



Blayney Shire Council Register of Delegations

Section 377 Local Government Act 1993 Register of Delegations to the General Manager

Table of contents

MAYOR	6
DEPUTY MAYOR	7
BLAYNEY SHIRE COUNCIL TRAFFIC COMMITTEE	7
GENERAL MANAGER	8
Contracts	8
Delegation	8
Corporate and Executive Powers	8
1. Administration – Accounting	17
1A – Payment Signatory	17
1B – Financial Delegation & Authorisation	17
1D – Recover Outstanding Debts (other than Rates)	18
1E – Write off Debts (other than Rates)	18
1F – Disposal of Assets <\$2,000	18
1G – Disposal of Assets >\$2,000	19
1H – Request for Refunds	19
1I – Responsible Accounting Officer	19
2. Administration – Banking & Investments	20
2A – Operation of Bank Accounts	20
2B – Investment of Funds	20
2C – Bank Guarantees	20
3. Administration – Councillors	20
3A – Councillors	20
4. Administration – Authority to Enter Premises	21
4A – Authority to Enter Premises - LGA	21
4B – Authority to Enter Premises - EPA	21
4C – Authorised Officer, Protection of the Environment Operations Act, 1997	22
5. Administration – General	22
5A – Penalty Notices	22
5B – Bi-Annual Stocktake	22
5C – Insurance Renewals	22
5D – Orders	23

5E – Donations – Delegation to Refuse Requests.....	23
5F – Community Financial Assistance Program	23
5G – Press Statements.....	23
5H – Public Liability & Professional Indemnity Claims	23
5I – Motor Vehicle Insurance Claims	23
5J – Legal Proceedings	24
5K –Access to Information.....	24
5L – Informal release of Information	25
5M – Destruction of Records	25
5O – Applications under Privacy and Personal Information Act.....	26
5P – Internal Reviews under Privacy and Personal Information Act.....	26
5Q – Signature of Correspondence	26
5R – Signature of Department Correspondence.....	26
5N – Filming on Council Reserves and Property	26
5S – Signature of Department Correspondence	27
6. Administration – Rating	28
6A – Write off Rates & Charges.....	28
6B – Section 603 Certificates	28
6C – Change in Rate Category.....	28
6D – Recovering Outstanding Rates	28
6E – Rating Certificate.....	28
7. Administration – Staff	29
7A – Staff Training, Seminars & Conferences	29
7B – Public Officer	29
7C – Staff.....	29
7D – Complaints Coordinator	30
7E – Disclosures Coordinator	30
7F – Disclosures Officer	30
7G – Native Title Officer	30
8. Administration – Tenders & Contracts.....	31
8A – Tender & Quotations	31
8B – Works & Services Contracts.....	31
9. Plant.....	32
9A – Purchase of Motor Vehicles, Plant and Equipment	32

9B – Registration of Motor Vehicles.....	32
10. Companion Animals.....	32
10A – Companion Animals	32
11. Impounding	33
11A – Impounding Officer	33
12. Emergency.....	33
12A – Emergency Incidents.....	33
12B – Chairperson of Local Emergency Management Committee	33
13. Health	34
13A – Health Matters	34
13B – Inspect Regulated Premises.....	34
13C – Issuing of Orders.....	34
14. Town Planning	35
14A – Development Application Consent	35
14B – Planning 10.7 Certificates	35
14C – Subdivision Certificates	36
14D - Environmental Planning Instruments and Development Control Plans	36
14E – Heritage Matters.....	36
14F – Use of Footpaths	36
14G – Environmental Planning & Assessment	36
14H – Development Application Consent – Exempt Development	36
15. Environment.....	37
15A – Blayney Waste Disposal Depot Operation	37
15B – Waste Minimisation & Management	37
15C – Environment Protection	37
15D – Clean Air Regulations	37
15E – Waste Contract.....	37
16. Cemeteries.....	38
16A – Exhumations.....	38
17. Playing Fields / Swimming Pool / Reserve.....	38
17A – Approve use of Swimming Pools & Reserves	38
17B Improvement Notices and Prohibition Orders.....	38
17D – Carnivals and Circuses	38
18. Sewerage.....	39

18A – Drainage Diagrams	39
18B – Annual Treatment Works Return	39
19. Building	40
19A – Temporary Occupation of Land	40
19B – Issuing of Building Information Certificates	40
19C – Determining Objections	40
19D – Inspection of Regulated Premises	41
19E – Swimming Pools Act	41
19F – Issue Construction, Compliance and Complying Development Certificates Occupation Certificates	41
19G – Footpath Deposits	41
19H – Minor Numerical Variations to Council Policy	41
19I – Plumbing and Drainage Act	41
20. Roads / Streets	42
20A – Temporary Street Closures	42
20B – Traffic Control Signs	42
20C – Regulation of Traffic by Road Authorities	42
20D – Breaches under the Roads Act 1993 & Interstate Road Transport Act 1985	42
20E – Impounding Items Risking Public Safety	42
20F – Matter Escaping onto Road	43
20G – Naming of Public Roads	43
20H – Works associated with Subdivision and Development Application	43
21. Private Works	43
21A – Private Works	43
22. Schedule of Abbreviations	44
Schedule of Purchase Authorisation Limits	45
Audit Trail	46

Appendices

Delegated Responsibilities Grid	48
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MAYOR

Pursuant to the Local Government Act and Regulations, and any expressed policy or direction of Council, that Council in accordance with the provisions of Section 377 of the Local Government Act 1993 and every other enabling statutory power, delegates to the person who occupies the position of Mayor, to perform on behalf of Council the following powers, authorities, duties or functions.

1. Council Seal

Authorise the Mayor to be the necessary witness to documents requiring Council's seal.

2. Media Relations

To make media statements or releases on behalf of Council.

3. Policy Making

To exercise in cases of necessity, the policy-making functions of the governing body of the Council between meetings of the Council.

4. Correspondence

To sign correspondence on behalf of the Council.

5. Urgent Works

To authorise any work which is deemed urgent at a cost not exceeding \$5,000 provided that such expenditure is reported to the Council at its next Ordinary Meeting.

6. Complaints Against the General Manager

The Mayor shall have the power to investigate substantive written complaints against the General Manager and shall, if warranted, report to the next Ordinary meeting of Council.

DEPUTY MAYOR

1. Council Seal

Authorise the Deputy Mayor to be the necessary witness to documents requiring Council's seal.

