

1. DRAFT MEDIA RELATIONS POLICY

Introduction

This report is presented to Council to consider the draft Media Relations Policy (**Attachment No. 1**).

Background

Council adopted version 2.0 of the Media Relations Policy at its Ordinary Council Meeting held in December 2016, Resolution No 2016/382.

Issues

The policy has since been revised to account for the new roles of Mayors under the recent amendments to the *Local Government Act 1993*; to provide guidance for media communication during the Caretaker Period; and to account for recordkeeping responsibilities.

The purpose of a Media Relations Policy is to set the framework for Councillors and Staff to promote positive coverage of Council affairs that is fair, correct and consistent.

The policy aims to ensure that all communication with the media is reliable, balanced, informed, timely, professional and accurate. In addition, the policy determines Council's authorised spokespersons and their responsibility to ensure that the information provided is correct; enhances Council's reputation; provides clear information about Council's decisions; and effectively promotes Council's services, programs and objectives.

Assessment

a) Legal Implications

Local Government Act 1993; Public Interest Disclosures Act 1994; Privacy Act 1998; State Records Act 1998; Council's Code of Conduct and Procedures; Council's Social Media Policy.

b) Financial Implications

Not applicable.

c) Strategic Implications

This report relates to item C1.2 of the Community Strategic Plan – to continually improve community engagement; and Item L3.1 of the Community Strategic Plan – to provide excellent leadership and governance in Council.

1. DRAFT MEDIA RELATIONS POLICY (Cont.)

Summary

The attached draft Media Relations Policy has been reviewed and amended to account for the new role of the Mayor; provide guidance for media communication during the Caretaker Period; and account for recordkeeping responsibilities. The Policy aims to determine Council's authorised spokespersons and ensure that all communication with the media is reliable, balanced, informed, timely, professional and accurate.

RECOMMENDATION

That the draft Media Relations Policy as attached to the report be adopted.

2. DELEGATION OF AUTHORITY FOR MAYOR AND GENERAL MANAGER

Introduction

This report is presented to Council to review and adopt its Delegations to the Mayor and General Manager (**Attachment No. 2**).

Background

Council may, by resolution, sub-delegate to the General Manager or any other person or body (not including another employee of the Council) any function delegated to the Council by the Departmental Chief Executive except as provided by the instrument of delegation to the Council (Section 377 of the Act).

The General Manager may sub-delegate a function delegated to the General Manager by the Council to any other person or body (including another employee of the Council) (Section 378 of the Act).

Council must review its delegation of functions during the first 12 months of each term of office (Section 380 of the Act).

Issues

The role of the Mayor is described under section 226 of the Act (**Attachment No 2**). Included in the role of is "to exercise any other functions of the Council that the Council determines".

The role of the General Manager is described under section 335 of the Act (**Attachment No 2**). Part of the General Manager's role is "to exercise any of the functions of the Council that are delegated by the Council to the General Manager".

Therefore, in accordance with Sections 226, 335, 377, 378 and 380 of the Act, the following delegations are presented to Council for consideration and adoption.

2. DELEGATION OF AUTHORITY FOR MAYOR AND GENERAL MANAGER (Cont.)

Assessment

a) *Legal Implications*

Local Government Act 1993 - Sections 226, 335, 377, 378 and 380.

b) *Financial Implications*

Not applicable.

c) *Strategic Implications*

This report relates to Item CL3.1 of the Community Strategic Plan – to provide excellent leadership and governance within Council; and Item L3.1.1.2 of the Delivery Program – Ensure all statutory policies, codes and plans are adopted by Council as per legislative requirements.

Summary

The draft Delegations to the Mayor and General Manager are presented to Council for consideration and adoption. Council must review its delegation of functions within the first 12 months of each term of office.

RECOMMENDATION

That the attached draft delegations to the Mayor and General Manager be considered and adopted.

Jane Redden
General Manager



MEDIA RELATIONS POLICY

DOCUMENT VERSION CONTROL

Version No.	Created by	Adopted By Council	Resolution No	Review Period
No. 2.0	Corporate, Community & Regulatory Services	14 December 2016	2016/382	Four Years
No. 3.0	Corporate, Community & Regulatory Services			Four Years

PURPOSE

The policy provides the framework for Councillors and staff to promote positive coverage of Council affairs that is fair, correct and consistent.

