



Delegations – Guiding Principles

Delegations from Council to the CEO

Corporate Plan reference:	5.1 An Outstanding Organisation – Supported by Good Governance and Robust and Transparent Decision Making
Date	19 September 2016
Author:	Chief Legal Officer

Purpose

The purpose of this document is to provide a framework and clear principles under which the Chief Executive Officer may exercise delegations handed down from Council to the Chief Executive Officer.


Guiding principles

1. The powers conferred by delegation to the Chief Executive Officer must be exercised in a manner that is consistent with Local Government Act 2009, Local Government Regulation 2012 and in accordance with any other legislation that may specifically confer authority to exercise the delegated power.
2. When making a decision to exercise a delegated power, the Chief Executive Officer must have due regard to the strategic direction and priorities set by Council including the Corporate Plan, Operational Plan, Annual Budget and financial delegation.
3. In the performance of a delegated function or in the exercise of a delegated power, the Chief Executive Officer may do anything that is lawfully and reasonably incidental to the delegated function or power.
4. Delegations made by Council are made to the position of Chief Executive Officer and unless excluded in the terms of appointment extend to persons acting in that position from time to time.
5. The Chief Executive Officer is not obliged to exercise a delegation.

- 6. The Chief Executive Officer must avoid exercising any delegation where it can fairly be concluded that to do so would give rise to material claims of the delegate having an actual or perceived conflict of interest, whether financial or otherwise.

- 7. As a matter of practice, the Chief Executive Officer must consult with the Mayor and relevant Portfolio Councillor prior to exercising a delegated power in instances where the exercise of the delegations may reasonably be expected to:
 - generate significant community concern; and/or
 - result in significant financial, resource or policy implications for Council

The above guiding principles are acknowledged and agreed by:



The Mayor, Cr. Mark Jamieson.



The Chief Executive Officer, Michael Whittaker.

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