

Policy Number	GOV 015		
Policy Category	Governance		
Responsibility	General Manager – People & Corporate Services		
Date to take effect:	1 July 2025		
Legislative reference:	Section 40 of the Local Government Act 2019		
Next Review date:	On or before 30 June 2027		

Version	Decision Number	Adoption date	History
02 /00/ 2008/ CO	22 /00/ 2008/ CO Report 4.5.2 - Minutes of Council meeting dated Feb 8, 2008		Council Adopted
02 /01/ 2008/ CO	Report 9.2 - Minutes of Council meeting dated Sept. 10, 2008	Sep 10, 2008	Council Adopted
02/ 02/ 2013 CO	Report 13.2 (Res 111 / 2013) - Minutes of Council meeting dated Sept. 25, 2013	Sep 25, 2013	Council Adopted
02/ 03/ 2017 CO	Report 15.4 (Res 235 / 2017) - Minutes of Council meeting dated 22 Nov, 2017	Nov 22, 2017	Council Adopted
02/04/2020 CO	Resolution 007/2020 – Minutes of Council Meeting dated Feb 26, 2020	Feb 26, 2020	Council Adopted
02/05/2020 CO	Minutes of Council Meeting dated July 30, 2020	Jul 30, 2020	Council Adopted
02/06/2020 CO	Minutes of Council Meeting dated August 26, 2020	Aug 26, 2020	Council Adopted
22/09/2021 CO	Minutes of Council Meeting dated September 22, 2021, 050/2021	Sep 22, 2021	Council Adopted
30/06/2022	Minutes of Council Meeting dated June 30 2022	Jun 30, 2022	Council Adopted
25/08/2022	Minutes of Council Meeting August 25 2022	Aug 25, 2022	Council Adopted
15/12/2022	Minutes of Council Meeting December 15 2022	Dec 15, 2022	Council Adopted
23/02/2023	Minutes of Council Meeting February 23 2023	Feb 23, 2023	Council Adopted
29/06/2023	Minutes of Council Meeting June 29 2023	Jun 29, 2023	Council Adopted
22/02/2024	Minutes of Council Meeting February 22 2024	February 22, 2024	Council Adopted
	Minutes of Council Meeting		
	June 2025		

Contents

Policy	/	3
Purpo	ose of this document	3
The La	aw	3
Princi	ples to do with these delegations	5
Defini	itions	8
HUMA	AN RESOURCES DELEGATION	10
1.	Staff: Salary, Conditions, Packages, Contracts and Appointment	10
2. 1	Existing staff position changes, vacancies and outside employment	13
3.	Staff Probation	16
4.	Staff dismissal and redundancy	17
5.	Staff: leave, overtime, training, conference attendance, travel, external consultancies	18
6.	Staff: Performance Management	23
7.	Staff: Industrial relations	24
LAND	, CEMETERIES, BUILDING AND ROADS DELEGATIONS	26
8. 1	Land, Cemeteries, Leases, Buildings and Roads	26
REGIO	NAL PLAN, SERVICE PROVISION AND PERFORMANCE DELEGATIONS	28
9. 1	Regional plan, services provision and performance	28
LEGAL	PROCEEDINGS AND CONSULTANTS DELEGATIONS	31
10.	Legal matters proceedings and services	31
POLIC	CIES AND PROCEDURES DELEGATIONS	32
11.	Policies and Procedures	32
PUBLIC	C RELATIONS DELEGATIONS	33
12.	Public relations	33
13.	Complaints and grievances	38
FINAN	ICIAL DELEGATIONS	39
14.	Annual and revised budgets	39
15.	Approving Credit Card Expenditure	43
16.	Capital Expenditure and Asset Control	44
17.	Tenders	45
18.	Staff expenditures, time sheets and payroll	46
19.	Investments, borrowings and reserves	47
20.	Investments, borrowings and reserves	48
21.	ATM, receipts and banking	49
22.	Bad debts, rates penalties, and interest	50
23.	Rates and Fees concessions	52
24.	Cheques and electronic payments	
RECOR	RDS MANAGEMENT DELEGATIONS	55
	eedom of information requests and other records management procedures	
Appen	ndix A - Financial: Delegation Table	56

Policy

The East Arnhem Regional Council ('council') is committed to service delivery across the organisation within the parameters of a formalised delegation of authority framework.

Purpose of this document

This delegation manual operates as delegated authority:

- by the council for the President and Deputy President
- by the council for Council Committees
- by the council for Local Authorities
- by the council for the CEO
- by the CEO for council staff.

Its purpose is to provide council staff, councillors and others with details about the levels of decision making and processes that apply to council, particularly as it relates to the powers of council staff in carrying out the functions and decisions of council.

This delegation manual will be reviewed every four years or earlier as circumstances warrant, with a view to improving its utility and relevance as circumstances change for council. The manual must be reviewed within 6 months after a general election.

The Law

The *Local Government Act* and supporting legislation requires council to provide details of statutory delegations of authority, including personnel and financial delegations.

The following sections of the Act are relevant:

40 Delegation

- (1) A council may delegate its powers and functions.
- (2) A delegation may be made to:
 - (a) the CEO; or
 - (b) a council committee; or
 - (c) a local authority; or
 - (d) a local government subsidiary.
- (3) Despite subsection (1):
- (a) the power to impose rates and charges cannot be delegated; and
 East Arnhem Regional Council -Delegations Manual Page 3 of 57

- (b) if power to incur financial liabilities is delegated the council must, by resolution, fix reasonable limits on the delegate's authority; and
- (c) a delegation cannot duplicate or derogate from the CEO's functions (including delegated functions); and
- (d) subject to subsections (4) and (5), power to enter into a transaction on conditions that are not arm's length conditions cannot be delegated; and
- (e) subject to subsections (4) and (5), power to make a decision that requires a council resolution cannot be delegated; and
- (f) if power to enter into a contract is delegated the contract must be below the threshold value.
- (4) A council may delegate to the CEO the following:
 - (a) the power to enter into a transaction on conditions that are not arm's length conditions if the transaction will provide a community benefit;
 - (b) the power to waive a fee for service (wholly or partly) under section 289(4) if the waiver will provide a community benefit.

