

DELEGATIONS UNDER COUNCIL POLICIES

01 NOVEMBER 2022



CITY OF
MITCHAM

Instruments of Delegation in this Document

- Council By-Law No. 1 - Permits and Penalties By-Law 2015
- Council Closure - Christmas and New Year
- Council policy - Annual / long service leave for executive officers
- Council policy - Awards
- Council policy - Banners and signs (temporary) for local functions
- Council policy - Building audit inspection
- Council policy - Caretaker
- Council policy - Code of practice - meetings procedures
- Council policy - Collections for charitable projects
- Council policy - Commemoration / naming
- Council policy - Community gardens
- Council policy - Disposal of assets
- Council policy - Driveways
- Council policy - Elected Members' attendance at conferences
- Council policy - Elected Members' use of email
- Council policy - Flag flying
- Council policy - Heritage subsidy
- Council policy - Induction training and development for Elected Members
- Council policy - Internal review of a Council decision
- Council policy - Kerbside numbering and street naming
- Council policy - Leases
- Council policy - Leasing and licensing of Council's sport facilities
- Council policy - Liquor licence applications - consultation (Council owned premises)
- Council policy - Outdoor dining
- Council policy - Parking control - changes
- Council policy - Petitions requiring signatures
- Council policy - Planning inspection
- Council policy - Procurement policy
- Council policy - Rating policy
- Council policy - Records management - Elected Members
- Council policy - Reserves - special use of reserves and sporting facilities by various groups
- Council policy - Sponsorship - charity
- Council policy - Street lighting - energy efficiency
- Council policy - Tree
- Council policy - Vandalism - Council property

Delegation Sources

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Positions

Abbreviation	Position	Name
Chief Executive Officer	Chief Executive Officer	
Community Development Grants Committee	Community Development Grants Committee	
Events and Grants Officer	Events and Grants Officer	

Abbreviation	Position	Name
General Manager Corporate Services and Innovation	General Manager Corporate Services and Innovation	
GM Development and Community Safety	General Manager Development and Community Safety	
GM Engineering and Horticulture	General Manager Engineering and Horticulture	
GM Organisational and Community Development	General Manager Organisational and Community Development	
Horticultural Officer	Horticultural Officer	
Information Management Partner	Information Management Partner	
Manager Community Development and Libraries	Manager Community Development and Libraries	
Manager Development Services	Manager Development Services	
Manager Engineering	Manager Engineering	
Manager Environmental Services and Community Safety	Manager Environmental Services and Community Safety	
Manager Finance and Rates	Manager Finance and Rates	
Manager Information Management	Manager Information Management	
Manager Open Space	Manager Open Space	
Manager Property and Facilities	Manager Property and Facilities	
Manager Sustainability and Procurement	Manager Sustainability and Procurement	

Abbreviation	Position	Name
Team Leader Building Services	Team Leader Building Services	
Team Leader Community Safety	Team Leader Community Safety	
Team Leader Customer Service	Team Leader Customer Service	
Team Leader Sports and Recreation	Team Leader Sports and Recreation	
Team Leader Traffic and Transport	Team Leader Traffic and Transport	

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Council By-Law No. 1 - Permits and Penalties By-Law 2015

Council By-Law No. 1 - Permits and Penalties By-Law 2015			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Clause 8.4	The power to revoke or suspend a grant of permission that has been issued under a Council By-law by notice in writing to the person to whom the permission was granted.	GM Engineering and Horticulture, GM Development and Community Safety, General Manager Corporate Services and Innovation, Manager Property and Facilities, Team Leader Customer Service, Team Leader Community Safety, Team Leader Sports and Recreation	
Clause 8.3	The power to commence proceedings to prosecute an offence under a Council By-law.	GM Engineering and Horticulture, GM Development and Community Safety, General Manager Corporate Services and Innovation, Manager Property and Facilities, Team Leader Customer Service, Team Leader Community Safety, Team Leader Sports and Recreation	
Clause 8.2	The power to attach any conditions that the delegate sees fit to a grant of permission issued under a Council By-law and to	GM Engineering and Horticulture, GM Development and Community Safety, General Manager Corporate Services and Innovation,	

Council By-Law No. 1 - Permits and Penalties By-Law 2015

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	vary or revoke such conditions or impose new conditions by notice in writing to the person to whom permission was granted.	Manager Property and Facilities, Team Leader Customer Service, Team Leader Community Safety, Team Leader Sports and Recreation	
Clause 8.1	The power to grant or refuse an application for permission to undertake an activity or engage in conduct regulated by a Council By-law or, to otherwise grant permission under a Council By-law.	GM Engineering and Horticulture, GM Development and Community Safety, General Manager Corporate Services and Innovation, Manager Property and Facilities, Team Leader Customer Service, Team Leader Community Safety, Team Leader Sports and Recreation	

Council Closure - Christmas and New Year

Council Closure - Christmas and New Year			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Council meeting 14/09/2021 Item 9.6	Authority to set Christmas closure dates.	Chief Executive Officer	Council delegates authority to set Christmas closure dates to the Chief Executive Officer in consultation with the Mayor, and to advise Council of the decision.

