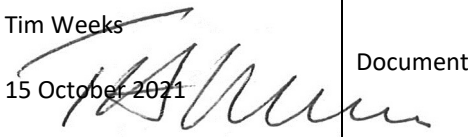




POLICY REGISTER

Delegation of Authority Policy

Document Control

Version Minute #	Prepared/Revised By and Date	Action/Amendment Description	Approved By and Date
1.0 DRAFT	G Wilcox 20 June 2021	Document Creation	G Wilcox (DRAFT) 20 June 2021
2.0 DRAFT	Tim Weeks 15 October 2021 	Document Review	T Weeks (DRAFT) 15 October 2021

Contents

INTRODUCTION	3
1. GUIDING PRINCIPLES	3
1.1 Functions of Council under the Act.....	3
1.2 Functions of Council under other Acts.....	3
1.3 Modifications of Functions of Council	3
1.4 Supplementary, incidental and consequential functions	4
1.5 Departmental Chief Executive - Guidelines	4
1.6 Review of Instrument of Delegation.....	4
2. AUTHORITY DELEGATED TO THE CHAIRPERSON	4
3. AUTHORITY DELEGATED TO THE DEPUTY CHAIRPERSON.....	4
4. COMMITTEES AND DELEGATES	4
5. AUTHORITY DELEGATED TO THE GENERAL MANAGER.....	5
6. AUTHORITY DELEGATED FROM THE GENERAL MANAGER TO STAFF.....	5
Delegations for Chair, Deputy Chair and General Manager	7
Private Services	10
Finance	11
General	13
People and Organisational Development.....	15
Procurement.....	31
Staff Related Delegations	33
Governance.....	35

INTRODUCTION

This Delegation of Authority Register is the key document identifying the authority of the Chairperson, Deputy Chairperson, the General Manager, and various staff of the New England Weeds Authority.

1. GUIDING PRINCIPLES

1.1 Functions of Council under the Act

Pursuant to section 21 of the Local Government Act 1993 (“the Act”), council has the functions conferred or imposed on it by or under the Act. These functions are:

- **Service** (Chapter 6 of the Act)
- **Regulatory** (Chapter 7 of the Act) – pursuant to section 379 of the Act, a regulatory function of a council under Chapter 7 must not be delegated or sub-delegated to a person or body other than:
 - a) A committee of the council of which all the members are councillors or of which all the members are either councillors or employees of the council, or
 - b) An employee of the council, or
 - c) A county council
- **Ancillary** (Chapter 8 of the Act)
- **Revenue** (Chapter 15 of the Act)
- **Administrative** (Chapters 11, 12 and 13 of the Act)
- **Enforcement** (Chapters 16 and 17 of the Act)

1.2 Functions of Council under other Acts

Pursuant to section 22 of the Act, Council has the functions conferred or imposed on it by or under any other Act or law. New England Tablelands (Noxious Plants) County Council trading as New England Weeds Authority is a County Council constituted under Section 387 of the Local Government Act 1993. The constituent members comprise the Councils of Armidale Regional, Glen Innes Severn, Uralla Shire and Walcha.

The Council has a responsibility to administer functions under the *Biosecurity Act 2015* on behalf of its member Councils.

1.3 Modifications of Functions of Council

The exercise by a Council of its functions under this Act may also be modified by the provisions of another Act. For example, the Government Information (Public Access) Act 2009 (GIPA) requires Council to provide the community greater access to information.

1.4 Supplementary, incidental and consequential functions

Pursuant to section 23 of the Act, council may do all such things as are supplemental or incidental to, or consequential on, the exercise of its functions.

1.5 Departmental Chief Executive - Guidelines

Pursuant to section 23A of the Act, the Departmental Chief Executive may from time to time prepare, adopt or vary guidelines relating to the exercise by a Council of any of its functions. Council MUST take any relevant guidelines issued under this section into consideration before exercising any of its functions.

1.6 Review of Instrument of Delegation

Pursuant to section 380 of the Act this instrument of delegation must be reviewed during the first 12 months of each term of office. This instrument may be reviewed at other times as required.

