

Position: General Manager

Has Delegated Authority To:

Effective From:

Title: **Appoint officers under the Protection of the Env** 23/05/2006

Enabling Source: Clause 187, Protection of the Environment Operations Act 1997

Description: Delegation under Section 377 of the Local Government Act 1993 power to appoint officers as authorised officers as per the provision of Clause 187 of the Protection of the Environment Operations Act 1997.

Financial Limit: \$0.00

Title: **Management of the Council**

23/05/2006

Enabling Source: Section 377, LGA 1993

Description: The day-to-day management of the Council.

Financial Limit: \$0.00

Title: **Functions of Council**

23/05/2006

Enabling Source: Section 377, LGA 1993 (excluding those prohibited under section 377)

Description: The functions of Council other than those specifically prohibited under Section 377 of the Local Government Act These being:

- the making of a rate
- a determination under section 549 as to the levying of a rate
- the making of a charge
- the fixing of a fee
- the borrowing of money
- the voting of money for expenditure on its works, services or operations
- the compulsory acquisition, purchase, sale exchange or surrender of any land or other property
- the acceptance of tenders which are required under this Act to be invited by the Council
- the adoption of a management plan
- the adoption of a financial statement included in an annual financial report
- a decision to classify or reclassify public land under Division 1 of Part 2 of Chapter 6
- the fixing of an amount or rate for the carrying out by the Council of work on private land
- the decision to carry out work on private land for an amount that is less than the amount or rate fixed by the Council for the carrying out of any such work
- review of a determination of an application for approval
- the power of Council to authorise the use of reasonable force for the purpose of gaining entry to premises under section 194 of the Local Government Act
- the power of Council to authorise the use of reasonable force for the purposes of gaining entry to premises under Section 118D of the Environmental Planning and Assessment Act
- a decision under section 356 to contribute money or otherwise grant financial assistance to persons for the purposes of this Act
- the making of an application, or the giving of a notice, to the Governor or Minister
- this power of delegation

Financial Limit: \$0.00

Title: **Appoint an Acting General Manager**

23/05/2006

Enabling Source: Section 377, LGA 1993

Description: To appoint an Acting General Manager due to the absence of the General Manager on Council activities or leave.

Financial Limit: \$0.00

Title: **Direct and dismiss staff**

23/05/2006

Enabling Source: Section 377, LGA 1993

Description: To direct and dismiss staff.

Financial Limit: \$0.00

Positions and Delegated Authority

As At Thursday, 04 July 2013

Title: Implement Council's EEO Management Plan 23/05/2006

Enabling Source: Section 377, LGA 1993

Description: To implement the Council's Equal Employment Opportunity Management Plan.

Financial Limit: \$0.00

Title: Write off and abandon money 23/05/2006

Enabling Source: Section 377, LGA 1993
Section 378, LGA 1993

Description: To write off and abandon money due to Council being of less than ten thousand dollars (\$10,000) in any one instance in accordance with Clause 20 of the Financial Management Regulations.

Financial Limit: \$0.00

Title: Appointment as Trust Executive Officer 23/05/2006

Enabling Source: Section 377, LGA 1993

Description: The General Manager to be appointed as the Executive Officer of:
Tweed Reserves Trust
Tweed Coast Reserve Trust
Jack Evans Boatharbour Reserve Trust; and
Tweed Coast Holiday Parks Reserve Trust

Financial Limit: \$0.00

Title: Delegated responsibility for all functions of the 23/05/2006

Enabling Source: Section 377, LGA 1993

Description: In accord with the requirements of the Local Government Act 1993, the General Manager be delegated responsibility for all functions of the Trusts other than those specifically prohibited under Section 377 of the Local Government Act.

Financial Limit: \$0.00

Title: Delegation under Crown Lands Act to the Gener 23/05/2006

Enabling Source: Section 378, LGA 1993
Section 156(1) Crown Lands Act 1989

Description: Delegation from the Minister for Land and Water Conservation of the Minister's powers under Section 156(1) of the Crown Lands Act 1989 subject to the following conditions:-

- a) The delegate/General Manager may only exercise the powers or functions in respect of land within the Area of the Local Government Council of which he or she is General Manager;
- b) The delegate/General Manager may only exercise the powers or functions in respect of 'vacant public land' as defined in Section 153 of the said Act;
- c) The delegate/General Manager may not exercise the powers or functions in respect of any reserve for which a reserve trust has been appointed as trustee, other than where the reserve trust is managed by the Local Government Council

Delegation under the Crown Lands Act to sign Development Applications on Reserves Trust land.

Financial Limit: \$0.00

Title: Determine Development Applications except wh 23/01/2008

Enabling Source: EPA Act 1979
Minute O1 of 22 January 2008

Description: Determination of all development applications and certificates under the Environmental Planning & Assessment Act 1979 as amended, except for proposals with a capital investment value of more than \$10,000,000 and subdivisions consisting of more than 50 lots.