Council policy - Annual / long service leave for executive officers

Council policy - Annual / long service leave for executive officers			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Approval of leave for senior executives.	Chief Executive Officer	

Council policy - Awards

Council policy - Awards			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Determination of awards by a judging panel consisting of representatives of elected members, staff and the community.	Events and Grants Officer	

Council policy - Banners and signs (temporary) for local functions

Council policy - Banners and signs (temporary) for local functions			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Guidelines and conditions for the erection of temporary banners and signs on Council land.	Manager Environmental Services and Community Safety	

Council policy - Building audit inspection

Council policy - Building audit inspection			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Implementation of mandatory policy regarding inspections of building work in Council area.	Manager Development Services, Team Leader Building Services	

Council policy - Caretaker

Council policy - Caretaker

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Decisions made during the caretaker period (with the exception of designated decisions) regarding access to information, community engagement, media enquiries etc.	Chief Executive Officer	

Council policy - Code of practice - meetings procedures

Council policy - Code of practice - meetings procedures			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Part 35(1)(3)	Part 35(1)(3) – allows for a determination that a Gallery question not be answered on the basis of the time required to do so.	Chief Executive Officer	

Council policy - Collections for charitable projects

Council policy - Collections for charitable projects			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Consideration of requests to collect for charity in the area.	Chief Executive Officer	

Council policy - Commemoration / naming

Council policy - Commemoration / naming			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Scattering of cremated remains.	Chief Executive Officer	

Council policy - Community gardens

Council policy - Community gardens			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Assessment of small scale community gardening activity on non-Council land. Assessment of small scale community gardening activity on Council land.	Manager Community Development and Libraries, Community Development Grants Committee	

Council policy - Disposal of assets

Council policy - Disposal of assets			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Approval for the disposal of Council plant and equipment.	Chief Executive Officer, Manager Finance and Rates, Manager Information Management, Manager Property and Facilities, Manager Sustainability and Procurement	

Council policy - Driveways

Council policy - Driveways			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Determination of the position of a driveway.	Chief Executive Officer	

Council policy - Elected Members' attendance at conferences

Council policy - Elected Members' attendance at conferences			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Authority to reimburse Elected Member conference expenses.	Chief Executive Officer	

Council policy - Elected Members' use of email

Council policy - Elected Members' use of email			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Possible monitoring, auditing, inspection of Elected Member.	Chief Executive Officer	

Council policy - Flag flying

Council policy - Flag flying			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Assess applications for flying certain flag from the Council Offices flagpoles. .	Chief Executive Officer	

Council policy - Heritage subsidy

Council policy - Heritage subsidy			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Ratification of recommendations and approval of payment.	GM Development and Community Safety	

Council policy - Induction training and development for Elected Members

Council policy - Induction training and development for Elected Members			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Approval to attend Local Government Association training sessions.	Chief Executive Officer	

Council policy - Internal review of a Council decision

Council policy - Internal review of a Council decision			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Appointment of a reviewer of a Council decision.	Chief Executive Officer	

Council policy - Kerbside numbering and street naming

Council policy - Kerbside numbering and street naming			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Approve house numbering systems and/or street naming systems on kerbing to be carried out by community groups.	Chief Executive Officer	

Council policy - Leases

Council policy - Leases			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Management of leases on Council properties.	Chief Executive Officer	

Council policy - Leasing and licensing of Council's sport facilities

Council policy - Leasing and licensing of Council's sport facilities			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Granting, renewal and variations to leases and licences.	GM Organisational and Community Development, General Manager Corporate Services and Innovation, Manager Property and Facilities, Manager Community Development and Libraries	

Council policy - Liquor licence applications - consultation (Council owned premises)

Council policy - Liquor licence applications - consultation (Council owned premises)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Approve one-off liquor licence applications.	Chief Executive Officer	

Council policy - Outdoor dining

Council policy - Outdoor dining			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Authority to sign an Outdoor Dining Agreement.	Chief Executive Officer	

Council policy - Parking control - changes

Council policy - Parking control - changes			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Installation or modification of parking controls in certain instances.	Manager Engineering, Team Leader Traffic and Transport	

Council policy - Petitions requiring signatures

Council policy - Petitions requiring signatures			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Approval of requests to display petitions for the collection of signatures.	Chief Executive Officer	

Council policy - Planning inspection

Council policy - Planning inspection			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Determination of forms of new development to be inspected.	Manager Development Services	

Council policy - Procurement policy

Council policy - Procurement policy			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Waive application of policy: for goods, works and services LESS than \$50,000.	Chief Executive Officer	
	Waive application of policy: for goods, works and services to the value of \$50,000 or more.	GM Organisational and Community Development, GM Engineering and Horticulture, GM Development and Community Safety, General Manager Corporate Services and Innovation	

Council policy - Rating policy

Council policy - Rating policy			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Assess eligibility for rate remissions, deferrals, rebates and provide for alternative payment arrangements in certain circumstances.	Chief Executive Officer	

Council policy - Records management - Elected Members

Council policy - Records Management - Elected Members			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Determination whether a record is confidential.	Information Management Partner	

Council policy - Reserves - special use of reserves and sporting facilities by various groups

Council policy - Reserves - special use of reserves and sporting facilities by various groups			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Approval of occasional special use of reserves.	Chief Executive Officer	

Council policy - Sponsorship - charity

Council policy - Sponsorship - charity			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Approval of sponsorships, donations etc in excess of \$10,000.	Chief Executive Officer	<p>If the life of any sponsorship or donation falls within a designated caretaker period of Council, i.e. for approximately 10 weeks prior to a Local Government Periodic election, the provisions of Council's Caretaker Policy 09.21 will apply. This policy precludes Council from entering into a sponsorship or donation arrangement exceeding \$100,000 in value. Consideration must also be given to Council's other obligations under this policy.</p>

Council policy - Street lighting - energy efficiency

Council policy - Street lighting - energy efficiency			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Approval for a departure from Council policy.	Manager Engineering, Team Leader Traffic and Transport	

Council policy - Tree

Council policy - Tree			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Responsibility for tree selection.	Horticultural Officer, Manager Open Space	

Council policy - Vandalism - Council property

Council policy - Vandalism - Council property			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Payment of up to \$1000 for information leading to conviction of offenders.	Chief Executive Officer	