2. AUTHORITY DELEGATED TO THE CHAIRPERSON

To perform on behalf of Council the following powers, authorities, duties and functions within the terms of the Local Government Act and Regulations thereunder:-

- (1) To appoint any Councillor to represent either the Chairperson or the Council at any function or meeting or other event as the Chairperson deems appropriate or necessary.
- (2) As listed in Schedule 2.

3. AUTHORITY DELEGATED TO THE DEPUTY CHAIRPERSON

To perform on behalf of Council the following powers, authorities, duties and functions within the terms of the Local Government Act and Regulations thereunder:-

- During periods of absence of the Chairperson, the Delegations made to the Chairperson shall be deemed to be made to the Deputy Chairperson.

4. COMMITTEES AND DELEGATES

The Chairperson be the delegate for:

- Local Government NSW;
- New England Group of Councils (as developed from time to time) and
- Northern Tablelands Local Lands Services Regional Weed Committee.

5. AUTHORITY DELEGATED TO THE GENERAL MANAGER

Council, in accordance with the provisions of section 377 of the Local Government Act, 1993, make the Delegations of Authority listed in schedule 2 to the General Manager.

6. AUTHORITY DELEGATED FROM THE GENERAL MANAGER TO STAFF

Pursuant to section 378 of the Act, the General Manager may:

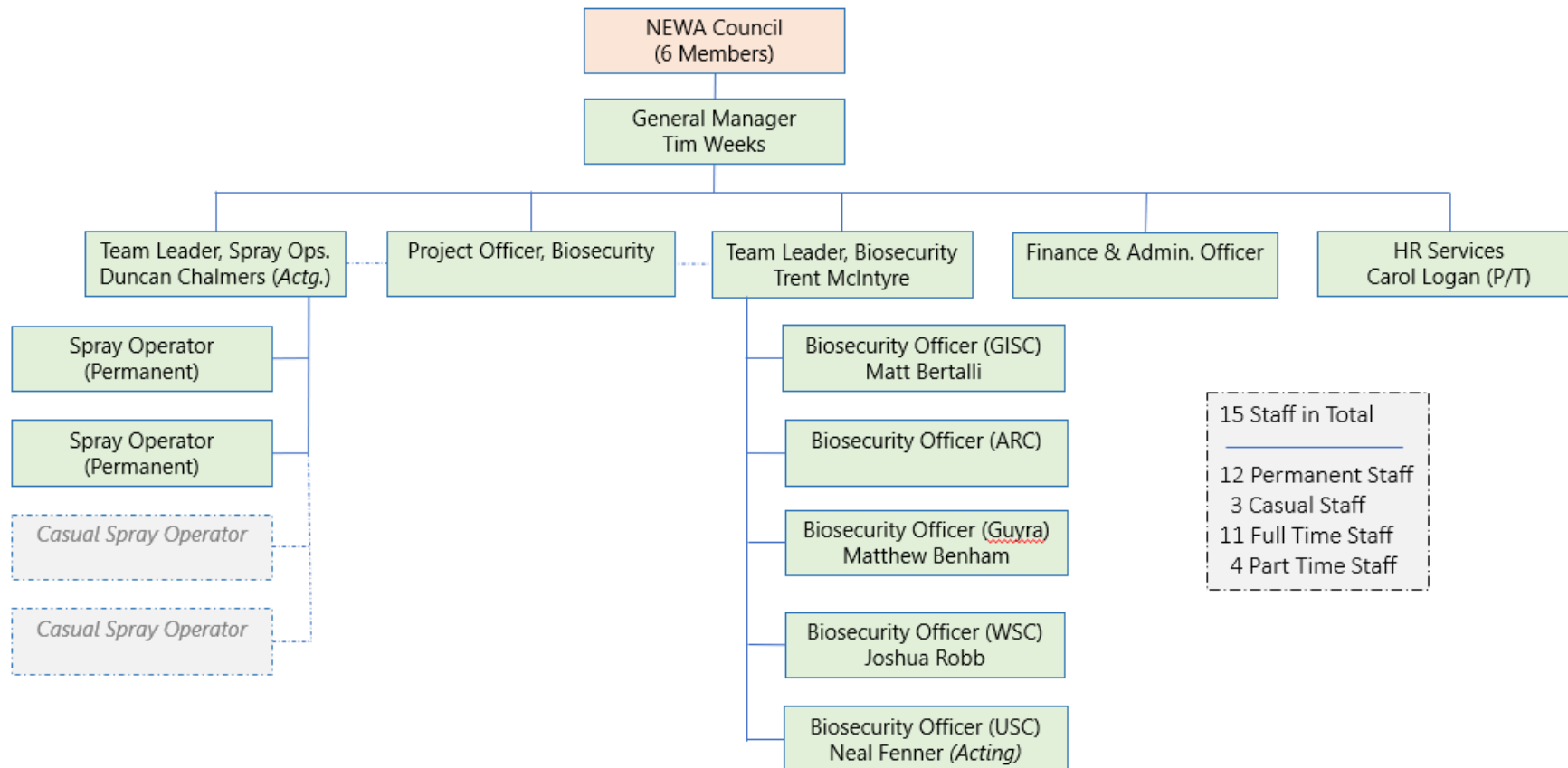
- 1) delegate any of the functions of the General Manager, other than this power of delegation.
- 2) sub-delegate a function delegated to the General Manager by the Council to any person or body (including another employee of the council), including a function sub-delegated to the General Manager by the Council under section 377(2)

