



INSTRUMENT OF DELEGATION TO GENERAL MANAGER

On the 11th October 2018 Nambucca Valley Council (“**Council**”) resolved that:

1. All previous delegations of Functions the subject of this Instrument be revoked.
2. The person who holds the position of General Manager of Council (“**General Manager**”), being at the date of this instrument, Michael Coulter, be delegated authority under section 377 of the Local Government Act 1993 to exercise and/or perform on behalf of Council the Council’s Functions under all legislation in force and as amended from time to time:
 - (a) **Subject to** any condition or limitation on a Function specified in **Schedule 1**; and
 - (b) **Excluding** those Functions:
 - (i) that are expressly prohibited from delegation as listed under Section 377 of the LG Act;
 - (ii) which are expressly required by legislation to be exercised by a resolution of Council.
3. The General Manager be sub-delegated authority to exercise and/ or perform on behalf of Council the Functions delegated to Council under, and in accordance with, any instrument of delegation to the Council , **excluding** those functions which pursuant to the terms of delegation to the Council may not be sub-delegated.
4. The General Manager be delegated any Function which is taken to be conferred or imposed on the Council pursuant to section 381(1) of the LG Act.
5. In the absence of the General Manager that a person appointed by resolution to act as General Manager assume all functions, delegations and sub-delegations of the General Manager for the period only of the absence of the General Manager unless otherwise resolved by Council.
6. The delegations in this Instrument are subject to, and are to be exercised in accordance with, the requirements of the relevant legislation, and any resolution or policy or procedure or budget adopted from time to time by the Council.

7. The delegations in this Instrument are effective from the date of the resolution of the Council referred to below and remain in force until amended or revoked by a resolution of the Council.

8. In this delegation:

“Functions” means powers, authorities, duties and functions and anything ancillary or related to the exercise or performance thereof.

“Legislation” includes legislation enacted by the parliaments of New South Wales and of the Commonwealth of Australia;

“LG Act” means the *Local Government Act 1993* as amended.

Schedule 1: Limitations

Delegations to exclude the delegation for deferred payments of developer contributions. These requests are to be approved by Council.

Pursuant to a Resolution of the Council at its meeting of 11th October 2018

Rhonda Hoban
Mayor

Date: October 2018