Note for subsection (4)(b)

A decision to waive a fee for service (wholly or partly) under section 289(4) requires a council resolution.

- (5) A delegation under subsection (4) must be in accordance with the regulations and any guidelines that the Minister may make.
- (6) A council must, within the first 6 months of its term, determine, by resolution, the threshold value for a contract for subsection (3)(f).
- (7) In this section:

arm's length conditions means the conditions that might be expected to operate between commercial entities dealing wholly independently with one another in comparable circumstances.

168 Delegation by CEO

- (1) The CEO may delegate the CEO's powers and functions under this Act or another Act.
- (2) A delegation may be made to an individual or a committee.
- (3) Despite subsections (1) and (2), the power to authorise a staff member in relation to a conflict of interest under section 179(6) cannot be delegated.
- (4) Despite subsection (2), the CEO must not delegate a power or function to

the following:

- (a) an audit committee;
- (b) a council committee;
- (c) a local authority;
- (d) a local government subsidiary.

Principles to do with these delegations

DELEGATIONS

- are hierarchial
- are generally held by the CEO, senior management and council
- relate to positions, not the persons occupying them (because the persons can change or have persons acting in them)
- do not apply to outsourced organisations or people
- the CEO can exercise any of the delegations applying to staff if he/she chooses to do so
- can be exercised by a person in a more senior position than the position specified in the delegations (the senior position person can also 'withdraw' or 'restrict' this delegation if it is not being used properly)
- the senior position must have responsibility for the position (with the delegation) under it
- cannot be exercised by a person in a less senior position unless he/she happens to be acting in that senior position (eg during periods of absence of the senior position person)
- if there is not a delegation relating to a particular power in this document, it has to be assumed a delegation does **not** exist
- cannot be exercised to benefit yourself.

Under Section 40 of the *Local Government Act*, council may delegate powers and functions to a Committee, Local Authority, such delegations may only be made by resolution of council at a council meeting.

It is the responsibility of the person in the position exercising the delegation when money is being spent

It is the responsibility of the person in the position exercising the delegation

there is funding available within the annual budget for their particular area of responsibility in the delegations to cover the expenditure

to comply with legislation, industrial awards, contracts or agreements, council approved policies and procedures and the code of conduct.

to advise their senior line manager of significant developments even if made within delegation to understand the delegations in the context of the relevant staff position descriptions

to ensure appropriate records are kept

not to exercise their delegation so as to approve a recommendation that personally benefits them

How the delegations are set out in the delegation manual

Delegation parts are listed in the Table of Contents of this delegation manual.

The content of the delegations appears in the following format throughout the manual:

	•	Positions with Delegations	Positions that Delegations apply to	Constraints impacting on Delegations

Code: Gives each delegation a unique number for easy reference.

Brief descriptions of Delegated Powers: Describes the power or authority that a person may exercise over a matter.

Positions with Delegations: Identifies the positions (which appear in the definitions above) that have the specific delegations listed in this delegation manual.

Positions that Delegations apply to: Refers to the staff that are impacted by the delegations, by either being the subject of the delegation been exercised (described as for...); by overruling an action (described as by...); or by giving a delegation to a subgroup (described as to...).

Constraints impacting on Delegations: Refers to the types of restrictions, limitations and constraints that either will, or may, apply to the delegations being implemented. For example, reads as follows:

Code	Brief descriptions of Delegated Powers	Positions with Delegations	Positions that Delegations apply to	Constraints impacting on Delegations
x.xx	Approve to buy icecreams	Council President	For CEO	Subject to being supported by:
		CEO	For CEO Direct Reports	the annual budgetenterprise agreement
		CEO Direct Reports	For Level 4	 human resource management
		Level 4	For Service staff	policiesemployment agreements

So while the delegation exists to approve ice-creams the constraint from doing so could be that there is no provision in the budget (might all be spent!) to enable it to be done. There might also be further constraints in council policies and even legal reasons for having to do it because of employment agreements. This column shows the factors that people with a delegation must take into account when deciding on a delegation.

Definitions

1. Councillors, Staff Positions and Committee Members

The senior position levels listed below are those that are reflected in this delegation manual which carry the bulk of responsibility associated with the specified delegated powers of authority.

Any decision on where staff roles fit into the above definitions will be made by the CEO, based on a recommendation from the CEO Direct Reports (see below).

- Level 1: The Council: (referred to as 'Council') Those persons elected to serve the community in accordance with the Local Government Act and Regulations (as amended).
- Level 2: Chief Executive Officer (referred to as 'CEO') The person appointed by and responsible to council for the overall and day to day management of the affairs of council.
- Level 3: Director of Community Development (referred to as 'Director'). This person is appointed as Director has responsibility to manage agency services and community service responsibilities.
- Level 3: Director of Council Services (referred to as 'Director'). This person is appointed as Director has responsibility to manage Council services and Commercial service responsibilities.
- Level 3: General Manager Technical and Infrastructure Services: (referred to as 'General Manager') This person is appointed as General Manager has responsibility to manage technical services, community infrastructure and asset management.
- Level 3: General Manager People & Corporate Services (referred to as 'General Manager') This person appointed as General Manager has responsibility to manage people services (including HR/IR and WHS), financial functions of council (including budgeting, AP/AR, grants, accounts) and ICT (including records).
- **Level 4: Council Services Manager (referred to as 'CSM')** A person appointed as a coordinator of one of the six Service Centres. They are responsible to the Regional Manager of Council Services for the services delivered within their particular area.

