

# Blayney Shire Council Delegations Register

DRAFT: JULY, 2009



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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 Traffic Authority of NSW, 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 Roads and Traffic Authority of NSW Instrument of Delegation to Council, from the Roads and Traffic Authority.

## *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).

### ***Power of Attorney***

Council has appointed its General Manager as its Attorney to act for the Council to execute instruments resulting from resolutions of meetings from time to time by Council.

The General Manager of the Council for the time being and from time to time holding such office to be the Attorney of the Council for and in the name of and on behalf of the Council to sign any document which the Council would be required to sign for the purpose listed in the schedule.

### **The Schedule**

- Agreement for the sale or purchase of any land or other form of property
- The transfer of any land
- The acceptance of the transfer of any land
- The mortgage or other form of security of or over any property
- Loan Agreement documents
- The acceptance of any mortgage or other form of security
- The release of any mortgage or other form of security whether registered or unregistered (including any withdrawal of caveat or vacation of causes, writs and orders)
- Any plan of subdivision of land in which the Council has an interest including plan accepting a dedication of land for any purpose
- Any instrument creating easements over land or releasing varying or modifying any such easement
- The consent to the subdivision of land which is subject to a mortgage or other form of security in favour of the Council
- Consent to the grant of any easement and/or covenant affecting land which is the subject of a mortgage or other form of security in favour of the Council
- The lease of any land or other property
- Consent to the assignment of the lease of any property
- Surrender of the lease of any property

- Guarantees and indemnities by the Council
- Agreements for the provision of services by the Council
- Joint Venture agreements
- Licences for the use of any property or to permit any activity
- Deposit of money with any financial institution
- Granting and accepting options in respect of the acquisition or sale of any property whether real or personal or corporeal or incorporeal
- To create or release vary or modify any restriction or covenant affecting land

### **Contracts**

The General Manager, Director Corporate Services, Director Engineering, and Director Environmental Services are employed under contracts that are 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, including but 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 Licensing Court of NSW 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, 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
  - (iii) Conveyancing Act 1919
  - (iv) Construction Safety Amendment (Amusement Devices) Regulation 1998 under the Construction Safety Act 1912 (section 157C)
  - (v) Crown Lands Act 1989
  - (vi) Dividing Fences Act 1991
  - (vii) Dog Act, 1966 and the Dog (Amendment) Act 1988 as amended
  - (viii) Environmental Planning and Assessment Act, 1979 as amended

- (ix) Food Act, 2003 and Food Regulation, 2004
- (x) Freedom of Information Act 1989
- (xi) Fire Brigades Act 1989
- (xii) Heritage Act 1977
- (xiii) Impounding Act, 1993 as amended
- (xiv) Interpretation Act 1987
- (xv) Interstate Road Transport Act 1985
- (xvi) Land Acquisition (Just Terms Compensation) Act 1991
- (xvii) Library Act 1939
- (xviii) Local Government Act 1993
- (xix) Native Title Act 1993, as amended
- (xx) Noxious Weeds Act, 1993 as amended
- (xxi) Occupation Health and Safety Act 2000
- (xxii) Ombudsman Act 1976
- (xxiii) Protection of Environment Operations Act 1997; Protection of the Environment Operations (Waste) Regulation 2005; Protection of the Environment Operations (Clean Air) Regulations, 2002 and related legislation
- (xxiv) Public Health Act 1991 and Public Health Regulation 2002
- (xxv) Recreational Vehicles Act, 1993
- (xxvi) Road Transport (Safety and Traffic Management) Act.1999
- (xxvii) Roads (General) Regulations 2000.
- (xxviii) Roads Act, 1993 as amended
- (xxix) Roads Transport (General) Act 2005
- (xxx) Rural Fires Act, 1997 as amended
- (xxxi) Rural Lands Protection Act 1998
- (xxxii) Strata Schemes (Freehold Development) Act 1973
- (xxxiii) Strata Schemes (Leasehold Development) Act 1986
- (xxxiv) State Emergency and Rescue Management Act 1989
- (xxxv) State Emergency Service Act 1989
- (xxxvi) Swimming Pools Act, 1992 as amended
- (xxxvii) Transport Administration Act 1988
- (xxxviii) Tobacco Advertising Prohibition Act
- (xxxix) Transport Administration Act 1988
- (xl) 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.