2. In the absence of the Mayor

In the absence of the Mayor and subject to compliance with the requirements of the Local Government Act 1993, and any expressed policy or direction of the Council, the Council pursuant to the provisions of Section 377 of the Act, and every other enabling statutory power, delegates to the person who occupies the position of Deputy Mayor to exercise and perform on behalf of the Council the powers, authorities, duties and functions of the Mayor including the powers, authorities, duties and functions which the council has delegated by this Instrument to the Mayor.

BLAYNEY SHIRE COUNCIL TRAFFIC COMMITTEE

1. Pursuant to the delegation of powers from the Roads and Maritime Services, the authority for regulation of traffic and traffic control signs on public roads. This authority is limited to the powers, authorities, duties and functions that are specified in the Transport for NSW Instrument of Delegation to Council, from the Transport for NSW. *Refer the following link for more information:* https://roads-waterways.transport.nsw.gov.au/business-industry/partners-suppliers/lgr/downloads/information/committees/traffic_committees.html

GENERAL MANAGER

The General Manager's powers to act on behalf of Council are given through power of attorney, his/her employment contract and delegations made by Council pursuant to Section 377 of the Local Government Act (1993).

Contracts

The General Manager is employed under contract that is performance based.

The legislative requirements for Council to have a contract with the General Manager results in delegations being included under schedule B of the contract of employment as well as by resolution under the Local Government Act 1993.

Delegation

Pursuant to the provisions of the Local Government Act 1993, and any expressed policy or direction of Council, that Council in accordance with the provisions of Section 377 of the Local Government Act, 1993 and every other enabling statutory power, delegates to its General Manager authority to exercise and to perform on behalf of the Council, all necessary powers, authorities, duties and functions. These include but are not limited to:

Corporate and Executive Powers

1. To carry on the regular services and operations of the Council within the sums voted by the Council for expenditure thereon and in accordance with any resolution of Council.
2. To carry on the regular services, functions and operations of the Council in accordance with Local Government Act 1993, and other Legislation, Regulations and or policies of the Council.
3. To authorise any action necessary to comply with any policy or code of Council, any statutory requirements of the Local Government Act or Ordinance or any other law, rule or regulation affecting Council.
4. To obtain legal advice from Council's Solicitors or Counsel where necessary.
5. To institute, conduct and defend legal proceedings with respect to Council's activities in all Courts, and instruct and engage Council's Solicitors and Counsel where necessary.
6. Be authorised to respond to notices in respect of such applications to the Independent Liquor & Gaming Authority for Liquor licences for functions.
7. Authorise action to be taken in connection with any complaints or requests received.
8. Provide interpretation, counsel and advice on applicable Statutes, and Council's existing and proposed policies; and on statutory limitations during the deliberative and decision making process and provide to the Mayor, individual Councillors and senior staff, a common source of statutory and policy interpretation.

9. To affix the seal of Council to a document.
10. To prepare and lodge applications for grants provided such action is consistent with Council's Strategic & Business Plan or Council Policy.
11. To authorise any works which is deemed urgent, provided that such expenditure is reported to the Council at its next Ordinary meeting, where funds have not been voted by Council.
12. Control communications internally and externally.
13. Rearrange and reorganise staff in all departments.
14. Sign legal contracts where Council has approved the making of that Contract.
15. Internal and external projection and promotion of Council's mantle of dignity, together with its image of efficiency and effectiveness.
16. To approve/refuse public access to Council books or documents which are required to be produced for any legal proceedings.
17. Be authorised to perform all necessary activities, to serve any notices or orders, undertake inspections, issue or refuse license and permits, to exercise the power of entry, to appoint appropriate staff as an authorised officer, authorised person, authorised Council employee, enforcement officer or impounding officer as the case may be, to exercise the functions of those positions under the following acts and associated regulations and to implement the provisions as relating to the operation of Council of the following Acts and associated regulation, including but not limited to:
 - (i) Companion Animals Act 1998
 - (ii) Community Land Development Act 1989 and Community Land Development Act 2021
 - (iii) Conveyancing Act 1919
 - (iv) Crown Lands Management Act 2016
 - (v) Environmental Planning and Assessment Act, 1979 as amended
 - (vi) Food Act 2003 and Food Regulation 2015
 - (vii) Government Information (Public Access Act) 2009
 - (viii) Fire and Rescue NSW Act 1989
 - (ix) Public Spaces (unattended Property) Act 2021
 - (x) Interpretation Act 1987
 - (xi) Interstate Road Transport Act 1985
 - (xii) Land Acquisition (Just Terms Compensation) Act 1991
 - (xiii) Library Act 1939
 - (xiv) Local Government Act 1993
 - (xv) Native Title (New South Wales_ Act 1994
 - (xvi) Noxious Weeds Act, 1993 as amended
 - (xvii) Workplace Health & Safety Act 2011

- (xviii) Ombudsman Act 1976
- (xix) Protection of Environment Operations Act 1997; Protection of the Environment Operations (General) Regulation 2022; Protection of the Environment Operations (Waste) Regulation 2014; Protection of the Environment Operations (Clean Air) Regulation; Protection of the Environment Operations (Noise Control) Regulation 2017; and Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2019.
- (xx) Public Health Act 2010, Public Health Regulation 2012 and Public Health Regulation 2022
- (xxi) Recreation Vehicles Act, 1983
- (xxii) Roads Regulation 2018
- (xxiii) Roads Act 1993
- (xxiv) Roads Transport (General) Act 2005
- (xxv) Rural Fires Act 1997
- (xxvi) Local Lands Services Act 2013
- (xxvii) Strata Schemes Development Act 2015
- (xxviii) State Emergency and Rescue Management Act 1989
- (xxix) State Emergency Service Act 1989
- (xxx) Swimming Pools Act 1992
- (xxxi) Transport Administration Act 1988
- (xxxii) Public Health (Tobacco) Act 2008
- (xxxiii) Unclaimed Money Act 1995

