

**SUTHERLAND SHIRE COUNCIL**  
**INSTRUMENT OF DELEGATION BY THE CHIEF EXECUTIVE OFFICER**

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

1. Delegate to the position of:

**Senior Coordinator Waste Technical & Business 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 Chief Executive Officer or the Mayor; and

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



**Peter Hazeldine**

**Acting Chief Executive Officer**

**23 December 2019**

**DELEGATIONS**

**02 BUSINESS OF COUNCIL**

**02.02 Business papers**

Determine matters to be included in the business papers of the Council and its Committees. However, the following items must be included when they arise:

- Reports on matters which cannot be determined under delegated authority
- Reports required to be submitted under any law
- Matters requiring a determination of policy
- Reports directed by the Council or the relevant Committee to be submitted
- Matters essential for the information of the Council or its Committees
- Matters requiring the voting of funds

**02.04 Consultants**

### **02.04.03 < \$50,000**

Engage, and authorise the payment of, consultants but only where, in the opinion of the delegate, Council does not have the capacity or the expertise to undertake the project through its own staff. Further, other than in an emergency, the engagement must be in accordance with a specific decision of the Council, or a general budgetary provision and not exceed \$50,000.

### **02.05 Correspondence**

#### **02.05.05 Manager**

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 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 Association
- 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.

## **05 FINANCE**

### **05.10 Petty Cash**

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

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

### **05.12 Procurement**

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

##### **05.12.06.03 < \$50,000**

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 \$50,000 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.

#### **05.12.06.13 Tip Expenditure**

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 being less than \$150,000 for any one transaction, except for tip fee payments provided expenditure is in accordance with a pre-existing contract and does not exceed \$300,000 (excluding Goods and Services Tax if applicable) 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.

#### **05.12.07 Store Cards / Trade Accounts**

##### **05.12.07.02 < \$2,000**

Authorise to use Store Cards / Trade Accounts for the purchase, lease or hire of goods, plant, equipment and the like subject to:

- (a) expenditure not exceeding \$2,000 for any one transaction; and
- (b) funds for such expenditure having been allocated in the Budget (where relevant);

Note:

This authority extends to the procurement of goods only associated and consistent with the delegate's authorised Position Description.

### **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

## 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.