## **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 \$150,000.
- 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 \$1,000.
- 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 [Local Government (General) Regulation 2005 - Division 3].

## 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
  - (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.
- 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 a 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
- 315 To authorise the release of Council plant and other resources to assist fire fighting, emergency work, and assist the Local Emergency Management Committee in emergency work.
- 316 Authorise the carrying out of sewer extensions up to 75 m per tenement.

## **Planning & Development**

- 401 To determine Development Applications, Complying Development Certificates, Construction Certificates and Building Applications.
- 402 To determine the fast tracking of Development Applications.
- 403 To issue or refuse to issue compliance, construction, subdivision and occupation certificates under Part 4A.
- 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 6 of Part 2A.
- 406 To review determinations of development applications made by other staff under delegated authority.
- 407 To issue or refuse to issue a complying development certificate.
- 408 To modify or refuse to modify a complying development certificate.
- 409 To vary or extend the lapsing period of a consent in accordance with Sections 95 and 95A.
- 410 To approve or refuse applications to modify development consents, being consents originally determined under delegated authority and defend appeals made pursuant to Division 8 of Part 2.
- 411 To refer for comment Development Applications within the Conservation area to the National Trust, where deemed appropriate.
- 412 That Council delegate to the General Manager 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.
- 413 To ensure that premises used for the preparation, storage and/or sale of food are maintained.
- 414 To commence legal proceedings pursuant to the Environmental Planning and Assessment Act 1979 and the Local Government Act 1993.
- 415 To exercise powers conferred under the Protection of Environment Operations Act 1997; Protection of the Environment Operations (Waste) Regulation 2005 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 149 and Section 149A 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.
  - (e) Applications for all those matters listed in Part C of the Table contained in Section 68 of the Local Government Act 1993.
  - (f) 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.
  - (g) Applications for all those matters listed in Part E of the Table contained in Section 68 of the Local Government Act 1993.
  - (h) 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 commence the preparation of a draft Local Environmental Plan under Section 54(1) of the Environmental Planning and Assessment Act, 1979 as amended:
- (a) Preparation and exhibition of Environmental Studies and Local Environmental Plans in accordance with Sections 56-64 and 66-67 of the Act.
  - (b) To exercise any delegation conferred upon him/her from time-to-time by the Director General of the Department Urban Affairs and Planning under Section 65 and, or, 69 of the Act.
- 424 To prepare a draft Development Control Plan in accordance with Section 72 of the Act and in accordance with the appropriate Regulations, but not including Clause 24(1) of the Regulations, and exhibit, but not to adopt or amend, Town Planning Codes, Guidelines and Policies.
- 425 Development Applications
- (a) To make any decision or to take any actions required of or open to Council to take in accordance with Part IV "Environmental Planning Control" of the Environmental Planning and Assessment Act 1979, as amended but not including the power:
    - (1) To determine any Development Application in respect of a designated development as defined in Section 4;

- (2) To determine any Development Application in relation to which a negative submission has been received and where relevant planning considerations raised in that submission have not been resolved; or,
  - (3) To revoke or modify a Development Consent (not being at the applicant's request) in accordance with Section 103;
  - (b) To call meetings of the Town Planning Committee in relation to any Development Application or Compliance Certificate.
  - (c) To call meetings of the Town Planning Committee in relation to any Development Application or Compliance Certificate.
- 426 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.
- 427 To authorise the release of subdivision certificates by signing the required documents.
- 428 To refund unexpended Development Application fees on actual costs basis.
- 429 To commission an independent structural assessment of a building for which a development application has been made for demolition where, in assessing the Development, the building is found to be of heritage significance.

