



## **INSTRUMENT OF DELEGATION TO THE GENERAL MANAGER**

### **Purpose**

The purpose of this document is to outline the functions and powers of delegation authorised by Council for the General Manager in accordance with legislation. Council must review all its delegations within 12 months of an ordinary election in accordance with Section 380 of the Local Government Act 1993 (the Act).

This document outlines what functions are, and are not, delegated to the General Manager and thereby the General Manager has delegation to undertake all other functions.

### **Delegations**

S377 of the Act states what cannot be delegated to the General Manager:

#### **377 General power of the council to delegate**

- (1) A council may, by resolution, delegate to the general manager or any other person or body (not including another employee of the council) any of the functions of the council under this or any other Act, other than the following—
- (a) the appointment of a general manager,
  - (b) the making of a rate,
  - (c) a determination under section 549 as to the levying of a rate,
  - (d) the making of a charge,
  - (e) the fixing of a fee,
  - (f) the borrowing of money,
  - (g) the voting of money for expenditure on its works, services or operations,
  - (h) the compulsory acquisition, purchase, sale, exchange or surrender of any land or other property (but not including the sale of items of plant or equipment),
  - (i) the acceptance of tenders to provide services currently provided by members of staff of the council,
  - (j) the adoption of an operational plan under section 405,
  - (k) the adoption of a financial statement included in an annual financial report,
  - (l) a decision to classify or reclassify public land under Division 1 of Part 2 of Chapter 6,
  - (m) the fixing of an amount or rate for the carrying out by the council of work on private land,
  - (n) 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,
  - (o) the review of a determination made by the council, and not by a delegate of the council, of an application for approval or an application that may be reviewed under section 82A of the [Environmental Planning and Assessment Act 1979](#),
  - (p) the power of the council to authorise the use of reasonable force for the purpose of gaining entry to premises under section 194,
  - (q) a decision under section 356 to contribute money or otherwise grant financial assistance to persons,
  - (r) a decision under section 234 to grant leave of absence to the holder of a civic office,
  - (s) the making of an application, or the giving of a notice, to the Governor or Minister,

- (t) this power of delegation,
- (u) any function under this or any other Act that is expressly required to be exercised by resolution of the council.

Any additional limitations are at the discretion of Council and are listed in Schedule 1.

Delegation is given to the General Manager to appoint a person to the position of Acting General Manager whilst the General Manager is on temporary absences from Council (such as annual leave).

## Definitions

“Functions” means powers, authorities, duties and functions and anything ancillary or related to the exercise or performance thereof.

“Legislation” includes legislation enacted by the parliaments of New South Wales and of the Commonwealth of Australia;

“LG Act” means the *Local Government Act 1993*

“Regulations” means the *Local Government (General) Regulation 2021*

## Terms of Delegation

This delegation is made in accordance with a resolution of Council at its meeting of 20th August 2025 and remains in force until amended or revoked by a resolution of the Council. This Instrument of Delegation revokes all previous delegations.

## Schedule 1: Limitations

The Council's delegation to the General Manger is subject to the following limitations:

The General Manager may accept all tenders to a value of \$1million except for tenders that must be determined by Council under the LG Act or Regulations

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Gary Lee  
**Mayor**

Date:     August 2025