

MAYOR & DEPUTY MAYOR

DELEGATIONS OF AUTHORITY

13 OCTOBER 2022



Our Vision

Nambucca Valley ~ Living at its best

Our Mission Statement

'The Nambucca Valley will value and protect its natural environment, maintain its assets and infrastructure and develop opportunities for its people.'

CHRIS THOMPSON
GENERAL MANAGER

Terms of Delegation

Delegations will remain in force until otherwise revised or revoked by resolution of Council in accordance with the Local Government Act 1993 (as amended). Delegations will be reviewed within twelve months of a new Council term.

General

Council recognises that it cannot delegate those powers, authorities, duties and functions:

- (1) Contained in Sections 377 (1) and 379 of the Local Government Act 1993 (as amended), and;
- (2) that are required by legislation to be exercised by a resolution of Council.

Any function that is delegated by the Council may, notwithstanding the delegation, still be exercised by the Council.

List of Delegations to the Mayor

1. Tenders – Security/Safety

- 1.1 *To authorise the invitation of tenders for urgent works involving security and/or public safety which have not been provided for in the adopted budget, provided the tendering provisions of the Local Government Act and any requirements of Council's procurement policy have been met.*
- 1.2 *To sign contracts on behalf of Council.*

2. Emergency Services

- 2.1 *Authorise the use of Council's plant, staff, equipment and contractors in emergencies at the request of the State Emergency Services, the New South Wales Police or the Rural Fire Service.*

3. Finance – Expenditure and Authorisation

- 3.1 *Authorise urgent work by way of maintenance and/or repair to Council's property subject to expenditure less than \$100,000 for any one work and which has not been provided for in the adopted budget.*
- 3.2 *Authorise any other work which, in the Mayor's opinion is urgent, at a cost not exceeding \$15,000 and not more than \$50,000 in any one year and which has not been provided for in the adopted budget.*

4. Meetings and Associated Matters

- 4.1 *To have matters deemed urgent and raised between Council meetings and not able to be included on meeting agendas, included on the agenda as a matter of urgency.*
- 4.2 *To approve Councillor attendance at seminars, conference meetings or training courses, on behalf of Council, subject to funds being provided in the budget.*

5. Public Relations

- 5.1 *To make or authorise media releases on all matters to do with Council.*
- 5.2 *To answer questions and make statements to the media on all matters to do with Council.*
- 5.3 *To sign outgoing correspondence on behalf of Council*

- 5.4 *To host minor functions within the overall budget set by Council, and named major functions that have a specific budget allocation.*
- 5.5 *To make Council corporate gifts available for presentation to visitors on appropriate occasions.*

6. Legal

- 6.1 *In conjunction with the General Manager, authorise legal advice or legal representation in any matter that Council is or is likely to become involved in.*

7. Major Developments – Public Meetings

- 7.1 *In consultation with the General Manager call public meetings to discuss development proposals that are considered to be of a magnitude which could affect a particular part of, or the whole of an area in order that residents, ratepayers and all interested parties have the opportunity to fully discuss and express their views to Council before any decision is entered into.*

8. General Manager

- 8.1 *Investigate written complaints against the General Manager.*
- 8.2 *To approve or authorise leave applications of the General Manager.*
- 8.3 *To authorise the General Manager’s credit card usage (if issued).*

9. Expulsion from Council Meetings

- 9.1 *Exercise the power of expulsion from a meeting of the Council in accordance with Section 10(2)(b) of the Local Government Act 1993 and Sections 255-258 of the Local Government (General) Regulation 2021 for “acts of disorder”.*

10. Representation on Joint Organisation (If a Member)

- 10.1 *To make decisions on behalf of Council on the Board of a Joint Organisation. Where these decisions may have a significant financial, political or strategic impact they must be brought back to Council through the minutes of the Board.*

11. Delegations Dealt with by Mayor to be Reported to Council

- 11.1 *All matters dealt with under delegation to the Mayor shall be reported to the next available meeting of the Council.*

Delegation - Deputy Mayor

Shall undertake the role and delegations of the Mayor when, on advice from the Mayor, the Mayor is unable to fulfil the role of the Mayor due to personal circumstances including a situation where the Mayor has declared a conflict of interest.