# 1. Administration – Accounting

Subject	Description	Delegation	Sub-Delegation
<b>1A – Cheque Signatory</b>	That the General Manager be delegated authority to act as a cheque signatory to for Council’s bank accounts.	GM	DCS DE DES FO MFS
<b>1B – Authorisation of Invoices</b>	That the General Manager be delegated authority to authorise invoices for the 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	AO DCS DE DES EA HRO ITO MFS MHB MW PF RS STP
<b>1C – Sign Orders</b>	That the General Manager be delegated authority to Obtain quotations and authorise the purchase of goods, works and services to the limits authorised by the General Manager, in accordance with the Local Government Act 1993 and Council’s Purchasing Policy, sign orders for the Supply and Delivery of Goods and Services within the votes of expenditure approved by Council.	GM	DCS DE DES MFS MHB MW PF
<b>1D – Recover Outstanding Debts (other than Rates)</b>	That the General Manager be delegated authority to Recover Outstanding Debts (other than Rates).	GM	DCS MFS RO

<b>1E – Write off Debts (other than Rates)</b>	That the General Manager be delegated authority to write off all debts, other than rates, charges and interest, not exceeding \$1,000, and that the General Manager report half yearly on the amounts written-off.	GM	-
<b>1F – Disposal of Assets</b>	To approve disposal of assets that are surplus to requirements in accord with Management Plan. To approve disposal of assets that are surplus to requirements with a book value of less than \$1,000.	GM	-
<b>1G _ Request for Refunds</b>	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 DE DES MFS FO

## 2. Administration – Banking & Investments

Subject	Description	Delegation	Sub-Delegation
<b>2A – Operation of Bank Accounts</b>	That the General Manager be delegated authority to Operate Bank Accounts.	GM	DCS DE DES MFS FO
<b>2B – Investment of Funds</b>	That the General Manager be delegated authority to Invest Funds in Authorised Securities, in accordance with Council’s Investment Policy.	GM	DCS MFS FO
<b>2C – Bank Guarantees</b>	That the General Manager be delegated authority to accept Bank Guarantees for due performance.	GM	DCS

### 3. Administration – Celebrations

Subject	Description	Delegation	Sub-Delegation
<b>3A – Australia Day Awards</b>	That the Australia Day Committee be delegated authority to invite nominations and select the recipients of Australia Day Awards.	ADC	-

### 4. Administration – Councillors

Subject	Description	Delegation	Sub-Delegation
<b>4A – Councillors</b>	That the General Manager be delegated authority to liaise with Councillors and approve attendance at training and development seminars.	GM	-

## 5. Administration – Authority to Enter Premises

Subject	Description	Delegation	Sub-Delegation
<b>5A – Authority to Enter Premises - LGA</b>	That the General Manager be delegated authority to enter premises and make an inspection in accordance with Section 199 of the Local Government Act 1993.	GM	DES MHB R RR STWO TEHBS STP
<b>5B – Authority to Enter Premises - EPA</b>	That the General Manager be delegated authority to enter premises and make an inspection, in accordance with Section 118A of the Environmental Planning and Assessment Act 1979.	GM	DES MHB R RR STP TEHBS TTP
<b>5C – Authorised Officer, Protection of the Environment Operations Act, 1997</b>	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	DES MHB R RR TEHBS

## 6. Administration – General

Subject	Description	Delegation	Sub-Delegation
<b>6A – Penalty Notices</b>	That the General Manager be delegated authority to issue Penalty Notices under Section 679 of the Local Government Act 1993.	GM	DES MHB R RR
<b>6B – Bi-Annual Stocktake</b>	That the General Manager be delegated authority to write off stores and materials to a value not exceeding \$1,000, following a Bi-Annual stocktake	GM	-
<b>6C – Insurance Renewals</b>	That the General Manager be delegated authority to negotiate Council's insurance renewals.	GM	DCS MFS
<b>6D – Issue Orders</b>	That Council delegate to the General Manager the power to issue Orders as listed in the Table to Section 124 of the Local Government Act and the Public Health Act and Regulations there under.	GM	DES MHB R
<b>6E – Donations – Delegation to Refuse Requests</b>	That the General Manager be delegated authority, to consider applications for financial assistance, and determine which requests are to be referred to Council for decision.	GM	-
<b>6F – Community Improvement Program</b>	That the General Manager be delegated authority to approve Community Improvement Program applications.	GM	-
<b>6G – Press Statements</b>	That the General Manager be delegated authority to authorise and issue press statements on Council's behalf.	GM	-
<b>6H – Public Liability &amp; Profession Indemnity Claims</b>	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 Statewide.	GM	-
<b>6I – Motor Vehicle Insurance Claims</b>	That the General Manager be delegated authority to deny or accept liability for motor vehicle insurance claims up to \$1,000.	GM	-

