
Delegation – General Manager

Responsible Officer: Group Manager Organisational Services (Helen McNeil)

Recommendation

That Council revoke the delegation dated 17 August 2022 for the position of General Manager and any delegations revived as a result of that revocation, and approve the delegation as presented in Attachment 2.

Background

To allow the General Manager to undertake the duties of the role prescribed by the *Local Government Act 1993* (LG Act) and their contract of employment, Council may delegate to the position of General Manager any of the functions granted to it under the LG Act or any other Act, except for those functions listed in [section 377](#) (extract provided at [Attachment 3](#)).

Any delegations made by Council under section 377 must be reviewed within the first 12 months of each term of office.¹ The delegation to the General Manager made by the previous term of Council on 17 August 2022 ([Attachment 1](#)) is now due for review following the local government elections in September 2024.

Proposed Delegation

Following review, the functions currently delegated to the General Manager have been assessed by staff as achieving their anticipated purpose – greater operational efficiency and business continuity – and the existing checks and balances – process, financial, probity, and policy controls – operated effectively during the previous term.

These functions and controls are detailed in the previous report to Council dated 17 August 2022 ([Attachment 4](#)) and remain current and relevant.

Accordingly, no amendments to the functions currently delegated to the General Manager are proposed. The instrument of delegation is therefore presented without substantive amendment to Council for re-adoption.

Governance

- **Finance**

There is no financial impact as a result of making the proposed delegation. Council retains its oversight and decision-making in relation to the acceptance of higher value tenders.

- **Legal**

The instrument of delegation has been drafted in accordance with the LG Act and the *Biosecurity Act 2015*. Under section 377 of the *LG Act* and section 375 of the *Biosecurity Act 2015*, the General Manager has the power to delegate and subdelegate, as appropriate. Therefore, Council need only delegate to the General Manager position.

Consultation

No substantive changes have been made to the delegation to the General Manager. Therefore, no additional consultation following the previous iteration has been undertaken.

¹ [Section 380](#) *Local Government Act 1993* (NSW)

Conclusion

A review of the Council issued delegation to the General Manager has been completed with no changes to the previous wording.

Attachments

1. [Delegation to General Manager](#) dated 17-08-2022 (for **revocation**)
2. Revised delegation to General Manager (for **approval**)
3. [Section 377 Local Government Act 1993](#) (*extract*)
4. Council report dated 17 August 2022 – Delegation to General Manager