

DISPOSING OF PROPERTY

- (1) **Function to be performed:** A local government may dispose of property to the highest bidder at public auction.

Power or Duty Assigned: Local Government

Power to Delegate: Yes

Delegation Recommended: Yes, limit to \$100,000

Delegation to: Chief Executive Officer

Chief Executive Officer delegates to: N/A

Reference: Section 3.58(2)(a) Local Government Act 1995

- (2) **Function to be performed:** A local government may dispose of property by accepting the tender of the person who makes, what is in the opinion of the local government, the most acceptable tender.

Power or Duty Assigned: Local Government

Power to Delegate: Yes

Delegation Recommended: Yes, limit to \$100,000

Delegation to: Chief Executive Officer

Chief Executive Officer delegates to: N/A

Reference: Section 3.58(2)(b) Local Government Act 1995

(3) **Function to be performed:** A local government may dispose of property by private treaty after giving statewide notice and considering submissions.

Power or Duty Assigned: Local Government

Power to Delegate: Yes

Delegation Recommended: Yes, limit to \$100,000

Delegation to: Chief Executive Officer

Chief Executive Officer delegates to: N/A

Reference: Section 3.58(3) Local Government Act 1995

CONTRACTS FOR SENIOR EMPLOYEES

Function to be performed:	The employment of a person who is designated as a senior employee is to be governed by a written contract in accordance with this section.
Power or Duty Assigned:	Local Government
Power to Delegate:	Yes
Delegation Recommended:	Yes
Delegation to:	Chief Executive Officer
Chief Executive Officer delegates to:	N/A
Reference:	Section 5.39(1) Local Government Act 1995

ANNUAL REPORTS

Function to be performed:	The local government is to prepare an annual report for each financial year.
Power or Duty Assigned:	Local Government
Power to Delegate:	Yes
Delegation Recommended:	Yes
Delegation to:	Chief Executive Officer
Chief Executive Officer delegates to:	N/A
Reference:	Section 5.53(1) Local Government Act 1995

PLANNING PRINCIPAL ACTIVITIES

Function to be performed:	Each financial year a local government is to prepare a plan for the next 4 or more financial years.
Power or Duty Assigned:	Local Government
Power to Delegate:	Yes
Delegation Recommended:	Yes
Delegation to:	Chief Executive Officer
Chief Executive Officer delegates to:	N/A
Reference:	Section 5.56 Local Government Act 1995

NOTICE OF PROPOSED PLANS FOR PRINCIPAL ACTIVITIES

Function to be performed:	After preparing a principal activities plan the local government is to give local public notice and make available for public inspection copies of the proposed plan at the local government offices and at each local government library in the district.
Power or Duty Assigned:	Local Government
Power to Delegate:	Yes
Delegation Recommended:	Yes
Delegation to:	Chief Executive Officer
Chief Executive Officer delegates to:	N/A
Reference:	Section 5.57(1) Local Government Act 1995

MINISTER MAY ALLOW MEMBERS DISCLOSING INTEREST TO PARTICIPATE ETC, IN MEETINGS

Function to be performed:	If a member has disclosed an interest in a matter the Council or the Chief Executive Officer may apply to the Minister to allow the disclosing member to participate in the part of the meeting relating to the matter.
Power or Duty Assigned:	Chief Executive Officer Council
Power to Delegate:	Yes
Delegation Recommended:	Yes
Delegation to:	Chief Executive Officer
Chief Executive Officer delegates to:	N/A
Reference:	Section 5.69 and 5.69(A) Local Government Act 1995

**MINISTER OR EXECUTIVE DIRECTOR MAY REQUIRE
INFORMATION**

Function to be performed:	The Minister or Executive Director may in a written notice require a local government to provide information of a kind specified in the notice concerning the local government or its operations or affairs.
Power or Duty Assigned:	Local Government
Power to Delegate:	Yes
Delegation Recommended:	Yes
Delegation to:	Chief Executive Officer
Chief Executive Officer delegates to:	N/A
Reference:	Section 8.2(1) Local Government Act 1995

CHOICE OF TENDERER

- (1) **Function to be performed:** Valid tenders are to be considered by the local government and it is to decide which of them it thinks would be the most advantageous to the local government to accept. A tender is required to be rejected unless it is submitted at a place, and within the time specified in the invitation for tender.

Power or Duty Assigned: Local Government

Power to Delegate: Yes

Delegation Recommended: Yes, limit to \$100,000

Delegation to: Chief Executive Officer

Chief Executive Officer delegates to: N/A

Reference: Section 18(1) Local Government (Functions & General) Regulations 1996

- (2) **Function to be performed:** A local government may decline to accept any tender.