<b>6J – Legal Proceedings</b>	That the General Manager be delegated authority to represent Council as required in any legal or court proceedings.	GM	DCS DES DE
<b>6K – Freedom of Information Applications</b>	That the General Manager be delegated authority to determine applications under the Freedom of Information legislation and to authorise access to Council files and records in accordance with Section 12 of the Local Government Act 1993.	GM	DCS
<b>6L – Destruction of Records</b>	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.	GM	-
<b>6M – Filming on Council Reserves and Property</b>	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	-
<b>6N – Applications under Privacy and Personal Information Act</b>	To determine applications made under the Privacy and Personal Information Protection Act 1998	GM	DCS
<b>6O – Internal Reviews under Privacy and Personal Information Act</b>	To determine applications for internal reviews made under the Privacy and Personal Information Protection Act 1998.	GM	-
<b>6P – Signature of all Correspondence</b>	Sign correspondence in relation to Council operations.	GM	-
<b>6Q – Signature of Department Correspondence</b>	Sign standard correspondence in relation to day to day operations of the officers' department with the exception of:- <ul style="list-style-type: none"> <li>correspondence to any Federal or State Minister or Member of Parliament</li> </ul>	GM	DCS DE DES EA MW MHB

	<ul style="list-style-type: none"> <li>• correspondence or memo advice to Councillors</li> <li>• contracts and lease documents</li> <li>• letters of appointment for new employees</li> <li>• letters to employees regarding disciplinary matters and grievances</li> <li>• responses to complaints</li> </ul>		MFS HRO PO STP RO AO RS FO
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## 7. Administration – Rating

Subject	Description	Delegation	Sub-Delegation
<b>7A – Write off Rates &amp; Charges</b>	That the General Manager be delegated authority to Write-Off Rates, Charges and Interest debtors not exceeding \$1,000.	GM	-
<b>7B – Section 603 Certificates</b>	That the General Manager be delegated authority to Issue Section 603 Rating Certificates.	GM	DCS MFS RO
<b>7C – Change in Rate Category</b>	That the General Manager be delegated authority to approve or refuse Applications for Change in Rate Category.	GM	-
<b>7D – Recovering Outstanding Rates</b>	That the General Manager be delegated authority to recover Outstanding Rates, Charges and Interest.	GM	DCS MFS RO
<b>7E – Rating Certificate</b>	That the General Manager be delegated authority to issue the appropriate Rating Certification under the Local Government Act 1993.	GM	-

## 8. Administration – Staff

Subject	Description	Delegation	Sub-Delegation
<b>8A – Staff Training, Seminars &amp; Conferences</b>	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 DE DES
<b>8B – Public Officer</b>	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
<b>8C – Staff</b>	<p>Direct staff within the Manager’s area of operations, in accordance with an organisation structure and resources approved by the Council.</p> <p>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.</p>	GM	DCS DE DES

## 9. Administration – Tenders & Contracts

Subject	Description	Delegation	Sub-Delegation
<b>9A – Tender &amp; Quotations</b>	That the General Manager be delegated authority to open Tenders & Quotations.	GM	DCS DE DES MFS MHB MW
<b>9B – Works &amp; Services Contracts</b>	That the General Manager be delegated authority to sign contracts for works and services in accordance with the resolution of Council.	GM	-

## 10. Plant

Subject	Description	Delegation	Sub-Delegation
<b>10A – Purchase of Motor Vehicles, Plant and Equipment</b>	That the General Manager be delegated authority to purchase Motor Vehicles, Plant and Equipment, within the approved budget allocations.	GM	DE MW MFS PF
<b>10B – Registration of Motor Vehicles</b>	Sign as nominee for vehicle registrations.	GM	-