OBJECTIVES

- Ensure all communication with the media is reliable, balanced, informed, timely, professional and correct
- Clearly determine Council's authorised spokespersons
- Ensure responsibility for information provided
- Manage and enhance Council's reputation
- Effectively promote Council's services, programs and objectives
- Provide clear information about Council's decisions
- Limit the possibility of inaccurate information, miscommunication and reputational risk

SCOPE

This policy applies to all Elected Members and Council staff, including volunteers and contractors.

This policy applies to all interaction with external news media.

DEFINITIONS

Media – refers to all mainstream external news channels, including newspapers, radio, television, online news services and magazines. It does not refer to blogs and social networking tools and forums (refer to Council's Social Media Policy).

Council – Narromine Shire Council

Elected Members – refers to Mayor and Councillors

Caretaker Period – refers to the 40 days preceding a Local Government election

RELEVANT LEGISLATION

Local Government Act 1993
Public Interest Disclosures Act 1994
Privacy Act 1998
State Records Act 1998

RELATED POLICIES/PROCEDURES

Council's Code of Conduct and Procedures
Council's Social Media Policy

POLICY STATEMENT

1. Council Official Spokespersons

Mayor

The Mayor is the official spokesperson for Council on all the decisions of Council.

The role of the Mayor as spokesperson for Council is to:-

- Clearly articulate and explain the deliberations and decisions of Council
- Positively represent Council as a decisive and responsible governing body
- Promote partnerships between Council and key stakeholders
- Promote Council's services, programs and objectives
- Protect Council's reputation from harm caused by negative events or incorrect information to the media

Matters of significant government policy must be referred to Council prior to providing public comment.

The Mayor may nominate another Councillor to speak on a particular matter.

Deputy Mayor

In the absence of the Mayor or at the request of the Mayor, the Deputy Mayor may be the official spokesperson on all decisions of Council. This applies to any Councillor who may be appointed Acting Mayor in the absence of both the Mayor and Deputy Mayor.

General Manager

The General Manager is the official spokesperson for Council on all operational or employee related matters.

The General Manager may authorise staff to provide official comment to the media about operational issues on behalf of Council.

Comments are to be limited to factual information, not opinion or supposition.

The General Manager is responsible for releasing any information to the media about an emergency situation.

2. Media Management for Councillors

Individual Councillors are entitled to express independent views through the media, however they must make it clear that any unofficial comment is their personal view and does not represent a position adopted by Council.

When a Councillor is delegated by the Mayor to speak on behalf of Council they must express and support Council's entire policy on the issue at hand and comply with the role of Official Spokesperson as per Item 1.

3. Media Communication Standards

Elected Members, the General Manager, and authorised staff members must ensure that media communication is timely, accurate, and fair, and complies with legislation and Council requirements and policies.

Specifically it must not:-

- bring Council, Councillors or Council staff into disrepute
- be defamatory
- divulge information which is confidential

4. Media Communication During Caretaker Period

Media releases or Council publications during the caretaker period must be of public interest relating to the day to day management of Council and must not be able to reasonably be considered as being for political purposes. Media releases or publications during the caretaker period will not make reference to Councillors or carry their images or statements.

Mayoral columns will not be published during the caretaker period.

Media events may be held during the caretaker period provided they relate to core Council business, or an ongoing project, and are not used for political purposes.

5. Recordkeeping

It is the responsibility of the official spokesperson to ensure that accurate records of any media communication on behalf of Council are retained in Council's electronic document records management system.



**REGISTER OF DELEGATIONS TO
MAYOR AND GENERAL MANAGER**

(Approved by Council xxxxxxxxxxxxxxxxxxxx, Resolution No xxxxxxxxxxxxxxxxxxxx)

(This Register of Delegations is to be read in conjunction with Council's Policies and Procedures as well as relevant Acts and Regulations)

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GENERAL POWER OF COUNCIL TO DELEGATE

Section 377 of the Local Government Act 1993 ("the Act") states:-

(1) A council may, by resolution, delegate to the general manager or any other person or body (not including another employee of the council) any of the functions of the council, other than the following:

