (a) decide whether or not to lodge an objection and, if so decided, to lodge an objection to the proposed road closure notified to council by the Minister;
 - (b) make application to the Minister for the opening or closure of roads in accordance with the *Land Act 1994*; and
 - (c) submit objection to application for opening or closing of a road in a local government area by someone other than the local government.
2. To exercise Council's powers under section 69 of the *Local Government Act (2009)* including the power to:
 - (a) Close a road (permanently or temporarily) to traffic or particular traffic.
 - (b) Close a road to traffic:
 - i. during a temporary obstruction to traffic; or
 - ii. if it is in the interests of public safety; or
 - iii. if it is necessary or desirable to close the road for a temporary purpose (including a fair, for example).
 - (c) Publish notice of closing of road.
 - (d) Do everything necessary to stop traffic using the road after it is closed.
 - (e) Permit the use of any part of a road after it is closed to traffic for a temporary purpose subject to appropriate conditions.
3. To exercise Council's powers under section 70 of the *Local Government Act (2009)* including the power to:

- (f) Make a temporary road through land adjoining the road to be used while the road is being remade or repaired.

Delegation Criteria

- 4. In relation to exercising the powers under the *Local Government Act 2009* and *Land Act 1994*, the delegated Officer may exercise the powers delegated in paragraph 1 of this delegation in respect of:
 - (a) Council's approved internal processes for road closure applications.
- 5. In relation to exercising the powers under the *Local Government Act 2009*, the delegated Officer may exercise the powers delegated in paragraph 2 and paragraph 3 of this delegation in respect of the following:
 - (a) comply with the procedural requirements of section 69 and section 70 of the *Local Government Act 2009*; and
 - (b) where appropriate, give due consideration to council's plans and priorities for the immediate area and surrounds, including council's capital works program and planning scheme.

Delegation Administrative Procedure:

- 6. The following procedure is to be undertaken for this delegation in relation to the powers delegated in this delegation:
 - (a) This delegation is to be exercised in accordance with the *Local Government Act 2009* and the *Land Act 1994*;
 - (b) The extent of authority is in accordance with the delegated criteria.
- 7. The following procedure is to be undertaken for this delegation in relation to the powers delegated in paragraph 2 and paragraph 3 of this delegation:
 - (a) Where necessary, the delegated officer should liaise with affected branches of council and local residents.

1. The powers and authorities set out above are hereby delegated to the Officer(s) designated.
2. This Delegation is authorised for inclusion in the Delegation of Authority Register.