## 11. Dogs

Subject	Description	Delegation	Sub-Delegation
<b>11A – Companion Animals</b>	That the General Manager be delegated authority to act on Council's behalf under Sections 18, 19, 22, 32, 52, 57, 75, 90, 92 and 98 of the Companion Animals Act 1998.	GM	DES MHB R RR TEHBS

## 12. Impounding

Subject	Description	Delegation	Sub-Delegation
<b>12A – Impounding Officer</b>	That the General Manager be appointed Impounding Officer in accordance with Section 5(1) of the Impounding Act 1993.	GM	DES MHB R RR TEHBS

## 13. Emergency

Subject	Description	Delegation	Sub-Delegation
<b>13A – Emergency Incidents</b>	That the General Manager be delegated authority to approve the use of Council Plant, Equipment and Employees in response to Emergency Incidents.	GM	LEMO DE MW OS FDS

## 14. Health

Subject	Description	Delegation	Sub-Delegation
<b>14A – Health Matters</b>	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 2004 as amended.	GM	DES MHB
<b>14B – Inspect Regulated Premises</b>	That the General Manager be delegated authority to inspect Regulated Premises, in accordance with the Public Health Act 1991 and Regulations made there under.	GM	DES MHB TEHBS
<b>14C – Issuing of Orders</b>	That the General Manager be delegated authority to issue orders as listed in the Local Government Act and the Public Health Act and Regulations there under.	GM	DES MHB

## 15. Inala Retirement Units

Subject	Description	Delegation	Sub-Delegation
<b>15A – Residence Contract</b>	That the General Manager be delegated authority to sign the Inala Retirement Units Residence Contract, and associated documents, on behalf of Council.	GM	DCS

# 16. Town Planning

Subject	Description	Delegation	Sub-Delegation
<p><b>16A – Development Application Consent</b></p>	<p>That the General Manager be delegated authority to consent to Development Applications for:</p> <ul style="list-style-type: none"> <li>a) The erection, alteration and addition to dwellings.</li> <li>b) The erection of garages, workshops, ancillary and minor building works.</li> <li>c) The construction of private swimming pools.</li> <li>d) Complying development as listed in the LEP.</li> <li>e) The alteration, addition and ancillary matters relating to industrial and commercial development.</li> <li>f) Applications made under State Environmental Planning Policy No. 4 (Development Without Consent).</li> <li>g) Commercial and industrial development with a value up to a maximum of \$1m.</li> <li>h) Subdivision in the village and Rural1c zones which comply with the provisions of BLEP 1998.</li> <li>i) Subdivision in the Rural 1a, 7a, and 7c zones which comply with the provisions of BLEP 1998.</li> <li>j) Except where a negative submission to the development that has set out planning grounds of the objection is received and where the matters raised in that submission have not been resolved.</li> <li>k) Except where a refusal to the development is proposed.</li> </ul>	<p>GM</p>	<p>DES STP</p> <p>MHB*</p> <p>*excluding f); h); i).</p>

	<p>l) Except where the General Manager considers the matter should go before Council.</p> <p>m) Except where a Councillor requests the matter go before Council.</p>		
<b>16B – Section 149 Certificates</b>	That the General Manager be delegated authority to issue Certificates under Section 149 of the Environmental Planning and Assessment Act 1979.	GM	DES STP
<b>16C – Subdivision Certificates</b>	That the General Manager be delegated authority to issue Subdivision Certificates.	GM	DES
<b>16D – Removing Advertising</b>	That the General Manager be delegated authority to remove Advertising, in accordance with Section 17 of the Tobacco Advertising Prohibition Act.	GM	DES MHB STP
<b>16E – Department of Planning</b>	That the General Manager be delegated Council’s functions under Section 65(1) and 69 of the Environmental Planning and Assessment Act 1979.	GM	-
<b>16F – Town Planning Committee</b>	That the Town Planning Committee be delegated authority to consider Development Applications and Approve, subject to Conditions or Refuse Consent, in accordance with the Environmental Planning and Assessment Act 1979 and associated legislation.	GM	TPC
<b>16G – Use of Footpaths</b>	That the General Manager be delegated authority to approve the use of the footpath area for commercial activities.	GM	DES STP
<b>16H – Environmental Planning &amp; Assessment</b>	That the General Manager be delegated authority to issue orders as listed in the Environmental Planning & Assessment Act 1979 as amended.	GM	DES MHB STP