Corporate Services/Administration

- 101 To determine the matters which are to be included in the business papers, subject to the inclusion of the following items whenever they arise:
- (a) Reports on matters that cannot be determined under delegated authority;
 - (b) Reports required to be submitted under any Act or Ordinance;
 - (c) Reference to any deputation's which the Council has agreed to receive;
 - (d) Matters requiring a determination of Policy;
 - (e) Reports directed by Council to be submitted;
 - (f) Matters essential for the Council's information;
 - (g) Matters requiring a vote;
 - (h) Matters or decisions of a potentially contentious nature, or involving a significant variation of Council's policy or standard practice relating to Development Applications.
- 102 Have charge of the records of Council, except as otherwise specifically provided, and be responsible for the recording, filing and safe keeping of such records.
- 103 Keep accurate, permanent records of all properties purchased, leased or sold by, or in the possession of Council. Sign contracts for the sale and purchase price of land where Council has approved the sale or purchase price.
- 104 Authority to terminate any lease or rental agreement on any Council owned property where the terms of the lease have been breached, and accounts fall into arrears.
- 105 Sign all applications addressed to the Registrar General to record the Council as the registered owner of resumed land.
- 106 Authority to establish, maintain, alter or terminate leaseback agreements with employees.
- 107 To approve payment of expenses for elected members.
- 108 Authorise such employees time off for fighting fires within the boundaries of the Blayney Shire without loss of pay if properly called out by the Fire Brigade or the Bush Fire Brigade, where employees of the Council are members of the Blayney Voluntary Fire Brigade or the voluntary bush fire brigade.
- 109 Review Council's exposure to risk on a continuing basis and effect any changes by way of insurance, retention or transfer to protect Council's interest.
- 110 To determine levels of public liability insurance required in accordance with Council's adopted policy.
- 111 The authority to exercise and perform on behalf of Council, all powers, authorities, duties, functions and matters in relation to Strategic Defence Initiatives applying to:
- (a) Public roads;
 - (b) Footpaths;
 - (c) Carparks;
 - (d) Parks, reserves, recreational facilities, gardens and cemeteries;
 - (e) Solid Waste Disposal Depot;

- (f) Council owned and managed public buildings and facilities;
- (g) Floodplain Management.
- 112 Be authorised to offer a reward for information leading to the conviction of people found vandalising Council property, and further, that Council, without exception, takes all legal steps available to it to prosecute people found vandalising Council property.
- 113 Authority to appoint alcohol and drug testing officers.
- 114 To adopt on behalf of Council the Publication Guide requested under Section 20 of the Government Information (Public Access) Act 2009.

Finance

- 201 To authorise the payment of salaries and wages of the staff of the Council.
- 202 To authorise the purchase of goods, works and services and to obtain tenders for items over \$250,000.
- 203 To keep accounts of the Council and present to audit in accordance with the requirements made by or under the Local Government Act, 1993 and regulations.
- 204 Determine the categorisation of each parcel of rateable land in accordance with Section 514 of the Local Government Act, 1993.
- 205 Sign cheques and vouchers on behalf of Council
- 206 To authorise the investment of surplus Council funds and sign such application and redemption documents as may be required.
- 207 To determine applications for reductions of rental charges for Council facilities in accordance with Council's policy.
- 208 To determine applications for pensioner rate reduction in accordance with the provisions of Section 575 of the Local Government Act.
- 209 To take action at any time for recovery of unpaid rates and any other amounts owing to Council.
- 210 To approve applications for extension of time to pay accounts.
- 211 To lay information, issue Summonses, swear statements and Affidavits for enforcing Default Judgements and institute any other legal and approved procedure necessary for the recovery outstanding amounts and debts owing to the Council.
- 212 To determine assistance to ratepayers experiencing genuine and substantial hardship.
- 213 To certify that prices and computations on vouchers have been checked and are correct, and as far as able to be ascertained, are fair and reasonable and are in accordance with any quotation/contract under which the goods/services were supplied.
- 214 To determine the amount of bond required to be lodged by developers as surety for completion of works under Council's control.

- 215 To write-off rates or debts which are determined not financially viable to recover to a limit in any one case not exceeding \$2,000.
- 216 To authorise Public Liability/Public Indemnity Claims goodwill payments up to \$500
- 217 To sign Section 603 Certificates on behalf of Council.
- 218 To authorise the disposal of surplus materials and goods.
- 219 To sign as the responsible accounting officer the statement of financial position with respect to Budget Review Statements in accordance with the Regulation.

Engineering

- 301 To organise and allocate the priority of all construction and maintenance works, subject to any direction of the Council.
- 302 To determine applications for the use of (approve, subject to conditions, or refuse) public roads.
- 303 Be authorised to issue permits for holding of street stalls, processions on roads; holding of meetings in public places; and use of roads during building operations and standing of vehicles in restricted parking areas for any specific purposes and any other Act regulating functions under the control of the Council.
- 304 To sign and issue approval of engineering plans/designs for subdivision and engineering works and related construction certificates.
- 305 To order the removal of obstructions placed illegally on road reserves, footpaths and public places.
- 306 To close roads, or parts thereof, temporarily for repairs or construction.
- 307 To issue/refuse compliance and construction certificates in relation to subdivisions and engineering works.
- 308 Determine the extent and design of works associated with subdivisions and other development applications in accordance with Council Policies and Codes and to determine whether such works have been completed to a satisfactory standard.
- 309 To write to affected landowners seeking an indication on whether they wish the construction of concrete foot paving to be done, upon receipt of such requests for such work, and then arrange a report to Council.
- 310 Grant approval for helicopter touchdowns on Public Reserves in a manner and at a time under such conditions as may be appropriate.
- 311 Authorise the private planting of trees and /or shrubs on footpaths.
- 312 To remove dangerous trees on public works' construction sites under the control of the Council, where such removal is necessary, to allow work to proceed immediately.
- 313 To carry out private works and authorise the hire of Council plant subject to satisfactory arrangements being made for the payment of such works.
- 314
 - i. To purchase new vehicles and dispose of existing vehicles where the standard of the vehicle remains the same;
 - ii. To have the discretion to dispose of vehicles at other than in accordance with Council current accepted practice;

- iii. Obtain trade prices when replacing vehicles; and
- iv. To have the discretion to dispose of vehicles by either auction, trade-in or public tender.
- 315 To authorise the release of Council plant and other resources to assist firefighting, emergency work, and assist the Local Emergency Management Committee in emergency work.
- 316 Authorise the carrying out of sewer extensions up to 75m per tenement.
- 317 To determine the conditions of use of parks, gardens, reserves and other public places under Council's control.
- 318 To appoint a representative of Council as the Chairperson to the Local Emergency Management Committee in accordance with Section 28 of the State Emergency and Rescue Management Act (1989) as amended.