Pursuant to section 381 of the Act, a function conferred or imposed by any other Act on an employee of a council or on the Chair or a councillor of a council otherwise than by delegation in accordance with the section is taken to be conferred or imposed on the council. Such a function may be delegated by the council.

In order to provide for the efficient management of Council's business and responsibilities, the General Manager delegates the powers, authorities, duties and functions set out in the following Schedule 1 of this Register to the staff identified therein.

Appendix 1 - Staff Structure

2022 – 2023 Organisational Structure



Section 2 - Delegations

Delegations for Chair, Deputy Chair and General Manager

CODE	SOURCE	TITLE	DESCRIPTION	POSITION
M1	Local Government (Act) 1993	General Council Delegation	<p>Pursuant to Section 377 of the Local Government Act 1993 delegate to its Chair, and in the absence of the Chair to the Deputy Chair, the following powers, duties and functions:</p> <p>a) To appoint a person to act as General Manager (GM) where the position is vacant, or the holder of the position is suspended from duty, is sick, on leave or absent;</p> <p>b) The power to determine applications by the General Manager for leave;</p> <p>c) To issue press releases and reply to press requests of the Council;</p> <p>d) To determine the conferences and seminars that Members may attend as Council's representatives where time does not permit Council to so determine;</p> <p>e) To receive on behalf of Council, delegations and submissions from residents and community groups;</p>	Chair and Deputy Chair

			<p>f) The power to expel persons (whether a Councillor or another person) from a meeting of the Council or Council Committee over which he/she presides as Chair, in accordance with Section 10(4) of the Local Government Act 1993;</p> <p>I. In conjunction with the Deputy Chair and Review Committee carry out the performance appraisals and reviews in relation to the contract for the position of General Manager;</p> <p>II. Write correspondence on behalf of Council;</p> <p>III. Pursuant to the contract of employment entered into with the General Manager, the power to vary the structure of the salary package;</p> <p>IV. To authorise emergency expenditure, for any purpose of up to \$50,000; and</p> <p>V. To call Extraordinary Meetings of Council should the need arise.</p>	
M2		Signing of Correspondence	All correspondence generated from Chair's functions	Chair
GM1	Local Government (Act) 1993	General Council Delegation	(1) The General Manager may delegate any of the functions of the General Manager, other than this power of delegation.	General Manager

