

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:

Civil Technical 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 Chief Executive Officer; and

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



Manjeet Grewal

Chief Executive Officer

22 October 2021

DELEGATIONS

FS Finance Functions

FS17 Council Timesheets Approval

Approve and certify staff timesheets within the position holder's area of responsibility.

CG Compliance - General Functions

CG14 Appointed as Authorised Person for Entry on to land and other powers under Local Government Act 1993 Chapter 8 Part 2 (Certificate of Authority Required)

Appointed as and Authorised Person to exercise the functions conferred on Council (including the 'person authorised' referred to in Part 2 of Chapter 8) under the *Local Government Act 1993* and *Regulation*. This includes (but is not limited to) entering and

inspecting premises, giving directions, applying for search warrants, requiring answers to questions and serving penalty notices.

CR Compliance - Roads Act 1993 Functions

CR01 Appointed as Authorised Officer under the Roads Act 1993 (Certificate of Authority Required)

Appointed as an Authorised Officer and authorised to exercise all other functions under the *Roads Act 1993* and *Regulation*. This includes (but is not limited to) entering and inspecting land, applying for search warrants, granting consent, issuing notices and orders and serving penalty notices.

CR39 Roads Act 1993 Section 97 Issue Directions regarding Utility Services – Public Roads

Direct any person who is entitled to place utility services in, on or over a public road: (a) to locate any new or replacement services in a conduit; and (b) to pay to Council such proportion as may be prescribed by the Regulations of the costs incurred by Council in connection with the construction of the conduit, if the public road is one where there are conduits for the carriage of utility services across the road; under Section 97 of the *Roads Act 1993*

CR40 Roads Act 1993 Section 98 Issue Directions regarding Work or Structures – Public Roads

Direct the person having control of any work or structure that is situated in, on or over a public road to alter the work or structure or the location of the work or structure. If the person fails to comply with the direction, make the alteration as directed, under Section 98 of the *Roads Act 1993*.

PR Procurement Functions

PR07 Authorise Expenditure < \$100,000

Authorise expenditure for the procurement of goods, works and services, in accordance with the Procurement Policy and Guidelines to the value of \$100,000 including;

- Council Stores issued goods and materials,
- prescribed contracts (within the meaning of clause 163 of the *Local Government (General) Regulation 2005*),
- endorsed Preferred Supplier Agreement, or
- where Council has resolved to do so.

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.