Planning & Development

- 401 To determine Development Applications, Complying Development Certificates and Construction Certificates.
- 402 To determine the fast tracking of Development Applications.
- 403 To issue or refuse to issue subdivision certificates under Part 4A of the Environmental Planning and Assessment Act 1979.
- 404 To defend appeals against failure or refusal to issue Part 4A certificates.
- 405 To give notice of intention to serve orders and modify or revoke orders pursuant to Division 9.3 of the Environmental Planning and Assessment Act. To vary or extend the lapsing period of a consent in accordance with Section 4.3 of the Environmental Planning and Assessment Act.
- 406 To approve or refuse applications to modify development consents.
- 407 To refer for comment Development Applications within a Conservation area to the National Trust, where deemed appropriate.
- 408 The powers, authorities, duties and functions delegated to Council pursuant to Section 745 of the Local Government Act 1993, as amended in respect to Section 82(3) of that Act in relation to modification of the provisions of Clauses 50 or 51 of the Local Government (General) Regulation 2005.
- 409 To ensure that premises used for the preparation, storage and/or sale of food are maintained.
- 410 To commence legal proceedings pursuant to the Environmental Planning and Assessment Act 1979, the Local Government Act 1993 and the Food Act 2003.
- 411 To exercise powers conferred under the Protection of Environment Operations Act 1997; Protection of the Environment Operations (General) Regulation 2022; Protection of the Environment Operations (Waste) Regulation 2014; Protection of the Environment Operations (Clean Air) Regulations; Protection of the Environment Operations (Noise Control) Regulation 2017; and Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2019.
- 412 Protection of the Environment Operations (Waste) Regulation 2014 and related legislation.

- 417 Sign applications on behalf of Council as applicant and/or owner for works previously approved by Council to be undertaken by Council or on Council's behalf.
- 418 To sign Section 10.7 Certificates.
- 419 To sign and issue Section 121ZP and Section 735A Certificates on behalf of Council.
- 420 To exercise all of the powers of Council in respect of:
- (a) Applications for all those matters listed in Part A of the Table contained in Section 68 of the Local Government Act 1993.
 - (b) The variation of building lines made under Council's Approvals Policy.
 - (c) The variation of Restrictive Covenants created pursuant to Section 88B of the Conveyancing Act 1919, as amended, provided that the subject of the variation complies with the relevant planning instrument.
 - (d) Applications for those matters contained in Items 5 and 6 of Part B of the Table contained in Section 68 of the Local Government Act 1993.
 - i. Applications for all those matters listed in Part C of the Table contained in Section 68 of the Local Government Act 1993.
 - ii. Applications for those matters contained in Items 3, 4, 5 and 6 of Part D of the Table contained in Section 68 of the Local Government Act 1993.
 - iii. Applications for all those matters listed in Part E of the Table contained in Section 68 of the Local Government Act 1993.
 - iv. Applications for all those matters listed in Part F of the Table contained in Section 68 of the Local Government Act 1993.
- 421 Determine applications for the creation of temporary construction zones on public roads restricting public parking in such zones.
- 422 To administer the policy in relation to advertising on light standards.
- 423 To undertake all associated duties to prepare Environmental Planning Instruments and Development Control Plans in accordance with Part 3 of the Environmental Planning and Assessment Act 1979.
- 424 To assume the concurrence of the Director General of the Department of Urban Affairs and Planning for variations of development standards in accordance with State Environmental Planning Policy 1 and Department of Environment and Planning Circular 117.
- 425
 - i. To sign and issue approval of designs for subdivision plans and construction certificates.
 - ii. To sign survey requests/amendments to the Land Titles Office.
 - iii. To sign property identification reports.
 - iv. To sign survey plans.
- 426 To refund unexpended Development Application fees on actual costs basis.

- 427 Negotiate a Planning Agreement proposed to be entered into under Part 7, Subdivision 2 of the Environmental Planning and Assessment Act and Part 9, Division 1 of the Environmental Planning and Assessment Regulation.
- 428 Authority to determine whether a Council activity, which has been the subject of an environmental assessment under part 5, Division 5.1 of the Environmental Planning and Assessment Act, may proceed.

1. Administration – Accounting

Subject	Description	Delegation	S.378 Delegation
1A – Payment Signatory	That the General Manager be delegated authority to act as a payment signatory for Council's bank accounts.	GM	DCS DIS DPES A CFO MDA
1B – Financial Delegation & Authorisation	That the General Manager be delegated authority to obtain quotations and authorise invoices for the purchase and payment of goods and services received by Council, to the limits authorised by the General Manager, in accordance with the Local Government Act 1993 within the votes of expenditure approved by Council	GM	DCS DIS DPES EAGM MHR MIT CFO SBS MA MO MUS&P AO SF RS MDA MTC FM PE TP&DE PRJO WHS&RC

Subject	Description	Delegation	S.378 Delegation
<i>1D – Recover Outstanding Debts (other than Rates)</i>	That the General Manager be delegated authority to Recover Outstanding Debts (other than Rates).	GM	DCS CFO RO
<i>1E – Write off Debts (other than Rates)</i>	That the General Manager be delegated authority to write off all debts, other than rates, charges and interest, not exceeding \$2,000, and that the General Manager report half yearly on the amounts written-off.	GM	-
<i>1F – Disposal of Assets <\$2,000</i>	To approve disposal of assets that are surplus to requirements in accord with Council's Operational Plan. To approve disposal of assets that are surplus to requirements with a book value of less than \$2,000.	GM	DCS DIS DPES

Subject	Description	Delegation	S.378 Delegation
<i>1G – Disposal of Assets >\$2,000</i>	To approve disposal of assets that are surplus to requirements in accord with Council's Operational Plan. To approve disposal of assets that are surplus to requirements with a book value of greater than \$2,000 pursuant to Council's Disposal of Assets Policy.	GM	-
<i>1H – Request for Refunds</i>	To approve or refuse all applications for the refund of application fees, booking fees, bonds and deposits for the use of Council facilities.	GM	DCS DIS DPES CFO A
<i>1I – Responsible Accounting Officer</i>	To designate Council's Responsible Accounting Officer in accordance with Local Government Act and Regulation	GM	CFO

2. Administration – Banking & Investments

Subject	Description	Delegation	S.378 Delegation
2A – Operation of Bank Accounts	That the General Manager be delegated authority to operate and be signatories to Council's Bank Accounts.	GM	DCS DIS DPES CFO A
2B – Investment of Funds	That the General Manager be delegated authority for investment of surplus Council funds in Authorised Securities, sign such application and redemption documents as may be required in accordance with Council's Investment Policy.	GM	DCS CFO A
2C – Bank Guarantees	That the General Manager be delegated authority to accept Bank Guarantees for due performance.	GM	DCS

3. Administration – Councillors

Subject	Description	Delegation	S.378 Delegation
3A – Councillors	That the General Manager be delegated authority to liaise with Councillors and approve attendance at training and development seminars.	GM	-

4. Administration – Authority to Enter Premises

Subject	Description	Delegation	S.378 Delegation
4A – Authority to Enter Premises - LGA	That the General Manager be delegated authority to enter premises and make an inspection in accordance with Part 2, Chapter 8 of the Local Government Act 1993.	GM	DPES SBS BS R RR STWO STO SESO MDA MUS&P SP&REC PE TP&DE PRJO
4B – Authority to Enter Premises - EPA	That the General Manager be delegated authority to enter premises and make an inspection, in accordance with Section 119DA of the Environmental Planning and Assessment Act 1979.	GM	DPES SBS R RR MDA SESO STPSHBS STP