## 17. Environment

Subject	Description	Delegation	Sub-Delegation
<b>17A – Blayney Waste Disposal Depot Operation</b>	That the General Manager be delegated authority for the day to day operation of the Blayney Waste Disposal Depot.	GM	DES
<b>17B – Waste Minimisation &amp; Management</b>	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 2005.	GM	DES MHB
<b>17C – Environment Protection</b>	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	DES MHB R RR
<b>17D – Clean Air Regulations</b>	That the General Manager be delegated authority to exercise the Powers and Functions under the Protection of the Environment Operations (Clean Air) Regulations, 2002.	GM	DES MHB R RR

## 18. Cemeteries

Subject	Description	Delegation	Sub-Delegation
<b>18A – Exhumations</b>	That the General Manager be delegated authority to supervise Exhumations in accordance with Clause 39 of the Public Health Regulations.	GM	DES MHB

## 19. Playing Fields / Swimming Pool / Reserve

Subject	Description	Delegation	Sub-Delegation
<b>19A – Approve use of Swimming Pools &amp; Reserves</b>	That the General Manager be delegated authority to approve the use of Playing Fields, Swimming Pool and Reserves.	GM	DCS DE
<b>19B – Ordering Swimming Pool Closure</b>	That the General Manager be delegated authority to issue an Order to Close the Swimming Pool, in accordance with Clause 8 of the Public Health (Swimming Pools & Spa Pools) Regulation 2000.	GM	DE DES MHB R
<b>19C – Revoking Order to Close Swimming Pool</b>	That the General Manager be delegated authority to revoke an Order to Close a Swimming Pool, in accordance with the Public Health (Swimming Pools & Spa Pools) Regulation 2000.	GM	DE DES MHB
<b>19D – Carnivals and Circuses</b>	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	-

## 20. Sewerage

Subject	Description	Delegation	Sub-Delegation
<b>20A – Drainage Diagrams</b>	That the General Manager be delegated authority to issue Drainage Diagrams.	GM	DES MHB
<b>20B – Annual Treatment Works Return</b>	That the General Manager be given delegated authority to sign future returns for the Blayney Sewerage Treatment Works in accordance with Section 377 of the Local Government Act, 1993.	GM	DE MW

## 21. Building

Subject	Description	Delegation	Sub-Delegation
<b>21A – Temporary Occupation of Land</b>	That the General Manager be delegated authority to Consent to applications for temporary occupation of land, in terms of Council policy.	GM	DE DES MHB
<b>21B – Issuing of Building Certificate</b>	That the General Manager be delegated authority to the Issue of Building Certificates.	GM	DES MHB
<b>21C – Determining Objections</b>	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	DES MHB
<b>21D – Minimum Building Line Reduction</b>	That the General Manager be delegated authority to approve a Reduction in the Minimum Building Line, where it is appropriate to do so.	GM	DES
<b>21E – Inspection of Regulated Premises</b>	That the General Manager be delegated authority to Inspect Regulated Premises, in accordance with Section 47 of the Public Health Act.	GM	DES MHB
<b>21F – Swimming Pools Act</b>	That the General Manager be delegated authority to exercise functions under the Swimming Pools Act 1992.	GM	DES MHB R
<b>21G – Construction &amp; Safety Act</b>	That the General Manager be delegated authority to exercise functions under the Construction and Safety Act.	GM	DES MHB
<b>21H – Factories, Shops &amp; Industries Act</b>	That the General Manager be delegated authority to exercise functions under the Factories, Shops and Industries Act.	GM	DES MHB