Level 4: Municipal Services Supervisor (referred to as 'MSS') A person appointed as a supervisor of one of the Municipal Services teams. They are responsible to the Council Services Manager for the services delivered within their particular area.

Level 4: Regional Managers: (referred to as 'Regional Managers') A person appointed as a regional program manager of a community, council or a technical service.

Level 4: Coordinator: (referred to as 'Coordinator) One of roles titled; Communications Advisor, Finance Manager, Human Resources Manager, EA to the CEO and the Strategic Coordinators for Council and Community Services.

Level 5: Supervisor: (referred to as 'Supervisor) One of roles with responsibility for timesheets and staff supervision in Aged Care, Youth Sports and Recreation, Community Night Patrol, and Child & Library Services.

Service staff: (referred to as 'Service staff') A persons appointed to mostly provide direct service delivery. These positions are referred to in this delegation manual due to:

- their largely service provision focus, rather than that of management responsibility
- they possibly being affected when the delegations are carried out
- they being all the staff working to Level 5 and above.

Executive Management Team (EMT): The team comprising the CEO and two Directors.

CEO Direct Reports: The Team comprising the two Directors, two General Managers, EA to the CEO, Governance & Compliance Manager and Communications Advisor.

Local Authority: A committee comprising local community members formed in accordance with the Guideline 1.

2. Annual Budget

Council's Annual Budget: The budget that is approved by resolution at a meeting of the council for a financial year.

Service Budget: (referred to as 'service budget') A service/program component of the budget that applies to a division for which a manager or coordinator has been delegated responsibility and control.

HUMAN RESOURCES DELEGATION

1. Staff: Salary, Conditions, Packages, Contracts and Appointment

Code	Brief descriptions of Delegated Powers	Positions with Delegations	Positions that Delegations apply to	Constraints impacting on Delegations
1.1	Set and approve salaries.	CEO	For All staff except CEO	Subject to salaries being: • within the annual budget • set by enterprise agreement • influenced by employment contracts or policies • recommended by CEO Direct Reports.
1.2	Set and approve annual salary increments	CEO	To CEO Direct Reports	Subject to salary increments being: within the annual budget set by enterprise agreement influenced by employment agreements or policies for EBA Level 6 and below roles (i.e. EBA L7+ no delegation and CEO must approve upon recommendation from CEO Direct Reports)

Code	Brief descriptions of Delegated Powers	Positions with Delegations	Positions that Delegations apply to	Constraints impacting on Delegations
1.3	Approve salary packaging content and conditions of employment for staff.	CEO	For All staff except CEO	Subject to salary package being: • within the annual budget • set by enterprise agreement • influenced by industry standard conditions of employment or policies. • recommended by CEO Direct Reports.
1.4	Approve/sign employment agreements and Individual Flexibility Agreements	CEO	For All staff except CEO	Subject to staff contracts being: reviewed and recommended by council's industrial advisors/lawyers influenced by industry standard employment contracts or policies recommended by CEO Direct Reports.
1.5	Set and approve higher duties for staff.	CEO	For All staff except CEO	Subject to higher duties being: • within the annual budget • set by enterprise agreement • influenced by employment agreements or policies • recommended by CEO Direct Reports

Code	Brief descriptions of Delegated Powers	Positions with Delegations	Positions that Delegations apply to	Constraints impacting on Delegations
1.6	Approve/sign Relocation and Repatriation entitlements	CEO	For All staff except CEO	Subject to: • within the annual budget • set by enterprise agreement • influenced by employment agreements or policies • recommended by CEO Direct Reports
1.7	Approve appointment of Acting Director	CEO	For Level 4	Subject to
1.8	Appointment of Acting CEO when CEO on Leave	CEO	For CEO Direct Reports	 Subject to Section 165 of the Act Subject to human resource management policies.

2. Existing staff position changes, vacancies and outside employment

Code	Brief descriptions of Delegated Powers	Positions with Delegations	Positions that Delegations apply to	Constraints impacting on the Delegations
2.1	Approve changes to existing position descriptions, including titles, and reclassification of EBA level.	CEO	For All staff except CEO	Subject to: • the submission of reports/forms from CEO Direct Reports to the CEO • the prescribed forms being submitted to Human Resources to action.
2.2	Approve abolishment of staff positions within Council's staffing plan.	CEO	For All staff except CEO	Subject to: • the submission of reports from CEO Direct Reports to the CEO • the prescribed forms being submitted to Human Resources to action.

Code	Brief descriptions of Delegated Powers	Positions with Delegations	Positions that Delegations apply to	Constraints impacting on the Delegations
2.3	Approve the filling of vacancies within Council's staffing plan.	CEO	For All staff except CEO	Subject to: • the submission of reports/forms from CEO Direct Reports to the CEO. • prescribed forms being submitted to Human Resources to action
2.4	Approve the creation of new staff position vacancies within Council's staffing plan.	CEO	For All staff except CEO	Subject to: the submission of reports/forms from CEO Direct Reports to the CEO The funding within the approved staffing budget – see Section 170 of the Act prescribed forms being submitted to Human Resources to action

Code	Brief descriptions of Delegated Powers	Positions with Delegations	Positions that Delegations apply to	Constraints impacting on the Delegations
2.5	Approve a staff member accepting outside employment or consultancies additional to, or separate from, their normal duties with Council.	CEO	For All staff except CEO	Subject to: • the submission of recommendation reports from CEO Direct Reports • Council's human resource management policies and Code of Conduct