Subject	Description	Delegation	S.378 Delegation
4C – Authorised Officer, Protection of the Environment Operations Act, 1997	That the General Manager be delegated authority to be the authorised officer under the provisions of the Protection of the Environment Operations Act, 1997.	GM	DPES SBS MDA R RR SESO STPSHBS STP

5. Administration – General

Subject	Description	Delegation	S.378 Delegation
5A – Penalty Notices	That the General Manager be delegated authority to issue a Penalty Notice for an offence under any law that confer regulatory functions on council.	GM	DPES SBS MDA R SESO STPSHBS STP
5B – Bi-Annual Stocktake	That the General Manager be delegated authority to write off stores and materials to a value not exceeding \$2,000, following a Bi-Annual stocktake	GM	-
5C – Insurance Renewals	That the General Manager be delegated authority to negotiate Council's insurance renewals.	GM	DCS CFO WHS&RC

Subject	Description	Delegation	S.378 Delegation
5D – Orders	That the General Manager be delegated authority to issue any of the following under any law that confer regulatory functions on council; a) Notice of Order b) Order c) Emergency Order d) Revoke any Notice of Order or Order e) Alter any Notice of Order or Order f) Clean up Notice	GM	DPES SBS R MDA SESO STPSHBS STP
5E – Donations – Delegation to Refuse Requests	That the General Manager be delegated authority, to consider applications for financial assistance, & determine which requests are to be referred to Council for decision.	GM	-
5F – Community Financial Assistance Program	That the General Manager be delegated authority to approve Financial Assistance Program applications <i>pursuant to the Community Financial Assistance policy</i> including applications for up to \$3,000, approval of applications for Junior Sporting Awards and Council fee waivers.	GM	-
5G – Press Statements	That the General Manager be delegated authority to authorise and issue press statements on Council's behalf.	GM	-
5H – Public Liability & Professional Indemnity Claims	That the General Manager be delegated authority to deny or accept liability for public liability and professional indemnity claims up to the excess as determined from time to time by its Insurer.	GM	-
5I – Motor Vehicle Insurance Claims	That the General Manager be delegated authority to deny or accept liability for motor vehicle insurance claims up to \$1,000.	GM	-

Subject	Description	Delegation	S.378 Delegation
5J – Legal Proceedings	That the General Manager be delegated authority to represent Council as required in any legal or court proceedings.	GM	DCS DPES DIS SESO R RR SBS MDA STPSHBS STP
5K – Access to Information	<p>That the General Manager be delegated authority to exercise functions under the Government Information (Public Access) Act 2009, and as the officer authorised to:</p> <ul style="list-style-type: none"> i. To be responsible for responding to formal access applications under Part 4 of the Government Information (Public Access) Act ii. To be responsible for responding to applications for an internal review under Part 5 of Government Information (Public Access) Act. 	GM	DCS

Subject	Description	Delegation	S.378 Delegation
5L – Informal release of Information	<p>That the General Manager be delegated authority to exercise functions under the Government Information (Public Access) Act 2009, and as an officer authorised to:</p> <ol style="list-style-type: none"> 1. Informally release information identified as being held by Council and not subject to a 'formal' Access Application. <p><u>Exemptions</u></p> <ol style="list-style-type: none"> 1. Any personal information covered under the Privacy and Personal Information Protection Act 1998; 2. Any information for which a formal access application is required under the Government Information (Public Access) Act 2009; 3. Any information deemed for which it is to be conclusively presumed that there is an overriding public interest against disclosure and is therefore exempt under the provisions of the Government Information (Public Access) Act 2009 - s14 (and Schedule 1); and 4. Exempt documents under interstate FOI legislation - corresponding laws under the provisions of the Government Information (Public Access) Regulation 2009 – s10. 	GM	All staff
5M – Destruction of Records	<p>That the General Manager be delegated authority to authorise the destruction of appropriate Council records in accordance with the Local Government Retention and Disposal Manual.</p>	GM	-

Subject	Description	Delegation	S.378 Delegation
5O – Applications under Privacy and Personal Information Act	To determine applications made under the Privacy and Personal Information Protection Act 1998.	GM	DCS
5P – Internal Reviews under Privacy and Personal Information Act	To determine applications for internal reviews made under the Privacy and Personal Information Protection Act 1998.	GM	-
5Q – Signature of Correspondence	Sign correspondence in relation to the business of Council.	GM	-
5R – Signature of Department Correspondence	Sign standard correspondence in relation to day to day operations of the officers' department with the exception of:- <ul style="list-style-type: none"> • contracts and lease documents • letters of appointment for new employees • letters to employees regarding disciplinary matters and grievances • responses to complaints against staff 	GM	DCS DIS DPES EAGM
5N – Filming on Council Reserves and Property	To approve, approve with conditions as may be appropriate in the circumstances and subject to the payment of charges and fees as determined by Council, or disapprove of applications to use public reserves, beaches, public roads or Council property for filming or photographic purposes.	GM	-

Subject	Description	Delegation	S.378 Delegation
5S – Signature of Department Correspondence	<p>Sign or send standard correspondence (hardcopy or electronic) in relation to day to day operations of the officers' department with the exception of:-</p> <ul style="list-style-type: none"> • correspondence to any Federal or State Minister or Member of Parliament • correspondence or memo advice to Councillors • contracts and lease documents • letters of appointment for new employees • letters to employees regarding disciplinary matters and grievances • responses to complaints against staff 	GM	A AC CFO MTC MHR MA MO MUS&P PO SBS BS MDA SESO RO AO WHS&RC RS PE STP TP&DE

6. Administration – Rating

Subject	Description	Delegation	S.378 Delegation
6A – Write off Rates & Charges	That the General Manager be delegated authority to Write-Off Rates, Charges and Interest debtors not exceeding \$2,000.	GM	-
6B – Section 603 Certificates	That the General Manager be delegated authority to issue Section 603 Rating Certificates.	GM	DCS CFO RO
6C – Change in Rate Category	That the General Manager be delegated authority to approve or refuse Applications for Change in Rate Category.	GM	DCS CFO
6D – Recovering Outstanding Rates	That the General Manager be delegated authority to recover Outstanding Rates, Charges and Interest.	GM	DCS CFO RO
6E – Rating Certificate	That the General Manager be delegated authority to issue the appropriate Rating Certification under the Local Government Act 1993.	GM	-

