

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

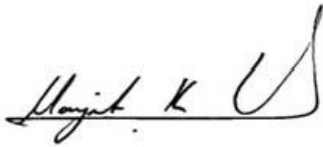
In accordance with section 378 of the *Local Government Act 1993*, I hereby:

1. Delegate to the position of:

**Manager Building 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**

**AM03 Authorise the removal of graffiti**

Authorise graffiti removal work on private land by agreement with the owner or occupier of that land or without agreement if the graffiti is visible from a public place, in accordance with *Graffiti Control Act 2008*.

**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*.

#### **FS15 Issue Tax Receipts**

Issue an official tax receipt on behalf of Sutherland Shire Council.

#### **FS17 Council Timesheets Approval**

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

#### **FS35 Hold Corporate Credit Card \$15,000**

Hold a Corporate Credit Card for the supply, purchase, or hire of goods, works, services, plant, equipment in accordance with the Credit Card Determination and Procurement Policy and Guidelines to the value of \$15,000

#### **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**

##### **CR03 Roads Act 1993 Part 8 Appoint Traffic Controllers**

Appoint traffic controllers, or authorise agents and contractors to appoint traffic controllers, to direct traffic on a road, under Clause 6 and Part 8 of the *Roads Act 1993*.

##### **CR09 Roads Act 1993 Section 115 Regulate Traffic on a Public Road**

Regulate traffic on a public road by means of barriers or by means of notices conspicuously displayed on or adjacent to the public road, under Section 115 of the *Roads Act 1993*.

##### **CR20 Roads Act 1993 Section 164 to 174 Enter Land and other powers (Certificate of Authority Required)**

Enter land and perform other powers under Sections 164 to 174 (Division 1 (Entry to land) of Part 11) of the *Roads Act 1993*.

#### **CN Contract Functions**

##### **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.

#### **LE Legislative Functions**

##### **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.

##### **PD23 Act as Landowner on behalf of Council**

Exercise Council's functions Under Part 12 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021

#### **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**

##### **PR08 Authorise Expenditure \$150,000**

Authorise expenditure for the procurement of goods, works and services, in accordance with the Procurement Policy and Guidelines up to the value of \$150,000 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.

#### **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.