- (a) the appointment of a general manager,
- (b) the making of a rate,
- (c) a determination under section 549 as to the levying of a rate,
- (d) the making of a charge,
- (e) the fixing of a fee,
- (f) the borrowing of money,
- (g) the voting of money for expenditure on its works, services or operations,
- (h) the compulsory acquisition, purchase, sale, exchange or surrender of any land or other property (but not including the sale of items of plant or equipment),
- (i) the acceptance of tenders to provide services currently provided by members of staff of the council,
- (j) the adoption of an operational plan under section 405,
- (k) the adoption of a financial statement included in an annual financial report,
- (l) a decision to classify or reclassify public land under Division 1 of Part 2 of Chapter 6,
- (m) the fixing of an amount or rate for the carrying out by the council of work on private land,
- (n) the decision to carry out work on private land for an amount that is less than the amount or rate fixed by the council for the carrying out of any such work,
- (o) the review of a determination made by the council, and not by a delegate of the council, of an application for approval or an application that may be reviewed under section 82A of the *Environmental Planning and Assessment Act 1979*,
- (p) the power of the council to authorise the use of reasonable force for the purpose of gaining entry to premises under section 194,
- (q) a decision under section 356 to contribute money or otherwise grant financial assistance to persons,
- (r) a decision under section 234 to grant leave of absence to the holder of a civic office,
- (s) the making of an application, or the giving of a notice, to the Governor or Minister,
- (t) this power of delegation,
- (u) any function under this or any other Act that is expressly required to be exercised by resolution of the council.

(1A) Despite subsection (1), a council may delegate its functions relating to the granting of financial assistance if:

- (a) the financial assistance is part of a specified program, and
- (b) the program is included in the council's draft operational plan for the year in which the financial assistance is proposed to be given, and
- (c) the program's proposed budget for that year does not exceed 5 per cent of the council's proposed income from the ordinary rates levied for that year, and
- (d) the program applies uniformly to all persons within the council's area or to a significant proportion of all the persons within the council's area.

(2) A council may, by resolution, sub-delegate to the general manager or any other person or body (not including another employee of the council) any function delegated to the council by the Departmental Chief Executive except as provided by the instrument of delegation to the council.

Therefore, in accordance with Section 377(2) of the Act, Council at its Ordinary Meeting of xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx, granted the delegations as set out in this register to the Mayor and General Manager of Council.

DELEGATIONS TO THE MAYOR

1. OBJECTIVE

To provide Council delegations to the Mayor in accordance with Section 377 of the Act.

2. ROLE OF THE MAYOR

The role of the Mayor as described under s226 of the Act is:-

- (a) to be the leader of the council and a leader in the local community,
- (b) to advance community cohesion and promote civic awareness,
- (c) to be the principal member and spokesperson of the governing body, including representing the views of the council as to its local priorities,
- (d) to exercise, in cases of necessity, the policy-making functions of the governing body of the council between meetings of the council,
- (e) to preside at meetings of the council,
- (f) to ensure that meetings of the council are conducted efficiently, effectively and in accordance with this Act,
- (g) to ensure the timely development and adoption of the strategic plans, programs and policies of the council,
- (h) to promote the effective and consistent implementation of the strategic plans, programs and policies of the council,
- (i) to promote partnerships between the council and key stakeholders,
- (j) to advise, consult with and provide strategic direction to the general manager in relation to the implementation of the strategic plans and policies of the council,
- (k) in conjunction with the general manager, to ensure adequate opportunities and mechanisms for engagement between the council and the local community,
- (l) to carry out the civic and ceremonial functions of the mayoral office,
- (m) to represent the council on regional organisations and at inter-governmental forums at regional, State and Commonwealth level,
- (n) in consultation with the councillors, to lead performance appraisals of the general manager,
- (o) to exercise any other functions of the council that the council determines.

3. DELEGATIONS

3.1 Common Seal

- Affix the Common Seal of Council in conjunction with the General Manager to any document to which Council has resolved to affix the seal.

3.2 Media Relations

- To respond to media enquiries on strategic matters on behalf of Council and in accordance with Council's *Code of Conduct and Media Relations Policy*.

3.3 General Manager

- To approve or authorise leave applications of the General Manager.
- To authorise the General Manager's credit card usage.
- To investigate written complaints against the General Manager in accordance with the *Public Interest Disclosures Act 1994; Council's Code of Conduct and Procedures and Internal Reporting Policy*.
- As part of the Performance Review Panel (together with elected panel members) and in accordance with the Office of Local Government's guidelines, conduct performance reviews of the General Manager, report findings and recommendations of those reviews to Council and develop the performance agreement.

