

Delegation of Authority General Manager

Delegation from: Clarence Valley Council

Delegation to: General Manager

Minute:

Date:

That

1. Council delegates to the General Manager all of the delegable powers, duties, functions and authorities of the Council:
 - (a) except those unable to be delegated as specified in section 377 of the *Local Government Act 1993*, and
 - (b) subject to the limitations specified in numbered paragraph 2 below.
2. The Council's delegation to the General Manger is subject to the following limitations:
 - (a) All functions delegated to the General Manager must be exercised in accordance with the applicable statutory requirements, as well as any resolution or policy adopted by the Council from time to time.
 - (b) The General Manager's authority to enter leases and licences is limited to those that have an annual rental of \$50,000 or less (GST inclusive) and have not been objected to as part of a public exhibition process.
 - (c) The General Manager does not have authority to determine development applications, applications to modify a development consent and applications for a complying development certificate in the following circumstances:
 - (i) Applications that involve the variation of a development standard and that variation exceeds 10% of the maximum set by the standard.

- (ii) Where a submission by way of an objection to the application has been submitted to Council during the public notification period, unless in the General Manager's opinion, the objection:
 - (A) is unreasonable, or
 - (B) can be satisfied by the imposition of a condition of consent.
 - (iii) The development does not comply with any adopted Council policy (including a development control plan) unless, in the General Manager's opinion compliance with the policy is unreasonable and unnecessary in the circumstances.
 - (iv) Any section 4.55 modification application (other than a modification application made pursuant to section 4.55(1) of the EP&A Act to correct a minor error, misdescription or miscalculation) concerning a determination previously made by the Council.
- 3. This delegation shall remain in force until specifically altered or revoked by subsequent resolution of the Council.