3. Staff Probation

Code	Brief descriptions of Delegated Powers	Positions with Delegations	Positions that Delegations apply to	Constraints impacting on the Delegations
3.1	Confirm successful completion or otherwise of staff probationary periods	CEO	To CEO Direct Reports	Subject to: • performance assessments • enterprise agreement • employment agreements • human resource management policies • prescribed forms being submitted to Human Resources to action. • for EBA Level 6 and below roles (i.e. L7+ no delegation and CEO must approve upon recommendation from CEO Direct Report)

4. Staff dismissal and redundancy

Code	Brief descriptions of Delegated Powers	Positions with Delegations	Positions that Delegations apply to	Constraints impacting on Delegations
4.1	Authority to make a staff member redundant.	CEO	For All staff except CEO	Subject to:
4.2	Authority to dismiss a staff member.	CEO	For All staff except CEO	Subject to:

5. Staff: leave, overtime, training, conference attendance, travel, external consultancies

Code	Brief descriptions of Delegated Powers	Positions with Delegations	Positions that Delegations apply to	Constraints impacting on Delegations
5.1	Approve staff overtime and TOIL	CEO Direct Reports Level 4	To CEO Direct Reports For Level 4 For Level 5 and Service staff	Subject to the overtime/TOIL being supported by: the annual budget enterprise agreement human resource management policies. employment agreements
5.2	Approve annual leave, personal leave, community service leave, parental leave, cultural leave, compassionate leave	Council President CEO CEO Direct Reports Level 4 Level 5	For CEO For CEO Direct Reports For Level 4 For Level 5 For Service staff	Subject to all types of leave being supported by: the annual budget enterprise agreement human resource management policies employment agreements completed leave form and supporting documents During Pandemic, possible additional approvals as per Leave Form if personal travel involved from community of work location.

Code	Brief descriptions of Delegated Powers	Positions with Delegations	Positions that Delegations apply to	Constraints impacting on Delegations
5.3	Approve long service leave	Council President CEO CEO Direct Reports	For CEO For CEO Direct Reports For Level 4, 5 and Service staff	Subject to leave being supported by: the annual budget enterprise agreement human resource management policies employment agreements completed leave form and supporting documents
5.4	Approve pandemic leave	Council President CEO CEO Direct Reports	For CEO For CEO Direct Reports For Level 4, 5 and Service staff	Subject to leave being supported by: the annual budget enterprise agreement human resource management policies employment agreements completed leave form and supporting documents

Code	Brief descriptions of Delegated Powers	Positions with Delegations	Positions that Delegations apply to	Constraints impacting on Delegations
5.5	Approve training and study assistance	Council President CEO CEO Direct Reports	For CEO For CEO Direct Reports For Level 4, 5 and Service staff	Subject to leave being supported by: the annual budget enterprise agreement – clause 34 human resource management policies employment agreements completed leave form and supporting documents
5.6	Approve unpaid leave	Council President CEO CEO Direct Reports Level 4 Level 5	For CEO For CEO Direct Reports For Level 4 For Level 5 For Service staff	Subject to all types of leave being supported by: the annual budget enterprise agreement human resource management policies employment agreements completed leave form and supporting documents

Code	Brief descriptions of Delegated Powers	Positions with Delegations	Positions that Delegations apply to	Constraints impacting on Delegations
5.7	Approve business travel outside of the NT and within Australia	Council President CEO CEO Direct Reports	For CEO Direct Reports For All Staff	Subject to the travel being supported by: the annual budget enterprise agreement human resource management policies employment agreements performance appraisals.
5.8	Approve business travel outside of Australia	Council	nil	Subject to the travel being supported by: the annual budget enterprise agreement human resource management policies employment agreements performance appraisals Council resolution

Code	Brief descriptions of Delegated Powers	Positions with Delegations	Positions that Delegations apply to	Constraints impacting on Delegations
5.9	Approve attendance at external training courses/conferences	Council President CEO	For CEO Direct Reports	Subject to leave being supported by: the annual budget enterprise agreement human resource management policies employment agreements
		CEO Direct Reports	For Level 4, 5 and Service staff	 completed training form and supporting documents Approval of travel requirements as above

6. Staff: Performance Management

Code	Brief descriptions of Delegated Powers	Positions with Delegations	Positions that Delegations apply to	Constraints impacting on Delegations
6.1	Ongoing assessment of performance of staff	CEO Direct Reports Level 4 Level 5	For CEO Direct Reports For Level 4 For Level 5 For Service staff	Subject to: enterprise agreement human resource management policies employment agreements skills development plans
6.2	Management of unsatisfactory staff performance	CEO Direct Reports Level 4 Level 5	For CEO Direct Reports For Level 4 For Level 5 For Service staff	Subject to: enterprise agreement human resource management policies employment agreements performance improvement plans skills development plans

7. Staff: Industrial relations

Code	Brief descriptions of Delegated Powers	Positions with Delegations	Positions that Delegations apply to	Constraints impacting on Delegations
7.1	Authority to consult with external industrial advisors on industrial/ human resource matters.	CEO CEO Direct Reports	For CEO Direct Reports For All staff	Subject to: • divisional annual budgets • arrangements with Council's industrial advisors (including the Western Australian Local Government Association, WALGA) • human resource management and payroll staff in the Corporate Services unit being able to consult on low level matters (not involving legal advice).
7.2	Provision of employment Statement of Service	CEO Direct Reports	For CEO Direct Reports For All staff	Subject to: Privacy Act and Principles Preparation of Statement of Service by Corporate Services