3.4 Correspondence

- To issue references under Council letterhead after consultation with the General Manager.
- To sign outgoing correspondence on behalf of Council pursuant to a resolution of Council.

3.5 Public Meetings

- To call public meetings (in consultation with the General Manager) on any matter that is considered to be of such extent that a large number of resident/ratepayers may be affected.

3.6 Conferences, Seminars, Meetings

- In consultation with the General Manager, to authorise attendance by elected members at conferences, seminars etc. (between Council Meetings), provided such can be achieved within budget provisions.
- In consultation with the General Manager to authorise attendance at day long industry seminars or workshops as the need arises subject to the availability of funds and only when local or domestic travel is involved.

3.7 Expulsion from Council Meetings

- To exercise the power of expulsion from a meeting of Council in accordance with section 10(2)(b) of the Act and clauses 255-258 of the *Local Government (General) Regulation 2005*.

3.8 Urgent Works

- In consultation with the General Manager, and in between Council Meetings, authorise urgent works for which there is no budget provision up to an amount of \$10,000.

3.8 Orana Region Organisation of Councils (OROC)

- In consultation with the General Manager to make decisions on behalf of Council on the OROC Board and where these decisions have a moderate or significant financial, political or strategic impact report these to the governing body of Council.

DELEGATIONS TO THE GENERAL MANAGER

1. OBJECTIVE

To provide Council delegations to the General Manager in accordance with Section 377 of the Act.

2. ROLE OF THE GENERAL MANAGER

The role of the General Manager as described under s335 of the Act is:-

- (a) to conduct the day-to-day management of the council in accordance with the strategic plans, programs, strategies and policies of the council,
- (b) to implement, without undue delay, lawful decisions of the council,
- (c) to advise the mayor and the governing body on the development and implementation of the strategic plans, programs, strategies and policies of the council,
- (d) to advise the mayor and the governing body on the appropriate form of community consultation on the strategic plans, programs, strategies and policies of the council and other matters related to the council,
- (e) to prepare, in consultation with the mayor and the governing body, the council's community strategic plan, community engagement strategy, resourcing strategy, delivery program, operational plan and annual report,
- (f) to ensure that the mayor and other councillors are given timely information and advice and the administrative and professional support necessary to effectively discharge their functions,
- (g) to exercise any of the functions of the council that are delegated by the council to the general manager,
- (h) to appoint staff in accordance with the organisation structure determined under this Chapter and the resources approved by the council,
- (i) to direct and dismiss staff,
- (j) to implement the council's workforce management strategy,
- (k) any other functions that are conferred or imposed on the general manager by or under this or any other Act.

3. DELEGATIONS

3.1 Financial

- To prepare and lodge applications to Government Departments for grants and/or funding and to accept and acquit grants and financial assistance on behalf of Council.
- To invest Council's money pursuant to section 625 of the *Local Government Act* and in accordance with the Order of the Minister and Council's *Investment Policy*.
- To determine and write off amounts of fees, charges and interest accrued to Council not exceeding \$5,000, where appropriate circumstances exist.
- To authorise the refund of fees, in total or in part, in respect of applications either refused by Council or withdrawn by the applicant.
- To authorise the refund of all Trust Fund deposits including contract deposits.

- To authorise the refund of all over-payments subject to appropriate certification.
- To accept suitable cash bonds and/or bank guarantees in respect of Council approvals and to release such cash bonds and/or bank guarantees upon completion of the work or compliance with all requirements subject to appropriate certification.
- To be an authorised signatory to Council's bank accounts including electronic funds transfers and be authorised to obtain statements of accounts and any information concerning the accounts generally.
- To sign Fringe Benefit Tax declarations and GST Business Activity Statements on behalf of Council.
- To designate an appropriate employee of Council to be Council's Responsible Accounting Officer as defined by clause 196 of the *Local Government (General) Regulation 2005*.

3.2 Rates

- To authorise arrangements with any ratepayer or debtor for payment to be made by reasonable and satisfactory instalments.
- To authorise the institution of legal proceedings for the recovery of any outstanding rates and other debts due to Council.
- To issue certificates as to rates and charges in accordance with Section 603 of the Local Government Act 1993.
- To categorise all rateable land in Narromine Shire in accordance with the Local Government Act 1993.
- To exercise Council's functions under the Valuation of Land Act 1916, including the making of applications for valuations and lodging objections.