GM2	Local Government (Act) 1993	General Council Delegation	(2) The General Manager may sub-delegate a function delegated to the General Manager by the Council to any person or body (including another employee of the Council).	General Manager
GM3	Local Government (Act) 1993	General Council Delegation	(3) Subsection (2) extends to a function sub-delegated to the General Manager by the council under section 377 (2).	General Manager
GM4		Leave	To approve Leave for Civil Emergencies for staff in any operational area of Council in accordance with Council policy.	General Manager
GM5		Signing of Correspondence	All correspondence and Leave authorisations	General Manager
GM6	Council Policy	Expenditure – Operating Budget unlimited .	To incur unlimited expenditure subject to the expenditure being provided for in Council's Annual Operational Plan and associated Annual Budget.	General Manager

Private Services

CODE	SOURCE	TITLE	DESCRIPTION	POSITION
PS01	Local Government Act 1993 Section 67.	Private & Project Works	To carry out works on private land.	General Manager Project Officer, Biosecurity Team Leader, Biosecurity Team Leader, Weed Control

Finance

CODE	SOURCE	TITLE	DESCRIPTION	POSITION
F01	Local Government (General) Regulation 2005	Debts - write off	To write off individual bad debts up to \$2,000 in consultation with the General Manager	General Manager Chief Financial Officer (CFO)
F02	Local Government (General) Regulation 2005.	Responsible Accounting Officer (CFO)	To act as Council's Responsible Accounting Officer.	General Manager Chief Financial Officer
F03		Sign declarations	Sign declarations for Fringe Benefit Tax and Business Activities Statements (BAS) on behalf of the Council.	General Manager Chief Financial Officer Finance & Administration Officer
F04	Local Government Act or General Regulation and Council Investment Policy.	Investment of funds	To invest Council funds, subject to the investment being in any security authorised by the Trustee Act 1925 or a form of investment notified by order of the Minister published in the Gazette.	General Manager Chief Financial Officer
F05	Commonwealth Government Law and Child Support (Collections) Act - Child Support Agency	Garnishees / Child Support orders	To approve the payment of a fixed sum of money in respect of Court Judgments and Child Support Agency directives applying to Council employees.	General Manager Chief Financial Officer
F06		Cheques/EFT Payment - Authority to Prepare/Submit	To prepare and submit EFT payments for signature. (Two to sign/authorise)	Finance & Administration Officer
F07		Cheques/EFT Payment - Authority to Sign/Authorise	To sign cheques and authorise EFT payments as signatory and/or counter signatory. (Two to sign/authorise)	General Manager Chief Financial Officer
F08		Payroll	To certify payment and authorise EFT payments in relation to payroll. (Two to sign/authorise)	General Manager Chief Financial Officer

F09		Authorisation of invoices	Delegated authority to authorise invoices for the payment of goods and services received by Council, to the limits authorised by the General Manager , in accordance with the Local Government Act 1993 within the votes of expenditure approved by Council.	General Manager Chief Financial Officer Business Manager
F10		Sign Orders	Delegated authority to obtain quotations and authorise the purchase of goods, works, and services to the limits authorised by the General Manager, in accordance with the Local Government Act 1993 and Council's Procurement of Goods & Services Policy, sign orders for the supply and delivery of goods and services within the votes of expenditure approved by Council. (All POs require two signatures/authorisations).	General Manager Chief Financial Officer Team Leader Project Officer, Biosecurity
F11		Disposal of Assets	To approve disposal of assets that are surplus to Council requirements in accordance with Council's Business Activity Strategic Plan 2017-2027, with a book value of less than \$5,000.00.	General Manager
F12		Purchase of Motor Vehicles, Plant and Equipment	That the General Manager be delegated authority to purchase and dispose of Motor Vehicles, Plant and Equipment, within the approved budget allocations and in accordance with the 10 Year Vehicle and Equipment Replacement Program.	General Manager