Financial Limit: \$0.00

Positions and Delegated Authority

As At Thursday, 04 July 2013

Title: **Delegations under Companion Animals Act 1998 23/05/2006**

Enabling Source: Companion Animals Act 1998
Section 377, LGA 1993

Description: Delegation under the provisions of the Companion Animals Act 1998 the power to declare a dog dangerous.

Financial Limit: \$0.00

Title: **Delegated Authority to Sign Contracts - General 30/04/2012**

Enabling Source: Section 378 LGA 1993
Minute 207 Council Meeting 17 April 2012

Description: Provision of delegated authority to sign contracts under the Common Seal of Council and/or approved by Council.

Financial Limit: \$0.00

Title: **Staff appointments within Division 23/05/2006**

Enabling Source: Section 378, LGA 1993

Description: Make staff appointments within the Division within approved structure, staffing numbers and levels of remuneration.

Financial Limit: \$0.00

Title: **Finance - GM 23/05/2006**

Enabling Source: Section 377 LGA 1993

Description: Authorised delegations subject to the following limitations:-
- Provisions of the Local Government Act 1993 (financial and operational)
- Resolution of Council
- In accordance with adopted Management Plan and Budgets of Council.
- In accordance with any policy of Council adopted by Resolution.
Finance 1 purchasing delegation: \$200 million

Financial Limit: \$200,000,000.00

Title: **Delegation under Food Safety Standards and Co 23/05/2006**

Enabling Source: Clauses 15 and 17 Food Safety Standards 3.2.2
Clauses 10 and 14 Food Standards Code 3.2.3
Section 377, LGA 1993

Description: Delegation of functions in respect as to the appropriate enforcement agency in relation to Food Safety Standards 3.2.2 (Clauses 15 and 17) and 3.2.3 (Clauses 10 and 14) of the Food Standards Code.

Financial Limit: \$0.00

Title: **Delegations Donations and Subsidies Policy to 23/05/2006**

Enabling Source: Donations Policy
Section 377, LGA 1993

Description: Delegation to determine, in consultation with the Mayor, donations to other bodies not specified within Council's donations and subsidies policy and subject to the following guidelines:
a. The group/organisation has a primary focus on community support within the Tweed or nationally.
b. The donations will support and encourage community service or service excellence.
c. The maximum donation will not exceed \$50.00 for an individual or \$75.00 for a group.

Financial Limit: \$0.00

Title: **Under Liquor Act 1982 and Registered Clubs Act 03/06/2008**

Enabling Source: Minute O139
Operations Committee Meeting - 3 June 2008

Description: Council delegates to the General Manager the power to authorise Council Officers to make submissions under Sections 44 and 45 of the Liquor Act 1982 and Sections 25 and 26 of the Registered Clubs Act 1976.

Financial Limit: \$0.00

Positions and Delegated Authority

As At Thursday, 04 July 2013

Title: Special Leave Without Pay - General Manager 21/10/2009

Enabling Source: Special Leave Without Pay Protocol adopted
Corporate Management Team - 21 October 2009

Description: Approvals for leave without pay for periods of over 8 weeks will be in the delegation of the General Manager

Financial Limit: \$0.00

Title: Compliance with Right of Entry under Fair Work 20/01/2010

Enabling Source: Section 378 LGA 1993
Section 480 Part 3-4 Fair Work Australia Act 2009

Description: Ensure Council's compliance with the requirements of Right of Entry notices issued in accordance with the Fair Work Australia Act.

Financial Limit: \$0.00

Title: Accreditation of Council Building Surveyors 15/06/2010

Enabling Source: Section 377 LGA 1993
Minute 389 - Council Meeting 15 June 2010

Description: Delegation is provided to the General Manager for the purposes of Section 5(1A) of the Building Professionals Act 2005, under the provisions of Section 377 of the Local Government Act 1993 to endorse each of applications for accreditation.

Financial Limit: \$0.00

Title: Authority to authorise Tender Variations 18/01/2011

Enabling Source: Section 378 LGA 1993
Minute 33 Council Meeting of 18 January 2011
Amended Minute 357 Council Meeting of 20 June 2013

Description: Authority to approve variations up to 10% of the initial contract sum to a maximum of \$150,000 and those variations reported to Council following completion of the tendered works/services.

Financial Limit: \$150,000.00

Title: Delegations under the Food Act 2003 to the Gen 23/05/2006

Enabling Source: Food Act 2003
Section 377, LGA 1993

Description: Delegates its functions as an enforcement agency, conferred on it by the Food Act 2003, to the General Manager.

Financial Limit: \$0.00

**** End of Report ****

