

SUTHERLAND SHIRE COUNCIL
INSTRUMENT OF DELEGATION BY THE GENERAL MANAGER

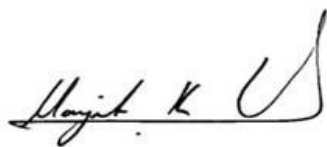
In accordance with section 378 of the *Local Government Act 1993*, I hereby:

1. Delegate to the position of:

Manager Information Management

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 Chief Executive Officer or the Mayor; and

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



M Grewal

Chief Executive Officer

24 May 2019

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.

02.07 Execution of Documents

02.07.03 General

02.07.03.03 < \$100,000

Execute agreements, contracts and other documents provided expenditure does not exceed \$100,000 and any relevant condition in the authorities 'Disposal of plant, equipment and goods etc' or 'Procurement' is satisfied.

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.

02.13 Privacy and Personal Information

Exercise Council's functions under the *Privacy and Personal Information Protection Act 1998* and regulation.

02.16 Records

02.16.01 GIPA

Exercise Council's functions under the *Government Information (Public Access) Act 2009* and regulation.

02.16.02 SRA

Exercise Council's functions under the *State Records Act 1998* and regulation.

02.16.03 Subpoenas

Respond to subpoenas, notices to produce and the like.

03 CERTIFICATES

03.01 Companion Animals Act 1998

03.01.02 Companion Animals Act 1998- Release of Information

Exercise Council's functions relating to release of information in accordance with Section 89 of the Companion Animals Act 1998.

03.03 Environmental Planning and Assessment Act 1979

03.03.03 Section 150

Issue a certified copy or extract of a document, pursuant to section 150 of the *Environmental Planning and Assessment Act 1979*.

03.04 Local Government Act 1993

03.04.01 Local Government Act 1993 (section 54)

Issue a certificate as to the classification of public land, pursuant to section 54 of the *Local Government Act 1993*.

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'.

05.06 Disposal of Plant, Equipment and Goods etc

05.06.04 < \$5,000

Sell, exchange or surrender plant, equipment, goods and the like as recorded in Council's Asset Register at a written down book value not exceeding \$5,000.

05.10 Petty Cash

05.10.01 < \$200

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

05.12 Procurement

05.12.01 Expressions of Interest

Prepare and call for the submission of expressions of interest and tenders, including deciding whether the tender process is to be by way of open tendering or selective tendering, pursuant to clause 166 of the *Local Government (General) Regulation 2005*.

05.12.04 Submit Tenders and Quotations

Submit tenders and quotations to external bodies, organisations, authorities and the like to provide works and services to them.

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

06.03.01 Statements

Sign Statements of Facts and Contentions.

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.

10 REGULATION AND ENFORCEMENT

10.02 Functions

10.02.13 Local Government Act 1993

10.02.13.05 Part 2 (Orders) of Chapter 7

Exercise Council's functions under Part 2 (Orders) of Chapter 7 of the *Local Government Act 1993* and regulation.

10.02.19 Roads Act 1993

10.02.19.03 Functions under Roads Act 1993

Exercise the following functions under the *Roads Act 1993* and regulation:

10.02.19.03.34 Roads Act 1993 (Section 162)

Section 162 – Name and number public roads in Sutherland Shire for which Council is the roads authority.

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.