Code	Brief descriptions of Delegated Powers	Positions with Delegations	Positions that Delegations apply to	Constraints impacting on Delegations
7.3	Provision of employment reference	CEO	For CEO Direct Reports	Subject to: • Privacy Act and Principles
		CEO Direct Reports	For Level 4	 Level 4 needs pre-approval from CEO Direct Reports
		Level 4	For All staff	·

LAND, CEMETERIES, BUILDING AND ROADS DELEGATIONS

8. Land, Cemeteries, Leases, Buildings and Roads

Code	Brief descriptions of Delegated Powers	Positions with Delegations	Positions that Delegations apply to	Constraints impacting on Delegations
8.1	Approve the sale, purchase, lease or development of land or Section 19 leases	Council	To CEO	Subject to land dealings being supported by: • funds within the annual budget • Procurement regulations and policy • Sales and Purchase of land over \$5,000 require a Council resolution
8.2	Approve the sub leases of existing premises.	CEO	To CEO Direct Reports	Subject to the sub leases being supported by: • Council Plan
8.3	Approve renewal of existing land/building leases.	CEO	To CEO Direct Reports	Subject to the renewals of existing land/building leases being supported by: Council Plan
8.4	Cancel existing land/building leases.	CEO	nil	Subject to existing land/building leases being: cancelled following proposals from CEO Direct Reports to the CEO.

Code	Brief descriptions of Delegated Powers	Positions with Delegations	Positions that Delegations apply to	Constraints impacting on Delegations
8.5	Temporary Road Closure	Council CEO Director Technical and Infrastructure	To CEO To General Manager - Technical and Infrastructure To Roads Infrastructure Manager	Subject to: Section 272 of the Act Road under Council's care, control and management
8.6	Manager of Cemetery	CEO	To Council Services Manager	Subject to: Section 23(1) of the Burial and Cremation Act 2022 The Council Services Manager for the community that contains the cemetery.

REGIONAL PLAN, SERVICE PROVISION AND PERFORMANCE DELEGATIONS

9. Regional plan, services provision and performance

Code	Brief descriptions of Delegated Powers	Positions with Delegations	Positions that Delegations apply to	Constraints impacting on Delegations
9.1	Approve submissions to potential funders for service delivery	CEO	To CEO Direct Reports	Subject to: Council's annual regional plan proposals from Level 4 to the CEO Direct Reports funds within the annual budget. compliance with legislation and council policy
9.2	Authority to negotiate and execute agreements and contracts including project funding agreements	Council	To CEO Direct Reports	Subject to: Council's annual regional plan Council policy Councils' annual budget Not requiring the Council Seal

Code	Brief descriptions of Delegated Powers	Positions with Delegations	Positions that Delegations apply to	Constraints impacting on Delegations
9.3	Reporting and administrative roles within Operations and Outcomes of Funded Services to Federal and NTG Agencies	CEO Direct Reports	To CEO Direct Reports To Level 4	Subject to: • Appropriate Level 4 for that Funded Service
9.4	Administration of Relationship Access Manager (RAM)	CEO	To CEO Direct Reports	
9.5	Office or Service Closure for cultural or safety reasons	CEO Direct Reports	To CEO Direct Reports To Level 4	Subject to: Community request for cultural reasons Closure forms Safety concerns
9.6	Christmas Closedown	Council	Nil	Subject to: • Enterprise agreement • Council resolution

LEGAL PROCEEDINGS AND CONSULTANTS DELEGATIONS

10. Legal matters proceedings and services

Code	Brief descriptions of Delegated Powers	Positions with Delegations	Positions that Delegations apply to	Constraints impacting on Delegations
10.1	Authority to commence legal proceedings (including legal proceedings for an offence) anytime within three years after the date on which the offence is alleged to have been committed.	CEO	To CEO Direct Reports	Subject to:
10.2	Approve the engagement of lawyers.	CEO	To CEO Direct Reports	Subject to:
10.3	Settle court, legal or any other formal proceedings and bind the council.	Council	To CEO	Subject to:

POLICIES AND PROCEDURES DELEGATIONS

11. Policies and Procedures

Code	Brief descriptions of Delegated Powers	Positions with Delegations	Positions that Delegations apply to	Constraints impacting on Delegations
11.1	Approval of procedures	CEO	To CEO Direct Reports	Subject to: • procedures relating to work processes and practices rather than policy or broad statements of intent.

Note: The Act and Regulations requires Council Policies that cannot be delegated and require a resolution; and CEO Polices that the CEO approves.

PUBLIC RELATIONS DELEGATIONS

12. Public relations

Code	Brief descriptions of Delegated Powers	Positions with Delegations	Positions that Delegations apply to	Constraints impacting on Delegations
12.1	Release of public or media statements and comments on strategic issues	Council President Council President CEO	To Deputy President To CEO To CEO Direct Reports	Subject to: Council policy availability of delegates research on strategic issues.
12.2	Release of public or media statements on behalf of Council on items before Council, Committees or of a contentious political nature.	Council President Council President	To Deputy President To CEO	Subject to: Council policy annual budget.

Code	Brief descriptions of Delegated Powers	Positions with Delegations	Positions that Delegations apply to	Constraints impacting on Delegations
12.3	Approve spokesperson for media relations and comments for operational matters not before Council and of a non-contentious nature.	CEO	To CEO Direct Reports	Subject to: Council policy annual budget
12.4	Release of public or media statements on behalf of Council for comments on operational matters not before Council and of a noncontentious nature.	CEO Direct Reports	To CEO Direct Reports To those approved under 12.3 above	Subject to: Council policy annual budget media releases being for 'good news' and include features and events.
12.5	Speak on behalf of Council and comment on items before Council, Committees or of a contentious or political nature during caretaker period	Council	To CEO	Subject to: Council caretaker policy annual budget
12.6	Approve use of Council's name or logo by parties external to Council.	CEO	To CEO Direct Reports	Subject to: Council policy annual budget.
12.7	Approve the use of official Council corporate templates by parties external to council.	CEO	To CEO Direct Reports	Subject to: Council policy annual budget.

