

**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:

**Manager Open Space Operations**

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**

**15 March 2024**

**DELEGATIONS**

**AM Asset Management Functions**

**AM04 Authorise work on private land**

Authorise work on private land by agreement with the owner or occupier of that land in accordance with the approved fees determined by the Council, under section 67 of *Local Government Act 1993*.

**FS Finance Functions**

**FS09 Write off debts (other than rates and charges) up to \$25**

Write-off debts for unpaid fees due to maximum \$25 in any one instance

**FS13 Waive or Amend Fees and Charges up to \$2,000**

The position holder is delegated authority to waive or amend or determine various fees as detailed in Council's Schedule of Fees and Charges in accordance with Section 610E of the *Local Government Act 1993*.

**FS17 Council Timesheets Approval**

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

#### **FS27 Refunds – Approve Refund of Security Bonds and Deposits**

Draw on, release or authorise the refund of security fund deposits provided that the purpose for which the deposit is held has been satisfied or the deposit is no longer required.

#### **CG Compliance - General Functions**

##### **CG02 Appointed as an Authorised Person under the Biosecurity Act 2015 (Certificate of Authority Required)**

Appointed under Section 372 of the *Biosecurity Act 2015*, as and to exercise the functions of an authorised officer and exercise all other functions under the *Biosecurity Act 2015*. This includes (but is not limited to) entering and inspecting premises, applying for search warrants, erecting notices, giving notices and serving penalty notices.

#### **CN Contract Functions**

##### **CN02 Grants- Execute agreements, contracts and other documentation**

Sign grant agreements and associated documentation and the acceptance of funding, on behalf of Council, provided any contribution by Council is budgeted for.

##### **CN03 Sign a Deed of Agreement - Replanting Trees on Public Land**

Sign on behalf of Council, Deeds of Agreement in respect of the replanting of trees on public lands and the acceptance of associated funds.

##### **CN12 Grants - Prepare and submit grant funding applications**

Prepare and submit grant funding applications to seek additional resources through grant opportunities that align to Council's strategic direction.

#### **ES Emergency Situation and Urgent Works Functions**

##### **ES03 Authorise the Use of Council's personnel, plant and equipment in Emergency Situations**

Authorise the use of Council's plant, equipment and personnel as required emergency situations and in response to any lawful direction given under the *State Emergency and Rescue Management Act 1989*

##### **LE04 Appointed as Public Interest Disclosure Officer under the Public Interest Disclosure Act 2022**

Appointed as a Public Interest Disclosure Officer under the requirements of the Public Interest Disclosure Act 2022 to receive reports of voluntary public interest disclosures.

#### **PC People and Culture Functions**

##### **PC05 Determine Overtime and Time in Lieu Requests**

Determine requests for the accrual of overtime and time in lieu

##### **PC08 Authorise Disciplinary Actions; verbal warnings and performance improvement plans**

Issue verbal warnings and Performance Improvement Plans.

##### **PC18 Authorise the Engagement of Temporary Staff**

Authorise the engagement of temporary staff.

##### **PC21 Approve Allowances - Operational**

Approve operational allowances in accordance with requirements under any relevant Enterprise Agreement, Industrial Agreements, Award, Council Agreements, Industrial Instruments and Council policy.

##### **PC26 Authorise Temporary Unfit Stand Down**

Temporarily stand down an employee in accordance with Council's Alcohol & Other Drugs Determination and Guidelines, Code of Conduct for Council Staff, Work Health and Safety Policy and the Local Government (State) Award.

## **PR Procurement Functions**

### **PR09 Authorise Expenditure \$250,000**

Authorise expenditure for the procurement of goods, works and services, in accordance with the Procurement Policy and Guidelines up to the value of \$250,000 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.

### **PR12 Submit Quotations Other than Those Included in Fees and Charges**

Submit quotations to external bodies, organisations, authorities and the like to provide works and services to them, outside of those included in Fees and Charges.

## **CF Correspondence Functions**

### **CF02 Authorise Correspondence of a Non-standard Nature**

Authorise correspondence of a non-standard nature such as interpretation of Council policy or position in accordance with other delegations granted to the position or in accordance with the responsibilities of the position

### **CF03 Respond with Council's Position**

Correspondence that is making a submission in relation to draft legislation or government position, on behalf of Council, in accordance with the responsibilities of the position

## **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.