General

CODE	SOURCE	TITLE	DESCRIPTION	POSITION
G01		Application to Government Departments	<p>Make applications to Government Departments or non-government bodies for the provision of grant funds or accept or discharge grant offers in accordance with:</p> <p>(a) the Council's approved works or programs;</p> <p>(b) Council resolution;</p> <p>(c) the concurrence of the General Manager;</p> <p>(d) within Council's Operational Plan budget.</p> <p>NB: This authority does not override the requirement that all correspondence to Ministers of the Crown or Parliamentarians must be signed by the General Manager.</p>	<p>General Manager</p> <p>Chief Financial Officer</p> <p>Project Officer, Biosecurity</p>
G02		Issue media releases	Issue media releases and statements and coordinate media requests for visits to the Council on non-controversial matters.	General Manager
G03	Local Government Act 1993 Section 687.	Legal Proceedings	To represent Council in legal proceedings arising out of Council's administration of the Act.	<p>General Manager</p> <p>Chief Financial Officer</p>
G04		Credit/Debit Card disbursements	To approve credit/debit card disbursements.	<p>General Manager</p> <p>Chief Financial Officer</p>
G05	Government Information (Public Access) Act 2009.	Provision of information to the public – open access / proactive/ informal	Subject to the provisions of the Act, to disclose any information in any format of Council that is deemed to be in the public interest.	<p>General Manager</p> <p>Chief Financial Officer</p>
G06	Government Information (Public Access) Act 2009.	Provision of information to the public – formal applications for access	Subject to the provisions of the Act, to disclose any information in any format of Council that is deemed to be in the public interest after formal processing.	<p>General Manager</p> <p>Chief Financial Officer</p>
G07	Local Government Act 1993	Issue notices and directions	To issue notices under Act, and the regulations made under it.	<p>General Manager</p> <p>Team Leader, Biosecurity</p>

G08	Local Government Act 1993	Offences	Act on Council's behalf in matters of any kind and lay information and undertake the prosecution for offences relating to any relevant legislation including: Local Government Act 1993; Bio Security Act	General Manager Team Leader, Biosecurity
G09	Local Government Act 1993 Section 153.	Order - revocation	To revoke an order at any time.	General Manager Team Leader, Biosecurity
G10	Civil Liability Act 2002		Authority to exercise controls and take actions to prevent loss or injury (Duty of Care) on behalf of Council and represent Council in claims under the Civil Liabilities Act 2002. Pursuant to Civil Liability Act 2002	General Manager Team Leader, Biosecurity Team Leader, Weed Control

People and Organisational Development

CODE	SOURCE	TITLE	DESCRIPTION	POSITION
HR01		Finalise Workers Compensation Claims	Determine and finalise all workers compensation claims lodged by Council staff in consultation, where appropriate, with legal/professional advice, and subject to the requirement that any financial settlement, ie termination or lump sum, require the approval of the General Manager .	General Manager Chief Financial Officer
HR02		Interview expenses	To approve reimbursement of expenses incurred by an applicant for a position attending an interview, in accordance with Council's policy.	General Manager Chair NEWA – In relation to GM attendance at Interviews
HR03		Speak to media	Speak on behalf of the Council to the media.	General Manager Chair NEWA
HR04		Speak to media	With agreement of the General Manager speak on behalf of Council on matters that are in relation to the Officer's area of knowledge..	Team Leader, Biosecurity Project Officer, Biosecurity
HR05		Signing of Correspondence	The authority to sign forms, notices and reply to routine enquiries and reports relating specifically to the Work Health and Safety, injury Management and Workers Compensation, but not the commitment of Council's financial obligations	General Manager Chief Financial Officer

NSW Biosecurity Act 2015

CODE	SOURCE	TITLE	DESCRIPTION	POSITION
BSA00	NSW Biosecurity Act 2015	Section 372 Appointment of Authorised Officer under the NSW Biosecurity Act 2015	Council's Officer named in the Delegation is appointed under S372 of the NSW Biosecurity Act 2015 (the Act) as an Authorised Officer for the purposes of the Act and is authorised to exercise the powers conferred or imposed on an Authorised Officer by or under the Act within the local government areas of Armidale Regional Council, Glen Innes Shire Council, Inverell Shire Council, Uralla Shire Council and Walcha Shire Council, as a member or contract agreement of the New England Tablelands (Noxious Plants) County Council.	General Manager Team Leader, Biosecurity Project Officer, Biosecurity Bio-Security Officers