Code	Brief descriptions of Delegated Powers	Positions with Delegations	Positions that Delegations apply to	Constraints impacting on Delegations
12.8	Approve branding and design of Council publications, collateral and marketing material.	CEO	To CEO Direct Reports	Subject to: Council policy annual budget materials including items like letterheads, fax
12.9	Approve the use of external logos alongside the Council logo and brand.	CEO	To CEO Direct Reports	Subject to: Council policy annual budget.
12.10	Approve changes or amendments to the Council's Logo.	Council	Nil	Subject to: • there is a council meeting resolution on the matter.
12.11	Approve Council's sub-branding elements and logos for Council operations	CEO	To CEO Direct Reports	Subject to: Council policy annual budget
12.12	Respond to ministerial correspondence	Council President Deputy President	To CEO To CEO	Subject to: Council policy responses to elected or appointed members on boards only in government or organisations. Politicians write/respond to politicians.

Code	Brief descriptions of Delegated Powers	Positions with Delegations	Positions that Delegations apply to	Constraints impacting on Delegations
12.13	Respond to operational letters of contentious nature.	CEO	To CEO Direct Reports	 Subject to: Council policy responses to employees only in government or organisations. 'Staff write/respond to staff'
12.14	Respond to operational letters of non-contentious nature.	CEO	To CEO Direct Reports, Level 4 and Level 5	Subject to: Council policy responses to employees only in government or organisations. 'Staff write/respond to staff'
12.15	Approve the final Council agenda for submission to Council	CEO	To CEO Direct Reports	Subject to: Council policy business papers being prepared in sufficient time for them to be read, considered and approved.
12.16	Approval of the circulation of draft Council minutes.	CEO	To CEO Direct Reports	Subject to: Council policy the draft minutes remaining as draft until confirmed at a Council meeting.

Code	Brief descriptions of Delegated Powers	Positions with Delegations	Positions that Delegations apply to	Constraints impacting on Delegations
12.17	Approval of the circulation of draft Local Authority Minutes	CEO	To CEO Direct Reports	Subject to: Council policy the draft minutes remaining as draft until confirmed at a Local Authority meeting.

13. Complaints and grievances

Code	Brief descriptions of Delegated Powers	Positions with Delegations	Positions that Delegations apply to	Constraints impacting on Delegations
13.1	Ensure appropriate and timely resolution of issues, complaints or	Council	To CEO	Subject to: Council policy
	requests.	CEO	To CEO Direct Reports	 systems that allow for the 'capture', management and reporting of issues,
		CEO Direct Reports	To Level 4	complaints and requestsinvolvement of Council's external advisors
		Level 4	To Level 5	 where necessary Public Relations delegation constraints above in Section 12

FINANCIAL DELEGATIONS

14. Annual and revised budgets

Code	Brief descriptions of Delegated Powers	Positions with Delegations	Positions that Delegations apply to	Constraints impacting on Delegations
14.1	Approve draft budgets being forwarded to the Council.	CEO	For CEO Direct Reports	Subject to: Council revenue policy and funding agreements CSM coordinating the formulation of draft budgets with CEO Direct Reports.

Code	Brief descriptions of Delegated Powers	Positions with Delegations	Positions that Delegations apply to	Constraints impacting on Delegations
14.2	Approve unbudgeted expenditure increases up to \$150,000	Council	To CEO	 Subject to: compliance with procurement provisions in legislation and council policy expenditure is urgent has a limit of up to a cost of \$150,000 excluding GST per instance of expenditure no allocation in the annual budget or having an allocation which will be exceeded CEO Direct Reports confirms with the CEO that funds are available in the annual budget to cover the expenditure Council later approves the budget variation by resolution at a meeting.

Code	Brief descriptions of Delegated Powers	Positions with Delegations	Positions that Delegations apply to	Constraints impacting on Delegations
14.3	Approve unbudgeted expenditure increases.up to \$75,000	CEO	To CEO Direct Reports	 Subject to: compliance with procurement provisions in legislation and council policy expenditure is urgent has a limit of up to a cost of \$75,000 excluding GST per instance of expenditure no allocation in the annual budget or having an allocation which will be exceeded CEO Direct Reports confirms with the CEO that funds are available in the annual budget to cover the expenditures Council later approves the budget variation by resolution at a meeting.
14.4	Approve expenditure within the approved annual budget	Council	To CEO	Subject to: compliance with procurement provisions in legislation and council policy restrictions outlined in this manual.

Code	Brief descriptions of Delegated Powers	Positions with Delegations	Positions that Delegations apply to	Constraints impacting on Delegations
14.5	Approve expenditure within the approved annual budget	CEO	To See Appendix A for the positions listed in the Financial Delegation	 Subject to: the Financial Delegation Table as delegated by the CEO under the Local Government Act the restrictions outlined in this manual expenditure relating to the division, service or program under the direct control of the persons delegated.
14.6	Authorise exception from quotation or tender requirements	CeO	To CEO To CEO Direct Reports	Subject to: Section 38 of the General Regulations Council Procurement Policy

15. Approving Credit Card Expenditure

Code	Brief descriptions of Delegated Powers	Positions with Delegations	Positions that Delegations apply to	Constraints impacting on Delegations
15.1	Approve the issue of corporate credit cards and authorise the credit limits.		For CEO For All staff	Subject to • policies under Section 6(e) and 6(f) of the
		CEO	FOI All Stall	General Regulations Recommendation from CEO Direct Reports
15.2	Approve expenditures made on corporate credit cards.	Council President	For CEO	Subject to Council policy.
		CEO	For CEO Direct Reports	
		CEO Direct Reports	For Level 4, 5 and Service staff	

