

**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:

**Community Property Coordinator**

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**

**12 May 2017**

**DELEGATIONS**

**02 BUSINESS OF COUNCIL**

**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.

## **02.12 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**

#### **05.01.02 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'.

#### **05.01.03 Authorised Payments**

Pay accounts, invoices and tax invoices which have been authorised for payment by an appropriately authorised officer.

### **05.02 Amounts Due to Council**

#### **05.02.01 Collection**

Collect amounts due to Council and issue a receipt for the payment.

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

#### **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.

#### **05.07.07 Refund of Trust Fund Deposits**

Authorise the refund of trust fund deposits provided the delegate is of the opinion that the purpose for which the deposit is held has been satisfied or the deposit is no longer required.

### **05.10 Petty Cash**

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

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

#### **05.10.04 Reimburse Expenditure**

##### **05.10.04.02 < \$200**

Reimburse expenditure from a petty cash float up to \$200 in any one instance.

### **05.12 Procurement**

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

##### **05.12.06.07 < \$10,000**

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 \$10,000 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.

## **07 PERSONNEL**

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

#### **07.02.05 Category 5**

Attend to the following matters:

- Supervise staff including performance review
- Appraise staff performance
- Recommend remuneration levels and the allocation of positions within Council's salary system
- Recommend staff permanency following the completion of the probation period
- Recommend change of hours arrangements for staff
- Recommend variations to span of hours by work groups and individuals
- Recommend requests for overtime and time in lieu
- Represent Council in industrial matters, including at the Industrial Relations Commission and Anti Discrimination Board
- Authorise timesheets for payment
- Determine higher grade pay for staff
- Determine leave applications excluding Leave Without Pay of greater than one week.
- Direct staff to take leave.
- Responsibilities under any Work Health and Safety legislation and any other applicable law or Policy

## **08 PROPERTY MANAGEMENT**

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

#### **08.01.02 < 1yr or \$5,000**

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 one year; and
- (b) consideration does not exceed \$5,000 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.

#### **08.02 Rent reviews**

Implement rent reviews in accordance with the provisions of the relevant lease.

#### **08.04 Represent Council on owners' corporations**

Represent Council on owners' corporations under the *Strata Schemes Management Act 1996* and vote on Council's behalf in meetings of the owners' corporation. However, the delegate is not authorised to dispose of or lease Council's interests unless authorised by a resolution of the Council or the lease is not a residential lease and it complies with the authority 'Leases, licences, hire agreements etc'.

## **08.06 Termination of leases and licences**

### **08.06.02 Resolution of Council**

Terminate leases and licences. However, residential leases and licences can only be terminated where demolition of a structure the subject of the lease or licence is necessary or the economic return on the premises does not justify continuation or, regardless of the circumstances, termination has been authorised by a resolution of the Council.

## **10 REGULATION AND ENFORCEMENT**

### **10.02 Functions**

#### **10.02.13 Local Government Act 1993**

##### **10.02.13.02 Inspection Functions**

Exercise Council's inspection functions under the *Local Government Act 1993* and regulation.

## **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.