

**SUTHERLAND SHIRE COUNCIL**  
**INSTRUMENT OF DELEGATION BY THE GENERAL MANAGER**


In accordance with section 378 of the *Local Government Act 1993*, I hereby:

1. Delegate to the position of:

**Manager Childrens Services**

and to those people who may act in that position from time to time, the following functions subject to the limitations stated in this Instrument of Delegation and any subsequent written direction made by the General Manager or the Mayor; and

2. Revoke any previous Instrument of Delegation to that position.

  
S Phillips  
General Manager

7 November 2016

**DELEGATIONS**

**02 BUSINESS OF COUNCIL**

**02.03 Child care**

Perform the functions under any licence or authority pertaining to Council's child care service.

**02.05 Correspondence**

**02.05.02 General**

Sign and send correspondence that, in the opinion of the delegate, does not require the consideration of the Council or the signature of the General Manager or the Mayor, except correspondence addressed to:

- The Mayor and Councillors
- The Governors General of any State
- Mayors and councillors of other councils
- Members of Parliament
- The New South Wales Ombudsman
- Heads of Statutory Authorities and Government Departments
- The Independent Commission Against Corruption
- The Local Government and Shires Association

- The legal profession (other than standard acknowledgement letters)
- Council's insurers

and any other correspondence which, in the opinion of the delegate:

- (a) will, in any significant way, bind or commit Council, or
  - (b) concerns a matter which the Council or the community are likely to deem to be of a sensitive nature,
- other than correspondence conveying a decision of the Council.

## **02.07 Execution of Documents**

### **02.07.03 General**

#### **02.07.03.07 = \$0**

Execute agreements, contracts and other documents provided there is no requirement for the expenditure of funds.

## **02.12 Operations and Services**

Exercise the functions of the position to which the delegate is appointed or acting, generally in accordance with the position description and responsibilities for that position and if applicable, the sums voted by the Council and Budget allocation.

## **05 FINANCE**

### **05.01 Accounts**

#### **05.01.01 Tax Invoices**

Issue tax invoices.

#### **05.01.02 Authorise Payment - Procurement**

Determine whether the amounts and calculations in accounts, invoices and tax invoices comply with any relevant agreement or are, in the opinion of the delegate, otherwise fair and reasonable and, if found to be so, authorise payment or so much as is found to be fair and reasonable, up to the amount(s) shown in the authority 'Procurement'.

### **05.07 Fees, Charges and Quotations**

#### **05.07.02.01 Reduce or Waive up to \$1,500**

Reduce or waive the payment of fees and charges up to \$1,500 in any one instance, but only where the delegate is of the opinion that it is appropriate to do so.

#### **05.07.03 Refunds and Overpayments**

Approve refunds for all overpayments and credit adjustments to fees and charges that, in the opinion of the delegate, are not legitimately due to Council.

### **05.10 Petty Cash**

#### **05.10.01 < \$200**

Authorise petty cash up to \$200 in any one instance.

#### **05.10.02 Cash Advances**

##### **05.10.02.02 < \$500**

Approve cash advances to staff who control a petty cash float where the advance is considered necessary, up to \$500 in any one instance.

##### **05.10.03 Reimburse shortages < \$200**

Reimburse shortages in a petty cash float up to \$200 in any one instance, provided the delegate is of the opinion that a satisfactory

reason for the shortfall has been provided.

## **05.12 Procurement**

### **05.12.06 Obtain Quotes and Authorise Expenditure**

#### **05.12.06.02 < \$100,000**

Obtain quotations and authorise expenditure for the supply, purchase, lease or hire of goods, works, services (including consultants engaged by the General Manager or Director), plant, equipment and the like subject to:

- (a) expenditure not exceeding \$100,000 for any one transaction; and
- (b) funds for such expenditure having been allocated in the Budget (where relevant); and
- (c) compliance with any limit on incurring such expenditure which the Council may have fixed (where relevant),

unless authorised by a resolution of the Council.

Note:

1. This authority extends to the execution of procurement type contracts and agreements only associated and consistent with the delegate's authorised Position Description. All other documents and agreements may only be executed if this delegation includes an authority under item 02.07.
2. This authority does not extend to authorising petty cash claims.

## **06 LEGAL PROCEEDINGS AND CLAIMS**

### **06.03 Legal**

#### **06.03.02 Witness**

Appear as a witness or delegate of Council in any court or forum.

## **07 PERSONNEL**

### **07.02 Personnel and Organisational Matters**

#### **07.02.03 Category 3**

Attend to the following matters:

- Appoint permanent or temporary staff up to Grade 6 in the Council Salary Structure, but only after consultation with the Manager – People & Culture
- Appoint casual staff, but only after consultation with the Manager – People & Culture
- Determine staff permanency following the completion of the probation period
- Appraise staff performance
- Determine change of hours arrangements for staff
- Determine variations to span of hours by work groups and individuals
- Determine requests for overtime and time in lieu
- Carry out disciplinary actions (other than the termination of employment) in consultation with the Manager – People & Culture
- Represent Council in industrial matters, including at the Industrial Relations Commission and Anti Discrimination Board
- Recommend remuneration levels and the allocation of positions within Council's salary system
- Determine leave applications excluding Leave Without Pay of greater than one week.
- Direct staff to take leave
- Determine higher grade pay for staff
- Issue references on Council letterhead
- Authorise timesheets for payment
- Responsibilities under any Work Health and Safety legislation and any other applicable law or Policy

#### **07.03 Training strategy**

Approve a training strategy (long term) and an annual program as recommended by the Manager Personnel. (Amended 25/8/11)

## **08 PROPERTY MANAGEMENT**

### **08.01 Leases, Licences, Hire Agreements etc**

#### **08.01.01 < 5yrs or \$25,000**

Enter into and execute licence and hire agreements for the use of public land, Crown land for which Council is Reserve Trust manager, and public roads provided:

- (a) the term does not exceed five years; and
- (b) the consideration does not exceed \$25,000 per annum; and
- (c) the transaction is authorised by the relevant Plan of Management (where applicable); and
- (d) the fee or charge is in accordance with Council's Schedule of Fees and Charges (where applicable); and
- (e) the transaction complies with the relevant statutory procedures.

### **08.03 Rental Bonds and Security**

#### **08.03.01 Receive and Refund**

Receive and refund rental bonds and security.

## **INTERPRETATION**

Where appearing in this Instrument of Delegation:

- Headings are for convenience only and do not affect interpretation.
- Monetary amounts are inclusive of GST, unless the contrary is expressly stated.
- *Law* includes an Act, regulation, instrument and the like and any amendment, re-enactment, consolidation or replacement of that law by a similar provision in that law or any other law.
- A reference to a policy means a policy adopted by resolution of the Council and includes an amendment or replacement of that policy where adopted by resolution of the Council.
- A reference to "written objections" or "public submission" refers to objections or submissions received from the general public and not from a Commonwealth or State Government department, authority, agency and the like.
- A petition, objection or submission that is signed by or contains the names of more than one person is taken to be one objection or submission as the case may be.
- A reference to a Commonwealth or State Government department, authority, agency and the like includes any successor to it.
- A reference to a concurrence includes any later or amended concurrence.
- A reference to a function includes a reference to a power, authority, duty and the like and to the exercise or performance of such.
- Where the exercise or performance of a function requires other functions to be exercised or performed or requires the delegate to do other things to exercise or perform that function, the delegate is authorised to exercise or perform those other functions and to do those other things.
- A word which denotes the singular denotes the plural and vice versa.
- An authority to 'approve' includes approve with conditions or to refuse.