3.3 Procurement/Disposal of Assets

- To order all supplies, materials, plant, equipment and vehicles in accordance with Council's adopted budget.
- To enter into contracts for the provision or performance of works, services or equipment in accordance with Council's adopted budget.
- To dispose of Council assets in accordance with Council's Procurement Policy.
- To accept all tenders except tenders to provide services currently provided by Council staff in accordance with Section 377(1)(i) of the Act.
- To approve variations to all tenders except where those services are currently provided by Council staff in accordance with Section 377(1)(i) of the Act.
- To negotiate acceptance of and execute contracts for the purchase or sale of land within a maximum range adopted by Council.

3.4 Governance

- To reply to all correspondence on behalf of Council not involving a monetary vote by Council, or not in the opinion of the General Manager specifically requiring consideration of Council.
- To determine matters which are to be included in Council's business papers and all Council Committees in accordance with relevant legislation and regulations.
- To vary scheduled meeting dates and times for Ordinary Council Meetings and Committee Meetings, when it is not practical or desirable to hold meetings on a designated date.

- To authorise action to be taken in relation to any complaints received.
- To authorise short term or casual agreements for the use and occupation of Council land and facilities (owned or under Council's control) – exemption the setting of fees for the use of the land or facilities.
- To authorise termination of any lease or rental agreement on any Council owned or controlled property where the terms of the agreement have been breached or account falls into arrears.
- To authorise pipeline access agreements, gravel royalty agreements and agreements for the construction of rural fire service sheds.
- To review Council's risk exposure and effect appropriate levels of insurance required to protect Council's interests.
- To authorise payment of third party insurance claims against Council where the claim has been accepted by Council's insurer.
- To settle third party insurance claims against Council where the claim is below Council's excess.
- To exercise Council's functions under the State Records Act 1998.
- To make media statements and issue media releases on Council operations in accordance with Council's *Media Relations Policy*.
- To execute instruments creating covenants, easements or restrictions affecting land (including any release, variation or modification of same).
- To sign applications on behalf of Council as the applicant and/or owner for development previously approved by Council to be undertaken by Council or on Council's land.
- To obtain legal advice and counsel where necessary and to agree to terms of settlement in a matter based on legal advice.
- To authorise the institution of proceedings for any proper purpose of Council.
- To lay any information in respect of any proceedings for an offence pursuant to Section 684 of the *Local Government Act*.
- To affix, witness and sign any document in conjunction with the Mayor or another Councillor in the absence of the Mayor or Deputy Mayor to which Council has resolved to affix the Common Seal.
- To authorise the appointment of an Acting General Manager from the Directorate positions of Council for the duration of each absence of the General Manager.
- To approve the appointment of consultants for special purposes where expert professional advice is required in the proper discharge of Council's functions and within Council's adopted budget.
- To be the Principal Officer for the purposes of the *Government Information (Public Access) Act 2009* and Regulations and determine applications for Internal Review in accordance with said Act.
- To act as the Privacy Contact Officer for the purposes of the Privacy Act 1988.
- To designate an appropriate employee of Council to be Council's Code of Conduct Coordinator and Public Interest Disclosures Coordinator.

3.5 Authorisations

- To be the authorised officer, authorised person, enforcement officer, impounding officer, inspector, and environmental health officer and to appoint an employee of Council to so act, under any legislation where a Council employee may be appointed, including but not limited to:
 - Environmental Planning and Assessment Act 1979
 - Local Government Act 1993
 - Companion Animals Act 1989
 - Protection of the Environment Operations Act 1997
 - Food Act 2003
 - Impounding Act 1993
 - Biosecurity Act 2015
 - Public Health Act 1991
 - Roads Act 1993
 - Rural Fires Act 1997
 - Swimming Pools Act 1992
 - Road Transport (Safety and Traffic Management) Act 1999
 - Poisons and Therapeutic Goods Regulation 2008
 - Waste Minimisation and Management Act 1995
 - Environmentally Hazardous Chemicals Act 1985
- To authorise any Council employee or other person to enter premises or land under the Act; Environment Planning and Assessment Act or any other legislation granting Council power of entry.