BSA01		<p>Section 89 Purposes for which functions under Part 8 Powers of Authorised Officers may be exercised.</p>	<p>Subsection (1) - An authorised officer may exercise the functions conferred by this Part for any of the following purposes:</p> <ul style="list-style-type: none"> (a) for the purpose of investigating, monitoring and enforcing compliance with the requirements imposed by or under this Act, (b) for the purpose of obtaining information or records for purposes connected with the administration of this Act, (c) for the purpose of assisting a biosecurity auditor to exercise the biosecurity auditor's functions in connection with a biosecurity audit, (d) for the purpose of preventing, eliminating, minimising or managing biosecurity risks or suspected biosecurity risks, (e) for the purpose of preventing, managing or controlling a biosecurity impact, (f) for the purpose of enforcing, administering or executing this Act (including any instrument made under this Act). 	<p>General Manager Team Leader, Biosecurity Project Officer, Biosecurity Biosecurity Officers</p>
-------	--	--	--	--

BSA02		<p>Section 91</p> <p>References to functions exercisable “in the case of an emergency”</p>	<p>Subsection (1)</p> <p>A provision of this Part that enables an authorised officer to exercise a function in the case of an emergency enables the authorised officer to exercise that function if:</p> <p>(a) the authorised officer is required or authorised to exercise the function under an emergency order, or</p> <p>(b) the authorised officer otherwise reasonably believes it is necessary to exercise the function because:</p> <p>i.a biosecurity emergency has occurred, is occurring or is imminent, or</p> <p>ii.the authorised officer reasonably suspects a biosecurity emergency has occurred, is occurring or is imminent.</p>	<p>General Manager Team Leader, Biosecurity Project Officer, biosecurity Biosecurity Officers</p>
-------	--	--	---	---

BSA03		<p>Section 93</p> <p>Powers of authorised officers to require information and records</p>	<p>Subsection (1)</p> <p>An authorised officer may, by notice in writing given to a person, require the person to furnish to the officer such information or records (or both) as he or she may require for an authorised purpose.</p> <p>Subsection (2)</p> <p>A notice under this Division must specify the manner in which information or records are required to be furnished and a reasonable time by which the information or records are required to be furnished.</p> <p>Subsection (3)</p> <p>A notice under this Division may only require a person to furnish existing records that are in the person's possession or that are within the person's power to obtain lawfully.</p>	<p>General Manager Team Leader, Biosecurity Project Officer, Biosecurity Biosecurity Officers</p>
BSA04		<p>Section 94</p> <p>Power of authorised officers to require answers</p>	<p>Subsection (1)</p> <p>An authorised officer may require a person whom the authorised officer suspects on reasonable grounds to have knowledge of matters in respect of which information is reasonably required for an authorised purpose to answer questions in relation to those matters.</p>	<p>General Manager Team Leader, Biosecurity Project Officer, Biosecurity Biosecurity Officers</p>

<p>BSA04</p> <p>Cont.</p>		<p>Section 94</p> <p>Power of authorised officers to require answers</p>	<p>Subsection (2)</p> <p>An authorised officer may, by notice in writing, require a corporation to nominate, in writing within the time specified in the notice, a director or officer of the corporation to be the corporation’s representative for the purpose of answering questions under this section.</p> <p>Subsection (3)</p> <p>Answers given by a person nominated under subsection (2) bind the corporation.</p> <p>Subsection (4)</p> <p>An authorised officer may, by notice in writing, require a person to attend at a specified place and time to answer questions under this section if attendance at that place is reasonably required in order that the questions can be properly put and answered.</p> <p>Subsection(5)</p> <p>The place and time at which a person may be required to attend under subsection (4) is to be:</p> <p>(a) a place and time nominated by the person, or</p> <p>(b) if the place and time nominated is not reasonable in the circumstances or a place and time is not nominated by the person, a place and time nominated by the authorised officer that is reasonable in the circumstances.</p>	<p>General Manager Team Leader, Biosecurity Project Officer, Biosecurity Biosecurity Officers</p>
---	--	--	--	---