16. Capital Expenditure and Asset Control

Code	Brief descriptions of Delegated Powers	Positions with Delegations	Positions that Delegations apply to	Constraints impacting on Delegations
16.1	Sell, trade or dispose of assets	Council	To CEO	Subject to: Council policy accounting regulations value of asset(s) has a limit of up to \$5,000 excluding GST per instance
		CEO	To CEO Direct Reports	
		Council	Finance Committee	Subject to over \$5,000 and less than \$50,000 excluding GST
16.2	Approve hire of plant, equipment, or facilities.	CEO	To CEO Direct Reports and Level 4	Subject to: • plant, equipment and facilities for which the staff position is responsible • hired under terms and conditions deemed appropriate in the circumstances • with minimal risk to Council.

17. Tenders

Code	Brief descriptions of Delegated Powers	Positions with Delegations	Positions that Delegations apply to	Constraints impacting on Delegations
17.1	Formation of tender evaluation panel for opening and evaluation of tenders.	Council	To CEO	Subject to Council: • policy or procedure regarding the composition of the panel
17.2	Awarding Tenders	Council	To Finance Committee	Subject to: • The tender cost being under \$500,000 excluding GST • A Tender Evaluation Report presented by the CEO

18. Staff expenditures, time sheets and payroll

Code	Brief descriptions of Delegated Powers	Positions with Delegations	Positions that Delegations apply to	Constraints impacting on Delegations
18.1	Approve staff reimbursement for expenditure on behalf of council.	Council President CEO	For CEO Direct	Subject to
		020	Reports	expenditure relating to the division, service or program under the direct control of the
		CEO Direct Reports	For Level 4	persons delegated.
		Level 4	For Level 5 and Service staff	
18.2	Compile and approve staff time sheets.	CEO	For CEO Direct Reports	Subject to
		CEO Direct Reports	For Level 4	
		Level 4	For Level 5 and Service Staff	
		Level 5	For Service staff	
18.3	Approve fortnightly payroll for payment.	CEO	To CEO Direct Reports	Subject to

19. Investments, borrowings and reserves

Code	Brief descriptions of Delegated Powers	Positions with Delegations	Positions that Delegations apply to	Constraints impacting on Delegations
19.1	Borrowing money	Council	To CEO	Subject to: • proposals from CEO Direct Reports to the CEO • Council policy • Council's annual budget • Council approval by resolution • Council obtaining Ministerial approval, subject to Section 197 of the Act.
19.2	Creation of new reserves for Council as well as authorising transfers to and from existing reserves.	Council	To CEO	Subject to: proposals from CEO Direct Reports to the CEO Council policy Council's approved annual budget Council approval by specific resolution unless in Annual Budget

20. Investments, borrowings and reserves

Code	Brief descriptions of Delegated Powers	Positions with Delegations	Positions that Delegations apply to	Constraints impacting on Delegations
20.1	Approve the investment of funds that are surplus to requirements.	Council	To CEO	Subject to: Council policy compliance with Investment Guidelines Financial Signatory requirements in this Manual
20.2	Approve draw down of investment funds for deposit into operational accounts.	Council	To CEO	Subject to: • proposals from Director Financial Servicecs to the CEO. • Financial Signatory requirements in this Manual
20.3	Approve banking and investment account arrangements including authorizing the opening of new accounts.	Council	To CEO	Subject to: • proposals from Director Financial Services to the CEO. • Financial Signatory requirements in this Manual

21. ATM, receipts and banking

Code	Brief descriptions of Delegated Powers	Positions with Delegations	Positions that Delegations apply to	Constraints impacting on Delegations
21.1	Authority to invoice, receive, code and approve the issue of receipts	CEO	To CEO Direct Reports, Level 4, 5 and Service staff	Subject to
21.2	Authority to bank income and approve the issue of receipts	CEO	To CEO Direct Report and Level 4	Subject to

22. Bad debts, rates penalties, and interest

Code	Brief descriptions of Delegated Powers	Positions with Delegations	Positions that Delegations apply to	Constraints impacting on Delegations
22.1	Approve the write-off of debts	Council	nil	(requires a Council resolution)
22.2	Approve the write-offs of cash losses, thefts, or shortages; furniture, plant and equipment, losses, thefts or destruction.	Council	To CEO	Subject to: Section 28 of the General Regulations Loss of Money less than \$200 Loss of Asset less than \$2,000
22.3	Approve debt recovery payment terms, including rates payment plans.	Council	To CEO	Subject to: debts less than \$50,000 proposals from CEO Direct Reports to the CEO Council policy Council's annual budget

Code	Brief descriptions of Delegated Powers	Positions with Delegations	Positions that Delegations apply to	Constraints impacting on Delegations
22.4	Approve write-off of rates penalties and interest.	Council	Nil	(requires a Council resolution)
22.5	Correct administrative errors.	CEO	To CEO Direct Reports	Subject to: Section 232 and 233 of the Act proposals from CEO Direct Reports to the CEO Council's annual budget Non-controversial Financial impact less than \$20,000

23. Rates and Fees concessions

Code	Brief descriptions of Delegated Powers	Positions with Delegations	Positions that Delegations apply to	Constraints impacting on Delegations
23.1	Approve rates concessions to natural persons including deferring payment of rates.	Council	nil	(requires a Council resolution)
23.2	Approve waiving of fees and charges	Council CEO CEO Direct Reports	CEO To CEO Direct Reports To Level 4	 Subject to: Section 289(4) that this delegation is by resolution Section 40(4)(b) that the waiver will provide a community benefit CEO less than \$10,000 CEO Direct Reports less than \$10,000 Level 4 less than \$1,000

