

## INSTRUMENT OF DELEGATION

### INSTRUMENT OF DELEGATION UNDER THE SUPPORTED RESIDENTIAL FACILITIES ACT 1992

01 NOVEMBER 2022



CITY OF  
MITCHAM

## Delegation Sources

- Supported Residential Facilities Act 1992

## Positions

Abbreviation	Position	Name
Environmental Health Officer	Environmental Health Officer	
GM Development and Community Safety	General Manager Development and Community Safety	
Manager Environmental Services and Community Safety	Manager Environmental Services and Community Safety	
Team Leader Environmental Health Services - 1	Team Leader Environmental Health Services - 1	

## Instrument of Delegation under the Supported Residential Facilities Act 1992

Supported Residential Facilities Act 1992				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 21(1)	Appoint an authorised officer	GM Development and Community Safety		council
section 21(4)	Revoke the appointment of an authorised officer	GM Development and Community Safety		council
section 24(3)	Issue a notice to the applicant for a licence requiring further information to determine the application for a licence	GM Development and Community Safety, Manager Environmental Services and Community Safety, Team Leader Environmental Health Services - 1, Environmental Health Officer		licensing authority
section 24(5)	Require information provided by an applicant to be verified by statutory declaration	GM Development and Community Safety, Manager Environmental Services and		licensing authority

## Supported Residential Facilities Act 1992

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Community Safety, Team Leader Environmental Health Services - 1, Environmental Health Officer		
section 24(9)	Conditionally approve the issue of a licence	GM Development and Community Safety, Manager Environmental Services and Community Safety		licensing authority
section 24(9)	Grant a licence	GM Development and Community Safety, Manager Environmental Services and Community Safety		licensing authority
section 27(3)	Determine to consider a late application for renewal of a licence	GM Development and Community Safety, Manager Environmental Services and Community Safety, Team Leader Environmental Health Services - 1		licensing authority

## Supported Residential Facilities Act 1992

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 28	Refuse to renew a licence	GM Development and Community Safety, Manager Environmental Services and Community Safety		licensing authority
section 29(3)(b)	Vary or revoke a condition on a licence	GM Development and Community Safety, Manager Environmental Services and Community Safety		licensing authority
section 31(1)	Cancel a licence	GM Development and Community Safety, Manager Environmental Services and Community Safety		licensing authority
section 31(3)	Impose conditions pending the cancellation of a licence to protect the interests of residents of the facility	GM Development and Community Safety, Manager Environmental Services and Community Safety		licensing authority

## Supported Residential Facilities Act 1992

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 31(4)(a)	Appoint an administrator to a facility	GM Development and Community Safety, Manager Environmental Services and Community Safety		licensing authority
section 31(4)(b)	Take steps to secure the proper care of the residents of a facility	GM Development and Community Safety, Manager Environmental Services and Community Safety		licensing authority
section 34(1)	Approve a manager of a facility	GM Development and Community Safety, Manager Environmental Services and Community Safety		licensing authority
section 35	Approval of a person to be the licence holder if a licence holder dies	GM Development and Community Safety, Manager Environmental Services and Community Safety		licensing authority

## Supported Residential Facilities Act 1992

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 39(2)(b)	Approve an alternative to the prescribed means of serving a notice of termination of a resident contract by the proprietor of a facility	GM Development and Community Safety, Manager Environmental Services and Community Safety		licensing authority
section 43(2)	Explore avenues of conciliation between the resident and the proprietor	GM Development and Community Safety, Manager Environmental Services and Community Safety		licensing authority
section 43(6)(a)	Require an applicant to furnish further information in relation to the subject matter of the application	GM Development and Community Safety, Manager Environmental Services and Community Safety		licensing authority
section 43(6)(b)	Require an applicant to verify any information by statutory declaration	GM Development and Community Safety, Manager Environmental Services and Community Safety		licensing authority

## Supported Residential Facilities Act 1992

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 43(9)	Make an interim order pending final resolution of the matter	GM Development and Community Safety, Manager Environmental Services and Community Safety		licensing authority
section 43(11)	Vary or revoke an order	GM Development and Community Safety, Manager Environmental Services and Community Safety		licensing authority
section 43(12)(a)	Specify procedures for the resolution of the dispute	GM Development and Community Safety, Manager Environmental Services and Community Safety		licensing authority
section 43(12)(a)	Decline to proceed with an application until reasonable steps have been taken to resolve the dispute pursuant to procedures specified by the licensing authority	GM Development and Community Safety, Manager Environmental Services and Community Safety		licensing authority



## Supported Residential Facilities Act 1992

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 43(12)(b)	Decline to proceed with an application if it would be more appropriate for the proceedings to be taken in a court or tribunal constituted by law	GM Development and Community Safety, Manager Environmental Services and Community Safety		licensing authority
section 43(12)(b)	Decline to proceed (or further proceed) with an application if proceedings have been commenced in a court or tribunal constituted by law	GM Development and Community Safety, Manager Environmental Services and Community Safety		licensing authority
section 47(1)	Approve a person to enter any premises that comprise a support residential facility, or any residential-only premises, for the purpose of visiting or attending on any person residing at those premises	GM Development and Community Safety, Manager Environmental Services and Community Safety, Team Leader Environmental Health Services - 1, Environmental Health Officer		licensing authority
section 49(2)	Determine whether a complaint must be reduced to writing	GM Development and Community Safety, Manager Environmental Services and		licensing authority

## Supported Residential Facilities Act 1992

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Community Safety, Team Leader Environmental Health Services - 1, Environmental Health Officer		
section 49(3)	Take appropriate action in regard to a complaint	GM Development and Community Safety, Manager Environmental Services and Community Safety, Team Leader Environmental Health Services - 1, Environmental Health Officer		licensing authority
section 49(4)	Appoint an authorised officer to investigate the circumstances surrounding the complaint and to attempt to resolve the matter as expeditiously as possible	GM Development and Community Safety, Manager Environmental Services and Community Safety, Team Leader Environmental Health Services - 1, Environmental Health Officer		licensing authority

## Supported Residential Facilities Act 1992

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 57(5)	Exempt a proprietor of a facility from a regulation that applies to the facility	GM Development and Community Safety, Manager Environmental Services and Community Safety		licensing authority
section 57(6)	Attach conditions to an exemption granted under section 57(5)	GM Development and Community Safety, Manager Environmental Services and Community Safety		licensing authority