<b>21I – Issue Construction, Compliance and Occupation Certificates</b>	That the General Manager be delegated authority where Council is the Principle Certifying Authority for the erection of a building, for the issuing of Construction Certificates, Compliance Certificates and Occupation Certificates.	GM	DES MHB
<b>21J – Footpath Deposits</b>	That the General Manager be delegated authority to authorise the refund of footpath deposits and to determine road restoration charges.	GM	-
<b>21K – Minor Numerical Variations to Council Policy</b>	That the General Manager be delegated authority to approve minor numerical variations to Council policy where variations are not greater than 10%. .	GM	DES

## 22. Roads / Streets

<b>Subject</b>	<b>Description</b>	<b>Delegation</b>	<b>Sub-Delegation</b>
<b>22A – Temporary Street Closures</b>	That the General Manager be delegated authority to approve temporary street closures for community functions	GM	DE MW
<b>22B – Shared Traffic Zones</b>	That the General Manager be delegated authority in accordance with Sch.1, cl. 2 (Shared Traffic Zone) Road Transport (Safety and Traffic Management) Act.1999	GM	DE MW
<b>22C – Traffic Control Signs</b>	That the General Manager be delegated authority to assume the functions in accordance with Sub-sections 52, 53, and 55 (Traffic Control Devices) of the Road Transport (Safety and Traffic Management) Act.1999	GM	DE MW
<b>22D – Regulation of Traffic by Road Authorities</b>	That the General Manager be delegated authority to assume the functions in accordance with Division 2 of Part 8 (Regulation of Traffic by Roads Authorities) in accordance with Roads Act 1993.	GM	DE MW

<b>22E – Breaches under the Roads Act 1993 &amp; Interstate Road Transport Act 1985</b>	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, within Council's area, in accordance with the CENTROC Weight of Loads Group Agreement.	GM	DE R
<b>22F – Impounding Items Risking Public Safety</b>	That the General Manager be delegated authority to be the Impounding Officer under the Impounding Act 1993.	GM	DE DES MHB MW R RR
<b>22G – Matter Escaping onto Road</b>	That the General Manager be delegated authority to be the authorised officer under the Roads (General) Regulations 2000.	GM	DES MHB R RR

## 23. Private Works

Subject	Description	Delegation	Sub-Delegation
<b>23A – Private Works</b>	That the General Manager be delegated authority to undertake Private Works in accordance with Council's Policy.	GM	DE MW OS

## 24. Schedule of Abbreviations

Abbreviation	Position Title
Staff	
ADC	Australia Day Committee
AO	Administrative Officer
DCS	Director Corporate Services
DE	Director Engineering
DES	Director Environmental Services
EA	Executive Assistant to GM
FDS	Fleet & Depot Supervisor
FO	Finance Officer
GM	General Manager
HRO	Human Resources Officer
ITO	Information Technology Officer
LEMO	Local Emergency Management Officer
MFS	Manager Financial Services
MHB	Manager Health & Building
MW	Manager Works
OS	Overseer
PO	Payroll Officer
R	Ranger
RO	Revenue Officer
RR	Relief Ranger
RS	Records Supervisor
STP	Senior Town Planner
STWO	Sewerage Treatment Works Operator
TEHBS	Trainee Environmental Health & Building Surveyor
TPC	Town Planning Committee
TTP	Trainee Town Planner

## 25. Schedule of Purchase Authorisation Limits

<b>Position Title</b>	<b>Purchase Authorisation Limit</b>	<b>Position Title</b>	<b>Purchase Authorisation Limit</b>
<b><u>Executive Services</u></b>		<b><u>Environmental Services</u></b>	
General Manager	Unlimited	Director Environmental Services	\$100,000
Executive Assistant to GM	\$ 5,000	Manager Health & Building	\$ 50,000
Human Resources Officer	\$ 5,000	Senior Town Planner	\$ 5,000
<b><u>Corporate Services</u></b>		Administrative Officer	\$ 5,000
Director Corporate Services	\$100,000	<b><u>Engineering Services</u></b>	
Manager Financial Services	\$ 50,000	Director Engineering	\$100,000
Records Supervisor	\$ 5,000	Manager Works	\$ 50,000
Information Technology Officer	\$ 5,000	Fleet & Depot Supervisor	\$ 50,000