7. Administration – Staff

Subject	Description	Delegation	S.378 Delegation
7A – Staff Training, Seminars & Conferences	That the General Manger be delegated authority to approve staff attendance at Training Seminars and Conferences, in accordance with the Staff Training Program and within the approved Budget.	GM	DCS DIS DPES CFO MIT MO MA MUS&P MDA STP
7B – Public Officer	That the General Manager be delegated authority to undertake the duties as Public Officer, as prescribed by Section 343 of the Local Government Act 1993.	GM	DCS
7C – Staff	Direct staff within the Manager's area of operations, in accordance with an organisation structure and resources approved by the Council. Make recommendations to the General Manager in respect of the employment / dismissal of employees within the Director's area of operation, in accordance with Council's organisation structure, resources, procedures and adopted policies.	GM	DCS DIS DPES CFO MIT MO MA MUS&P STPSHBS MDA STP

Subject	Description	Delegation	S.378 Delegation
7D – Complaints Coordinator	That the General Manager be delegated authority to act as Council's Complaints Coordinator for Code of Conduct complaints as required by the Procedures for the Administration of the Code of Conduct.	GM	DCS MHR
7E – Disclosures Coordinator	That the General Manager be delegated authority to deal with reports made by staff, to receive them, assess them, and refer them to the people within the Blayney Shire Council who can deal with them appropriately pursuant to the Public Interest Disclosure legislation.	GM	DCS
7F – Disclosures Officer	To work with the disclosures coordinator, and are responsible for receiving, forwarding and/or dealing with reports made in accordance with the Public Interest Disclosure legislation and policy.	GM	DIS DPES MHR
7G – Native Title Officer	That the General Manager be nominated as Native Title Manager per statutory obligation required under Section 8.8 of the Crown Land Management Act 2016.	GM	DCS

8. Administration – Tenders & Contracts

Subject	Description	Delegation	S.378 Delegation
8A – Tender & Quotations	That the General Manager be delegated authority to open Tenders & Quotations.	GM	DCS DIS DPES CFO SBS MDA MO MA MUS&P
8B – Works & Services Contracts	That the General Manager be delegated authority to sign contracts for works and services in accordance with the resolution of Council.	GM	-

9. Plant

Subject	Description	Delegation	S.378 Delegation
9A – Purchase of Motor Vehicles, Plant and Equipment	That the General Manager be delegated authority to purchase Motor Vehicles, Plant and Equipment, within the approved budget allocations.	GM	DIS MO SF SD
9B – Registration of Motor Vehicles	Sign as nominee for vehicle registrations.	GM	DIS MO SF SD

10. Companion Animals

Subject	Description	Delegation	S.378 Delegation
10A – Companion Animals	That the General Manager be delegated authority to act on Council's behalf under all sections of the Companion Animals Act 1998 and regulations.	GM	DPES SBS SESO R RR STPSHBS

11. Impounding

Subject	Description	Delegation	S.378 Delegation
11A – Impounding Officer	That the General Manager be appointed Impounding Officer in accordance with the Public Spaces (Unattended Property) Act 2021	GM	DPES SBS SESO R RR S

12. Emergency

Subject	Description	Delegation	S.378 Delegation
12A – Emergency Incidents	That the General Manager be delegated authority to approve the use of Council Plant, Equipment and Employees in response to Emergency Incidents.	GM	LEMO DIS MO SW SF MUS&P PE
12B – Chairperson of Local Emergency Management Committee	That the General Manager delegate a representative of Council as the Chairperson to the Local Emergency Management Committee in accordance with the State Emergency & Rescue Management Act (1989) as amended.	GM	DIS MO

13. Health

Subject	Description	Delegation	S.378 Delegation
13A – Health Matters	That the General Manager be delegated authority to exercise each of the powers, authorities, duties and functions conferred by the Food Act 2003 and Food (General) Regulations 2015 as amended.	GM	DPES SBS SESO STPSHBS
13B – Inspect Regulated Premises	That the General Manager be delegated authority to inspect Regulated Premises, in accordance with the Public Health Act 2010 and Regulations made thereunder.	GM	DPES SBS SESO STPSHBS
13C – Issuing of Orders	That the General Manager be delegated authority to issue orders as listed in the Local Government Act and the Public Health Act and Regulations thereunder.	GM	DPES SBS SESO STPSHBS

14. Town Planning

Subject	Description	Delegation	S.378 Delegation
14A – Development Application Consent	<p>That the General Manager be delegated authority to;</p> <ul style="list-style-type: none"> a) Determine any application in accordance with the Environmental Planning and Assessment Act 1979, together with any other relevant Acts, Regulations, applicable LEP, DCP and relevant Council policies, and where no material objections have been received (Delegated approval is permissible if any objection is assessed as not substantive or can be resolved through a condition of consent or lodgement of amended plans). b) Determine any application in accordance with the Environmental Planning and Assessment Act 1979, together with any other relevant Acts, Regulations, applicable LEP, DCP and relevant Council policies where no objections received c) Determine any development application which proposes the variation of a standard within a Development Control Plan where the variation is equal to or less than 10% where strict compliance with those standards would, in any particular case, be unreasonable or unnecessary. d) Determine any application for an activity as specified under section 68 of the Local Government Act 1993. 	GM	<p>DPES MDA SBS BS STP a) & c) only apply to DPES and MDA</p>
14B – Planning 10.7 Certificates	<p>That the General Manager be delegated authority to issue any certificates under Section 10.7 of the Environmental Planning and Assessment Act 1979.</p>	GM	<p>DPES MDA STP</p>

Subject	Description	Delegation	S.378 Delegation
14C – Subdivision Certificates	That the General Manager be delegated authority to issue Subdivision Certificates.	GM	DPES MDA STP
14D - Environmental Planning Instruments and Development Control Plans	That the General Manager be delegated authority to undertake all associated duties to prepare Planning Instruments and Development Control Plans in accordance with Part 3 of the Environmental Planning and Assessment Act 1979.	GM	DPES MDA STPSHBS STP
14E – Heritage Matters	That the General Manager be delegated authority to approve the Local Heritage Assistance Fund applications. That the General Manager be delegated authority to approve the Heritage Advisory service.	GM	DPES MDA STP
14F – Use of Footpaths	That the General Manager be delegated authority to approve the use of the footpath area for commercial activities.	GM	DPES MDA STPSHBS STP
14G – Environmental Planning & Assessment	That the General Manager be delegated authority to issue orders as listed in the Environmental Planning & Assessment Act 1979 as amended.	GM	DPES SBS MDA STPSHBS STP
14H – Development Application Consent – Exempt Development	That the General Manager be delegated authority to; a) Classify development to be Exempt Development under any State Environmental Planning Policy.	GM	DPES MDA SBS STPSHBS STP

