

## DELEGATION POLICY

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### 1. STATEMENT OF POLICY INTENT

The intent of this policy is to:

1. Identify the powers, functions, duties and authorities which Councillors, as a governing body retain; and
2. facilitate the effective and efficient operation of the Council by providing the General Manager with sufficient power and authority to generally manage, control and administer the affairs of the Council on a day-to-day basis.

### 2. DEFINITIONS AND ABBREVIATIONS

Act	Local Government Act 1993 (NSW)
GM	General Manager
Regulations	Local Government (General) Regulations 2005 (NSW)

### 3. POLICY

#### Delegation to the General Manager

In order to provide for the expedient exercise and performance of its powers and duties and the efficient management of its business and responsibilities, Council hereby delegates under Section 377 of the Act, to the person specified by resolution of the Council to have the functions of the General Manager and to the person holding that position in an acting capacity, the exercise of Council's powers, functions, duties and authorities contained in legislation and matters specified in Schedule 1 attached to this policy (CP20a), including the authority to execute any document to give effect to such powers, functions, duties and authorities subject to the limitation set out in Schedule 2 attached to this policy (CP20b).

The General Manager shall exercise the functions delegated in accordance with and subject to all current policies and codes adopted by the Council.

#### Delegation to the Mayor and Deputy Mayor

In addition to the above and in order to provide for the expedient exercise and performance of its powers and duties and the efficient management of its business and responsibilities, Council hereby delegates under Section 377 of the Act, to the person specified by resolution of the Council to have the functions of the Mayor and to the person holding that position in an acting capacity, the exercise of Council's powers, functions, duties and authorities contained in legislation and matters specified in Schedule 3 attached to this policy (CP20c), subject to the limitations set out in Schedule 2 attached to this policy (CP20b).

Maintained by:	MGCD	Date Adopted by Council:	16/9/2009
File Number:	C9/7	Version No:	3
Previous Effective Date	24/6/2009	Date for Review	16/9/2010
Other Reference:	Nil		
Application:	All		
Attachments:	CP20 - Delegations Policy CP20a – Schedule 1 – Delegation to General Manager CP20b – Schedule 2 – Limits to Delegations CP20c – Schedule 3 – Delegation to Mayor/Deputy Mayor CP20d – Schedule 4 – Delegation to Section 355 committees		

The Mayor, or person holding that position in an acting capacity, shall exercise the functions delegated in accordance with and subject to all current policies and codes adopted by the Council.

#### **Delegation to Section 355 Committees**

In addition to the above and in order to provide for the expedient exercise and performance of its powers and duties and the efficient management of its business and responsibilities, Council hereby delegates under Section 377 of the Act, to the bodies specified by resolution of the Council to have the functions of the Section 355 Committees, the exercise of Council's powers, functions, duties and authorities contained in legislation and matters specified in Schedule 4 attached to this policy (CP20d), subject to the limitations set out in Schedule 2 attached to this policy (CP20b).

The Section 355 Committees shall exercise the functions delegated in accordance with and subject to all current policies and codes adopted by the Council.

This delegation shall commence upon the date of the resolution adopting this policy and remain in force until specifically altered or revoked in writing by the Council.

#### **4. RESPONSIBILITY/ACCOUNTABILITY**

Pursuant to section 377 of the Act, Council is responsible for delegating the exercise of its delegable powers, duties and authorities to:

- the General Manager; or
- other persons or bodies (not including another employee of Council). This can include the Mayor and committees of Council or other persons or bodies.

Pursuant to section 378 of the Act, the General Manager is responsible for delegating any of the functions of the general manager (delegated by the Council), other than this power of delegation, to any person or body (including another employee of the Council).

#### **5. RELATED DOCUMENTS**

##### **5.1. ASSOCIATED LEGISLATION**

Local Government Act 1993  
Local Government (General) Regulations 2005  
As specified in Council's Delegations Register

##### **5.2. ASSOCIATED GOVERNMENT POLICY PROVISIONS**

Nil

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**5.3. ASSOCIATED COUNCIL DOCUMENTS**

Delegations Register

**6. POLICY STATUS**

This policy was formally adopted by Council on 16 September 2009 and commenced operation on 16 September 2009. This policy replaces the previous version adopted on 24 June 2009 and includes delegations to the Mayor, Deputy Mayor, and Section 355 Committees.

**7. POLICY REVIEW**

This policy may be amended or revoked at any time and must be reviewed at least twelve months since its adoption (or latest amendment).

**8. AUTHORISATION**

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 Position: General Manager

Date: ...../...../.....

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