

Delegation by the Council of its functions and powers

OBJECTIVE

Delegation of Councils powers and functions to the General Manager.

MINUTE NO(S)

70/2018 – 19.03.2018

APPROVED

“That all delegations made in accordance with section 22 of the Local Government Act 1993 and listed in the Schedule of Delegations by the Council to the General Manager be approved, and furthermore, the Council authorises the General Manager to sub-delegate powers and functions to appropriately qualified staff, in accordance with section 64 of the Local Government Act 1993.”

BACKGROUND

Archived Minute No.s: 169/2000 – 26.04.2000; 251/2008 – 21.07.2008; 173/2017 – 19.06.2017

The *Local Government Act 1993 – Section 22* – provides, subject to certain restrictions, that:

‘...a council, in writing, may delegate with or without conditions to the General Manager ... any of its functions or powers under this or any other Act ...’

Minute extract: 173/2017:

...the General Manager outlined the reasons that support the good value of delegation by the Council. These reasons remain relevant and are reproduced as follows:

- . Delegations do not take away the powers of the Council – they permit the General Manager and staff manage the business of the Council, enabling the Council to focus on strategic and policy development and higher-level decision making;

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- . As a result of a substantial investment in education, learning and training, the Council has a well-qualified, professional and experienced staff;
- . Delegations assist in the development of an efficient and effective operation which is much leaner in resources than would be the case should the Council not have granted delegations;
- . Delegating is consistent with the employment arrangements so far as the General Manager's appointment is concerned;
- . Matters subject to delegation are generally based on technical issues rather than on political and/or governance issues;
- . Delegations enable a greater opportunity for consistent decision making;
- . Delegations ensure a more efficient management of business with the community; they make it easier in dealing with issues which are subject to legislative time frames and they assist in the reduction of 'local' red tape; and
- . The heart of effective governance is a good relationship between the Council and the General Manager and staff where trust, reliability and fairness is essential.

REVIEW DATE

Six monthly reviews, unless changes required by a specific Act.