15. Environment

Subject	Description	Delegation	S.378 Delegation
15A – Blayney Waste Disposal Depot Operation	That the General Manager be delegated authority for the day to day operation of the Blayney Waste Facility and Neville Landfill.	GM	DPES SESO
15B – Waste Minimisation & Management	That the General Manager be delegated authority to exercise the powers and functions under Protection of Environment Operations Act 1997 and Protection of the Environment Operations (Waste) Regulation 2014.	GM	DPES SBS SESO STPSHBS
15C – Environment Protection	That the General Manager be delegated authority to be an authorised officer and enforcement officer under the provisions of the Protection of the Environment Operations Act, 1997.	GM	DPES SBS SESO R RR
15D – Clean Air Regulations	That the General Manager be delegated authority to exercise the Powers and Functions under the Protection of the Environment Operations (Clean Air) Regulations 2021.	GM	DPES SBS SESO R RR STPSHBS
15E – Waste Contract	That the General Manager be delegated authority for the day to day operation of the Waste Collection Contract	GM	DPES SESO

16. Cemeteries

Subject	Description	Delegation	S.378 Delegation
16A – Exhumations	That the General Manager be delegated authority to supervise Exhumations in accordance with the Public Health Regulation 2012.	GM	DPES SBS SESO STPSHBS

17. Playing Fields / Swimming Pool / Reserve

Subject	Description	Delegation	S.378 Delegation
17A – Approve use of Swimming Pools & Reserves	That the General Manager be delegated authority to approve the use of Playing Fields, Swimming Pool and Reserves.	GM	DCS DIS DPES
17B Improvement Notices and Prohibition Orders	That the General Manager be delegated authority to issue improvement notices and prohibition orders under Part 3 of the Public Health Act 2010	GM	DPES SBS R SESO
17D – Carnivals and Circuses	That the General Manager be delegated authority to consider, approve or refuse applications for the operation of carnivals, circuses and the like and when approved, impose conditions deemed necessary. That all other applications be referred to Council for consideration on their merits.	GM	SESO

18. Sewerage

Subject	Description	Delegation	S.378 Delegation
18A – Drainage Diagrams	That the General Manager be delegated authority to issue Drainage Diagrams.	GM	DPES SBS SESO MDA AO STPSHBS STP
18B – Annual Treatment Works Return	That the General Manager be given delegated authority to sign future returns for the Blayney Sewerage Treatment Works.	GM	DIS MUS&P

19. Building

Subject	Description	Delegation	S.378 Delegation
19A – Temporary Occupation of Land	That the General Manager be delegated authority to Consent to applications for temporary occupation of land..	GM	DPES MDA SBS
19B – Issuing of Building Information Certificates	That the General Manager be delegated authority to the Issue of Building Information Certificates in accordance with the Environmental Planning and Assessment Act 1979.	GM	DPES SBS BS
19C – Determining Objections	That the General Manager be delegated authority to Determine Objections in accordance with Section 82(3A) of the Local Government Act 1993, in relation to the Local Policy.	GM	DPES SBS S

Subject	Description	Delegation	S.378 Delegation
19D – Inspection of Regulated Premises	That the General Manager be delegated authority to inspect regulated premises in accordance the Public Health Act 2010.	GM	DPES SBS SESO STPSHBS
19E – Swimming Pools Act	That the General Manager be delegated authority to exercise functions under the Swimming Pools Act 1992.	GM	DPES SBS SESO R BS
19F – Issue Construction, Compliance and Complying Development Certificates Occupation Certificates	That the General Manager be delegated authority to issue certificates in accordance with Part 4A of the Environmental Planning and Assessment Act 1979 and Regulations thereunder	GM	SBS BS
19G – Footpath Deposits	That the General Manager be delegated authority to authorise the refund of footpath deposits and to determine road restoration charges.	GM	DIS
19H – Minor Numerical Variations to Council Policy	That the General Manager be delegated authority to approve minor numerical variations to Council policy where variations are not greater than 10%.	GM	DPES MDA SBS
19I – Plumbing and Drainage Act	That the General Manager be delegated authority to exercise functions under the Plumbing and Drainage Act2011.	GM	SBS BS

20. Roads / Streets

Subject	Description	Delegation	S.378 Delegation
20A – Temporary Street Closures	That the General Manager be delegated authority to approve temporary street closures for community functions	GM	DIS MO MA
20B – Traffic Control Signs	That the General Manager be delegated authority to assume all functions in accordance with sections of the Road Transport Act 2013.	GM	DIS MO
20C – Regulation of Traffic by Road Authorities	That the General Manager be delegated authority to assume the functions in accordance with Division 4 of Part 8 (Regulation of Traffic by Roads Authorities) in accordance with Roads Act 1993.	GM	DIS MO MA
20D – Breaches under the Roads Act 1993 & Interstate Road Transport Act 1985	That the General Manager be delegated authority to be the Authorised Officer to commence action for breaches under the Roads Act 1993 & Interstate Road Transport Act 1985.	GM	DIS R RR
20E – Impounding Items Risking Public Safety	That the General Manager be delegated authority to be the Impounding Officer under the. Public Spaces (Unattended Property) Act 2021	GM	DIS DPES SBS MO R RR SP&REC SESO S

Subject	Description	Delegation	S.378 Delegation
20F – Matter Escaping onto Road	That the General Manager be delegated authority to be the authorised officer under the Roads Act 1993.	GM	DIS MO MA
20G – Naming of Public Roads	That the General Manager be delegated authority to approve the use of approved road names in accordance with Council guidelines for the naming of public roads, pursuant to the Roads Act 1993.	GM	DIS MA
20H – Works associated with Subdivision and Development Application	Authority to Determine the extent and design of works associated with subdivisions and other development applications in accordance with Council Policies and Codes and to determine whether such works have been completed to a satisfactory standard.	GM	PE TP&DE

21. Private Works

Subject	Description	Delegation	S.378 Delegation
21A – Private Works	That the General Manager be delegated authority to undertake Private Works in accordance with Council's Policy.	GM	DIS MO SW MUS&P