24. Cheques and electronic payments

Code	Brief descriptions of Delegated Powers	Positions with Delegations	Positions that Delegations apply to	Constraints impacting on Delegations
24.1	Authorise (Sign) cheques and electronic payments	Council	Tier One: CEO; General Manager - Technical & Infrastructure; Director Community Services; Director Council Services; General Manager – People and Corporate Services. Tier Two: Finance Manager; Management Accountant	

Code	Brief descriptions of Delegated Powers	Positions with Delegations	Positions that Delegations apply to	Constraints impacting on Delegations
24.2	Authority to stop a cheque payment	Council	As per 24.1	 Subject to: Any two to authorise with at least one from Tier One. There being errors with the cheque.
24.3	Approval to add/change or remove signatories when a person in the designated role changes	Council	To CEO	Subject to: • Two authorised signatures required

RECORDS MANAGEMENT DELEGATIONS

25. Freedom of information requests and other records management procedures

Code	Brief descriptions of Delegated Powers	Positions with Delegations	Positions that Delegations apply to	Constraints impacting on Delegations
25.1	Authority to process freedom of information requests	CEO	To General Manager – People & Corporate Services	Subject to: CEO being notified immediately once request is received requirements under the <i>Information Act</i> General Manager – People & Corporate Services is the dedicated freedom of information (FOI) officer for the purposes of the legislation.
25.2	Authority to act as the review officer in cases where an applicant appeals a decision of Council.	CEO	No delegation	

Appendix A - Financial: Delegation Table

Position	Level of Delegation
CEO	Council Budget
Director – Council Services	Executive - \$150,000 delegation
Director – Community Services	Executive - \$150,000 delegation
General Manager – Technical and Infrastructure Services	Executive - \$150,000 delegation
General Manager – People & Corporate Services	Executive - \$150,000 delegation
EA to the CEO	Manager L2 - \$20,000 delegation
Communications Advisor	Manager L2 - \$20,000 delegation
Governance & Compliance Manager	Manager L2 - \$20,000 delegation
Regional Manager Council Services	Manager L2 - \$20,000 delegation
Council Services Manager – Ramingining	Manager L2 - \$20,000 delegation
Council Services Manager – Galiwinku	Manager L2 - \$20,000 delegation
Council Services Manager – Gapuwiyak	Manager L2 - \$20,000 delegation
Council Services Manager – Milingimbi	Manager L2 - \$20,000 delegation
Council Services Manager - Yirrkala	Manager L2 - \$20,000 delegation
Council Services Manager/MSS – Gunyangara	Manager L2 - \$20,000 delegation
Council Services Manager - Relief	Manager L2 - \$20,000 delegation
Regional Manager - Aged Care Services	Manager L2 - \$20,000 delegation
Regional Manager – Active Communities & Youth Services	Manager L2 - \$20,000 delegation
Regional Manager – Disability Services	Manager L2 - \$20,000 delegation
Regional Manager – Tenancy & Leasing	Manager L2 - \$20,000 delegation
Regional Manager - Waste & Environment	Manager L2 - \$20,000 delegation
Regional Manager - Veterinarian & Animal Control	Manager L2 - \$20,000 delegation
Regional Manager – Children & Library Services	Manager L2 - \$20,000 delegation
ICT Manager	Manager L2 - \$20,000 delegation
Regional Manager - Transport & Infrastructure	Manager L2 - \$20,000 delegation
Regional Manager - Fleet	Manager L2 - \$20,000 delegation
Senior Projects Manager	Manager L2 - \$20,000 delegation
Finance Manager	Manager L2 - \$20,000 delegation

Position	Level of Delegation
NDIS Manager - Nhulunbuy	Manager L2 - \$20,000 delegation
Aged Care Manager – Nhulunbuy	Manager L2 - \$20,000 delegation
HR & IR Manager	Manager L2 - \$20,000 delegation
Strategic Coordinator Council Services / Community Services	Admin L1 - \$10,000 delegation
Children Services Coordinator - Galiwinku	Admin L1 - \$10,000 delegation
(Senior) Administration (Support) Officers – all locations	Admin L1 - \$10,000 delegation
Administration Manager - Milingimbi	Admin L1 - \$10,000 delegation
Child Care Coordinator-Yirrkala	Admin L1 - \$10,000 delegation
Community Night Patrol - Coordinator	Admin L1 - \$10,000 delegation
Sobering Up Shelter Coordinator	Admin L1 - \$10,000 delegation
Youth Diversion Case Manager	Admin L1 - \$10,000 delegation
Trauma Informed Care Coordinator	Admin L1 - \$10,000 delegation
Technical Officer - Nhulunbuy	Admin L1 - \$10,000 delegation
Tradesperson Mechanic - Milingimbi and Gapuwiyak	Admin L1 - \$10,000 delegation
Procurement Officer	Admin L1 - \$10,000 delegation
Animal Management Supervisor	Admin L1 - \$10,000 delegation
Project and Contracts Officer	Admin L1 - \$10,000 delegation
Data & Compliance Officer	Admin L1 - \$10,000 delegation
Municipal Service Supervisor	Admin L1 - \$10,000 delegation
(Senior) Human Resources Officers	Admin L1 - \$10,000 delegation
Training & Development Officer	Admin L1 - \$10,000 delegation
Records Coordinator	Admin L1 - \$10,000 delegation
Work Health & Safety Manager	Admin L1 - \$10,000 delegation
Environmental Projects and Communications Officer	Admin L1 - \$10,000 delegation
Aged Care & Disability Service Coordinators	\$500 delegation
Senior Finance Officers	\$1 delegation to facilitate system training