Power or Duty Assigned: Local Government

Power to Delegate: Yes

Delegation Recommended: Yes, limit to \$100,000

Delegation to: Chief Executive Officer

Chief Executive Officer delegates to: N/A

Reference: Section 18(5) Local Government (Functions & General) Regulations 1996

CHOICE OF ACCEPTABLE TENDERS FROM AN EXPRESSION OF INTEREST

Function to be performed:	A local government is to choose acceptable tenderers from expressions of interest received.
Power or Duty Assigned:	Local Government
Power to Delegate:	Yes
Delegation Recommended:	Yes, where the expression of interest has no value or the value does not exceed \$100,000.
Delegation to:	Chief Executive Officer
Chief Executive Officer delegates to:	N/A
Reference:	Section 23 Local Government (Functions & General) Regulations 1996 <i>CJ60-08/98 refers</i>

REDUNDANCY AND SEVERANCE PAY

Function to be performed:	Consideration to paying a member of staff over the agreed level, according to the relevant award, contract of employment, EBA or other document current at the time of redundancy or severance. This is to be made on the recommendation of the relevant Director or Business Unit Manager.
Power or Duty Assigned:	Chief Executive Officer
Power to Delegate:	Yes
Delegation Recommended:	Yes
Delegation to:	Chief Executive Officer
Chief Executive Officer delegates to:	N/A
Reference:	Policy 2.1.4

SELECTIVE VOLUNTARY SEVERANCE

Function to be performed: To give consideration to applications from staff for selective voluntary severance package.

Power or Duty Assigned: Chief Executive Officer

Power to Delegate: Yes

Delegation Recommended: Yes

Delegation to: Chief Executive Officer

Chief Executive Officer delegates to: N/A

Reference: Policy 2.1.5

**LEGAL REPRESENTATION FOR PRESENT AND FORMER
ELECTED MEMBERS AND STAFF OF THE CITY**

- (1) **Function to be performed:** In cases of urgency, the Chief Executive Officer may authorise interim assistance for legal representation. The ceiling for legal assistance is set at \$3,000. In cases of emergency, the Chief Executive Officer may approve applications for additional assistance, not exceeding \$3,000 per application.

Power or Duty Assigned: Chief Executive Officer

Power to Delegate: Yes

Delegation Recommended: Yes

Delegation to: Chief Executive Officer (limit of \$3,000 per application)

Chief Executive Officer delegates to: N/A

Reference: Policy 2.2.8

- (2) **Function to be performed:** Where it is decided to retain legal representation on behalf of the City following the grant of an application for assistance under the policy G8, the Chief Executive Officer may, unless otherwise resolved by the Council, obtain from a separate firm of solicitors advice in relation to the application of the policy in the circumstances of the case.

Power or Duty Assigned: Chief Executive Officer

Power to Delegate: Yes

Delegation Recommended: Yes

Delegation to: N/A

Chief Executive Officer delegates to: N/A

Reference: Policy 2.2.8

ASSESSMENT – COMMUNITY FUNDING

Function to be performed: Authority to approve community funding submissions, not exceeding an amount of \$2,500.

Power or Duty Assigned: Chief Executive Officer

Power to Delegate: Yes

Delegation Recommended: Yes

Delegation to: Chief Executive Officer (Limit to \$2,500)

Chief Executive Officer delegates to: N/A

Reference: Policy 4.1.1

USE OF COUNCIL VEHICLES

Function to be performed: Authority to vary the use of Council vehicles

Power or Duty Assigned: Chief Executive Officer

Power to Delegate: Yes

Delegation Recommended: Yes

Delegation to: N/A

**Chief Executive Officer
delegates to:** N/A

Reference: Policy 2.5.4

VARIATION OF REQUIREMENTS BEFORE ENTRY INTO CONTRACT

Function to be performed:	If, after a local government has invited tenders for the supply of goods or services and chose a successful tenderer but before it has entered into a contract, the local government may make a *minor variation in the goods or services required without again inviting tenders.
Power or Duty Assigned:	Local Government
Power to Delegate:	Yes
Delegation Recommended:	Yes, where the Chief Executive Officer is satisfied that the variation is minor having regard to the total goods or services that tenderers were invited to supply.
Delegation to:	Chief Executive Officer
Chief Executive Officer delegates to:	N/A
Reference:	Section 20 Local Government (Functions & General) Regulations 1996
	<p>* Minor variation means a variation that the local government is satisfied is minor having regard to the total goods or services that tenders were invited to supply.</p>

AUTHORISATION OF OFFICERS

Function to be performed:	Power to authorise officers to make complaints and enforce the various Acts and Regulations for the City as detailed hereunder: <ul style="list-style-type: none">• Local Government Act 1995• Dog Act 1976 and Regulations thereunder;• Bushfire Act 1954 and Regulations thereunder;• Control of Vehicles (Off Road Areas) Act and Regulations thereunder;• Litter Act 1979 and Regulations thereunder;• Spearguns Control Act 1955 and regulations thereunder.
Power or Duty Assigned:	Local Government
Power to Delegate:	Yes
Delegation Recommended:	Yes
Delegation to:	Chief Executive Officer
Chief Executive Officer delegates to:	N/A
Reference:	Section 5.42 Local Government Act 1995 Justices Act 1902