22. Schedule of Abbreviations

Abbreviation	Position Title	Abbreviation	Position Title
A	Accountant	SW	Supervisor Works
AC	Accounting Officer	PE	Projects Engineer
AO	Administration Officer	PO	Payroll Officer
DCS	Director Corporate Services	PRJO	Projects Officer
BS	Building Surveyor	R	Ranger
CFO	Chief Financial Officer	RO	Revenue Officer
STPSHBS	Casual Senior Town Planner & Senior Health Building Surveyor	WHS&RC	WHS & Risk Coordinator
DIS	Director Infrastructure Services	RR	Relief Ranger
DPES	Director Planning & Environmental Services	RS	Records Supervisor
EAGM	Executive Assistant to the General Manager	SESO	Senior Environmental Services Officer
FM	Fleet Mechanic	SBS	Senior Building Surveyor
GM	General Manager	SD	Supervisor Depot
LEMO	Local Emergency Management Officer	SF	Supervisor Fleet
MHR	Manager Human Resources	SBS	Senior Building Surveyor
MA	Manager Assets	SP&REC	Supervisor Parks & Recreation
MIT	Manager Information Technology	STO	Sewerage Treatment Operator
MO	Manager Operations	STP	Senior Town Planner
MDA	Manager Development Assessment	STWO	Sewerage Treatment Works Operator
MTC	Manager Tourism and Communications	TP&DE	Temporary Projects & Development Engineer
MUS&P	Manager Urban Services and Projects		

Schedule of Purchase Authorisation Limits

Position Title	Purchase Authorisation Limit	Position Title	Purchase Authorisation Limit
Mayor*	\$ 2,000	Manager Development Assessment	\$ 5,000
Administration Officer	\$ 5,000	Manager Urban Services and Projects	\$ 50,000
General Manager	Unlimited	Manager Tourism & Communications	\$ 5,000
Chief Financial Officer	\$ 50,000	Projects Engineer	\$ 25,000
Director Corporate Services	\$100,000	Projects Officer	\$ 25,000
Director Infrastructure Services	\$100,000	Temporary Projects and Development Engineer	\$ 25,000
Director Planning & Environmental Services	\$100,000	Records Supervisor	\$ 5,000
Executive Assistant to the General Manager	\$ 5,000	Senior Building Surveyor	\$ 50,000
Fleet Mechanic	\$ 5,000	Supervisor Depot	\$ 35,000
Manager Human Resources	\$ 5,000	Supervisor Fleet	\$ 35,000
Manager Information Technology	\$ 25,000	Supervisor Works	\$ 5,000
Manager Assets	\$ 25,000	WHS & Risk Coordinator	\$ 5,000
Manager Operations	\$ 75,000		

*Per Council Payment of Expenses and Provision of Facilities to Mayor and Councillors Policy

Audit Trail

Amended/Adopted	Minute/Synergy Reference
13/07/2009	MINUTE NO.: 0907/008
9/08/2010	MINUTE NO.: 1008/022
14/02/2011	MINUTE NO.: <i>Power of Attorney motion lost.</i>
20/06/2011	MINUTE NO.: 1106/007
12/11/2012	MINUTE NO.: 1211/012
10/12/2012	MINUTE NO.: 1212/016
13/05/2013	MINUTE NO.: 1305/004
13/05/2013	MINUTE NO.: 1305/007
12/05/2014	MINUTE NO.: 1205/006
15/02/2016	MINUTE NO.: 1602/022
18/04/2016	MINUTE NO.: 1604/009
9/06/2016	NEM/6153 - Per GM approval on operational amendments to delegations
23/06/2016	NEM/6193 - Per GM approval on operational amendments to delegations
24/08/2016	NEM/8310 - Per GM approval - Delegation given to Supervisor Parks & Recreation
7/03/2017	NMCO/7684 - Per GM approval - Delegation to Fleet Mechanic
29/06/2017	NEM/8140 & NEM/8140 - Per GM approval - Endorsed title position and delegation changes to Senior Environmental Services Officer.
21/12/2017	NEM/9074 – Per GM approval – Delegation to Projects Engineer
25/06/2018	MINUTE NO: 1806/012 – Endorsed Title position change from Senior Town Planner to Manager Planning, Community Development and Tourism Projects Officer to Manager Tourism and Communications, CentrePoint Centre Manager to Manager CentrePoint Sport and Leisure and Assistant Revenue Officer to Revenue Officer. Endorsed removal of Trainee Development Officer role.
20/08/2018	MINUTE NO: 1808/010
4/12/2018	Per GM Approval – Delegation given to WHS&RC for Purchase Authorisation Limit
15/4/2019	MINUTE NO: 1904/005

Amended/Adopted	Minute/Synergy Reference
19/05/2020	NMCO/13669 - Per GM approval for amendments to purchase delegation limits.
15/12/2020	NBP/15084 – Manex endorsed amendments to outdated legislation and removal of spending limits for Manager of CentrePoint Sport & Leisure (no longer part of Council) and Projects and Works Coordinator (position not established).
14/04/2020	NEM/15580 – Per GM approval for amendment to include position Temporary Projects and Development Engineer
20/7/2021	NEM/16309 – Per Manex Approval - Supervisor Fleet delegation increased to \$35,000
23/7/2021	NEM/16427 – Changes to position titles as per organisational structure review. Manager Infrastructure to Manager Assets, Manager Water and Waste Water to Manager Urban Services & Projects, Overseer to Overseer & Supervisor Works.
27/9/2021	NEM/16644 – Per Manex Approval – Project Officer delegation spending limit \$25,000
1/10/2021	NEM/16645 – Per GM Approval – Delegation of Project Officer
2/05/2022	NEM/18087 – Per Acting GM Approval – Supervisor Works to have delegation spending limit \$5,000
21/11/2022	2211/008 – Review of Delegations Register endorsed.

Appendix
Delegated Responsibilities Grid
(*) please refer to delegation 14a for reference of exclusion (*excluding b&d).

	TP&DE	STWO	STP	STPSHBS	STO	SP&REC	SBS	SF	SBS	SESO	SD	RS	RR	WHS&RC	RO	R	PRJO	PO	PE	SW	MUS&P	MTC	MDA	MO	MIT	MA	MHR	LEMO	GM	FM	EAGM	DPES	DIS	DCS	CFO	BS	AO	AC	A	Subject No.		
1A														X			X					X		X									X	X				X		1A		
1B	X							X				X					X		X			X	X	X	X	X	X	X			X	X	X	X			X				1B	
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TP&DE	STWO	STP	STPSHBS	STO	SP&REC	SBS	SF	SBS	SESO	SD	RS	RR	WHS&RC	RO	R	PRJO	PO	PE	SW	MUS&P	MTC	MDA	MO	MIT	MA	MHR	LEMO	GM	FM	EAGM	DPES	DIS	DCS	CFO	BS	AO	AC	A	Subject No.			
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		X																			X		X	X	X	X		X	X			X	X						7C			
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