

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:

Team Leader - Animal Shelter

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; and

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



Manjeet Grewal

Chief Executive Officer

29 November 2021

DELEGATIONS

CG Compliance - General Functions

CG03 Appointed as an Authorised Person under the Public Spaces (Unattended Property) Act 2021 (Certificate of Authority Required)

Appointed as an Authorised Person and Impounding Officer and authorised to exercise all other functions under the *Public Spaces (Unattended Property) Act 2021* and *Regulation*. This includes (but is not limited to) impounding, giving notices and serving penalty notices.

CG22 Consider Representations on Penalty Notices, Direction or Order

Consider representations in relation to penalty infringement notices, direction or order issued in accordance with Council's Compliance and Enforcement Policy and guidelines. The delegate can decide whether to caution the person, suspend, discontinue or continue enforcement of the notice (which may involve court proceedings), other than notices, directions or orders issued by the position holder.

CG31 Appointed as Authorised Officer under the Heavy Vehicle National Law (NSW)

Appointed as an Authorised Officer under the *Heavy Vehicle National Law (NSW)* for the purposes outlined in sections;

- a. 169A;
- b. 175;
- c. 177; and
- d. 195;

of the *Road Transport Act 2013* and subject to current issue of the appropriate Authorisation Instrument/s.

PC People and Culture Functions

PC08 Authorise Disciplinary Actions; verbal warnings and performance improvement plans

Issue verbal warnings and Performance Improvement Plans.

CA Companion Animals Act Functions

CA01 Issue and Revoke Certificate of Compliance for enclosures for Dangerous and Restricted Dogs

Issue and revoke a certificate of compliance in relation to the enclosure in which a dangerous dog or restricted dog is required to be kept, under section 58H of the *Companion Animals Act 1998* and *Regulation*.

CA02 Appointed as Authorised Officer under the Companion Animals Act 1998 (Certificate of Authority Required)

Appointed as an Authorised Officer under the *Companion Animals Act 1998* and *Regulation*. This includes authority to (but is not limited to) entering property, seizing dogs, issuing and giving orders and notices, making declarations and serving penalty notices.

CA03 Release of Confidential Information under Companion Animals Act 1998

Authorised to release information in accordance with Section 89 of the *Companion Animals Act 1998*.

PR Procurement Functions

PR03 Authorise Expenditure < \$10,000

Authorise expenditure for the procurement of goods, works and services, in accordance with the Procurement Policy and Guidelines to the value of \$10,000 including;

- Council Stores issued goods and materials,
- prescribed contracts (within the meaning of clause 163 of the *Local Government (General) Regulation 2021*),
- endorsed Preferred Supplier Agreement, or
- where Council has resolved to do so.

LG Legal Functions

LG11 Instruct External Lawyer - Local Court

Instruct external lawyers to provide advice and to commence, defend, prosecute, settle, discontinue and withdraw any proceedings or actions in the Local Court.

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.