3.6 Emergency Services

- To exercise Council's functions under the State Emergency and Rescue Management Act 1989; NSW State Emergency Service Act 1989 and NSW Rural Fire Service Act 1997.
- To authorise the use of any Council plant, equipment or employees in response to emergency incidents.
- To act as the Local Emergency Management Committee Chairperson in accordance with the State Emergency and Rescue Management Act 1989.
- To act as the Local Emergency Management Officer under the State Emergency and Rescue Management Act 1989.

3.7 Enforcement

- To exercise Council's regulatory functions, including the service of any notice, direction or order and authority to enter any premises, under any legislation where the Council has such functions, including but not limited to:-
 - Environmental Planning and Assessment Act 1979
 - Local Government Act 1993
 - Swimming Pools Act 1992
 - Companion Animals Act 1998
 - Impounding Act 1993
 - Biosecurity Act 2015
 - Protection of the Environment Operations Act 1997
 - Rural Fires Act 1997
 - Food Act 2003
 - Public Health Act 2010
 - Roads Act 1993

- Road Transport Act 2013
- Contaminated Land Management Act 1997
- Boarding Houses Act 2012
- Fines Act 1996
- To authorise appropriate judgements, orders, improvement notices and rectification works served on Council.

3.8 Approvals

- To sign and issue local activity approvals as set out in Chapter 7 of the Local Government Act 1993, including authority to amend, extend, renew or revoke any approval granted.
- To consider and determine objections to approvals made in accordance with Section 82 of the Local Government Act 1993.

3.9 Planning and Building

- To sign and issue planning certificates pursuant to Section 149 of the Environmental Planning and Assessment Act 1979 including determining the content of certificates issued pursuant to Section 149(5) of the Act.
- To determine, sign and issue building certificates pursuant to Sections 149A to 149D of the Environmental Planning and Assessment Act 1979.
- To issue and sign Certificates of Compliance pursuant to Section 22D of the Swimming Pools Act 1992.
- To issue and sign Biosecurity Certificates pursuant to the Biosecurity Act 2015.
- To sign and issue subdivision certificates, construction certificates, compliance certificates, and occupation certificates in accordance with Part 4A of the Environmental Planning and Assessment Act 1979.
- To sign instruments under Section 88 of the Conveyancing Act 1919 on behalf of Council.
- To determine Development Applications in accordance with Council's planning instruments, Development Control Plan; and State and Regional Environmental Planning policies and instruments.
- To grant consent to the extension of the lapsing of a development consent in accordance with the Environmental Planning and Assessment Act 1979.
- To carry out the functions pursuant to section 59 of the Environmental Planning and Assessment Act 1979.
- To make a complaint to the relevant accreditation body against an accredited certifier under the provisions of Section 21 of the Building Professionals Act 2005.
- To lodge complaints in accordance with the Home Building Act 1989.
- To authorise where appropriate the judgements and orders of Land and Environment Court matters.
- To lodge complaints on behalf of Council pursuant to Section 79(c) of the Liquor Act 2007.

3.10 Engineering and Infrastructure

- To authorise private works requested by individuals or organisations as far as possible in conjunction with Council's Works Program.
- To authorise carrying out of work to give effect to the terms of an order, pursuant to Section 678 of the Local Government Act.
- To exercise or perform on behalf of Council, such powers, duties and responsibilities as are delegated to the Council by the Roads and Maritime

Services Authority, including but not limited to the closure of roads or parts thereof, temporarily, for events, flooding, repairs or construction; and determination of the use of public roads for walkathons, charitable collections, bicycle races or other like events.

- To authorise the removal of trees considered to be dangerous; or which could have a detrimental effect on Council utilities.
- To determine the operating hours of all Council facilities.
- To impose water supply restrictions as appropriate where available capacity of supply is not sufficient for the time being.
- To declare public water supplies unfit for consumption if testing proves it necessary.
- To issue Certificates of Compliance for development pursuant to Section 307 of the Water Management Act 2000.

3.11 Community Services

- To exercise the powers and duties conferred under the Library Act 1939.
- To exercise the powers and duties of the Approved Provider conferred under the Education and Care Services National Regulations and National Law.
- To exercise Council's functions under the Civil Aviation Act 1988; Civil Aviation Safety Regulations 1998 and Manuals of Standards; and Civil Aviation Regulations 1988.