

# MID-WESTERN REGIONAL COUNCIL

## INSTRUMENT OF DELEGATIONS & SUB-DELEGATIONS TO GENERAL MANAGER

Section 377 of the *Local Government Act 1993* empowers a Council, by resolution, to delegate to the General Manager any of the functions of the Council (excluding those functions specified in clauses (a) to (u) of the section 377(1) of the *Local Government Act 1993*).

Mid-Western Regional Council resolves to delegate to the General Manager all of the delegable functions, powers, duties and authorities of the Council subject to the following limitations:

### 1. Specific limitations

- 1.1. a) To authorise any work at a cost not exceeding \$250,000, which in the General Manager's opinion is necessary to respond to an emergency, community safety issue or potential public liability issue. Any such expenditure must be reported immediately to the Mayor and to the next ordinary meeting of the Council.
- 1.1. b) To authorise any work at a cost not exceeding \$250,000, which in the General Manager's opinion is necessary to respond to a S44 fire event or a declared natural disaster. Any such expenditure must be reported immediately to the Mayor and to the next ordinary meeting of the Council.
- 1.2. To accept Council tenders with a contract value of up to \$3,000,000 or a contract entered into through a prescribed entity tender, where all other tender requirements of section 55 of the *Local Government Act 1993* and Part 7 of the *Local Government Regulation 2021* are met.
- 1.3. To determine and write-off rates, fees, charges and other debts up to and including \$2,500.00 per annum per debt.

### 2 Specific exclusions

Determination of applications under the *Environmental Planning and Assessment Act 1979*, and other relevant Acts, which include:

- 2.1 The determination of a development application where a Senior Staff<sup>1</sup> member of Council or Councillor is the owner or applicant of the subject land (excluding Council owned or managed land).
- 2.2 The determination of a development application where Council is the owner or manager of the land if the development exceeds a construction value of \$1,000,000.

- 2.3 The determination of a development application for a subdivision creating more than 20 allotments.
- 2.4 The determination of a development application for the erection, alteration and/or additions to buildings exceeding a construction value of \$3,000,000.
- 2.5 To grant consent to a development application requiring a variation of more than 10% to a condition or standard specified in a Council policy, Development Control Plan (DCP) or Local Environment Plan (LEP), without providing 5 working days notification to Council, during which two Councillors request the application to be reported to Council for consideration.
- 2.6 To grant consent to a development which receives 7 or more objections during assessment.
- 2.7 To grant consent to a development application which receives 1-6 objections during assessment; without providing 5 working days notification to Council, during which two Councillors request that the application be reported to Council for consideration.
- 2.8 The determination of a development application which upon the written request of two Councillors is to be reported to Council for consideration.

<sup>1</sup> Senior Staff s332 Local Government Act 1993

Brad Cam

General Manager

Date: 26/11/24



Signature