BSA05		<p>Section 95</p> <p>Recording of evidence</p>	<p>Subsection (1)</p> <p>An authorised officer may cause any questions and answers to questions given under this Division to be recorded if the officer has informed the person who is to be questioned that the record is to be made.</p> <p>Subsection (2)</p> <p>A record may be made using sound recording apparatus or audio visual apparatus, or any other method determined by the authorised officer.</p> <p>Subsection (3)</p> <p>A copy of any such record must be provided by the authorised officer to the person who is questioned as soon as practicable after it is made.</p>	<p>General Manager Team Leader, Biosecurity Project Officer, Biosecurity Biosecurity Officers</p>
BSA06		<p>Section 96</p> <p>Power of authorised officers to demand name and address</p>	<p>Subsection (1)</p> <p>An authorised officer may require a person whom the authorised officer suspects on reasonable grounds to have committed, or to be committing, an offence against this Act or the regulations to state the person's full name and residential address.</p> <p>Subsection (2)</p> <p>An authorised officer may request a person who is required under this section to state the person's full name and residential address to provide proof of the name and address. It is not an offence to fail to comply with any such request.</p>	<p>General Manager Team Leader, Biosecurity Project Officer, Biosecurity Biosecurity Officers</p>

BSA07		<p>Section 97</p> <p>Requiring information in the case of an emergency</p>	<p>Subsection (1)</p> <p>A person is not excused from a requirement made by an authorised officer to furnish records or information or to answer a question on the ground that the record, information or answer might incriminate the person or make the person liable to a penalty if:</p> <p>(a) the authorised officer makes the requirement in the case of an emergency, and</p> <p>(b) the authorised officer warns the person that the authorised officer is making the requirement in the case of an emergency.</p>	<p>General Manager Team Leader, Biosecurity Project Officer, Biosecurity Biosecurity Officers</p>
BSA08		<p>Section 98</p> <p>Powers of authorised officers to enter premises</p>	<p>Subsection (1)</p> <p>An authorised officer may enter any premises:</p> <p>(a) at any reasonable time, or</p> <p>(b) in the case of an emergency, at any time.</p> <p>Subsection (2)</p> <p>A power to enter premises conferred by this Act authorises entry by foot, vehicle, vessel or aircraft or by any other means.</p> <p>Subsection (3)</p> <p>Entry may be effected under this Act with the use of reasonable force.</p> <p>Subsection (4) Entry to any premises may be effected with or without the authority of a search warrant.</p>	<p>General Manager Team Leader, Biosecurity Project Officer, Biosecurity Biosecurity Officers</p>

BSA09		<p>Section 99</p> <p>Entry into residential premises only with permission or warrant</p>	<p>This Division does not empower an authorised officer to enter any part of premises used only for residential purposes without the permission of the occupier or the authority of a search warrant.</p>	<p>General Manager Team Leader, Biosecurity Project Officer, Biosecurity Biosecurity Officers</p>
BSA10		<p>Section 101</p> <p>Power to require occupier to provide assistance</p>	<p>An authorised officer proposing to exercise a power of entry under this Division may, by notice in writing given to the owner or occupier of the premises, require the owner or occupier to provide such reasonable assistance and facilities as are specified in the notice within a specified time and in a specified manner.</p>	<p>General Manager Team Leader, Biosecurity Project Officer, Biosecurity Biosecurity Officers</p>
BSA11		<p>Section 102</p> <p>Powers that can be exercised on premises</p>	<p>Subsection (1) An authorised officer may, at any premises lawfully entered, do anything that in the opinion of the authorised officer is necessary to be done for an authorised purpose, including (but not limited to) the things specified in subsection (2).</p> <p>Subsection (2) An authorised officer may do any or all of the following:</p> <ul style="list-style-type: none"> (a) examine and inspect anything, (b) take and remove samples of a thing, (c) make any examinations, inquiries or tests that the authorised officer considers necessary, (d) carry out any treatment measures in relation to any biosecurity matter, carrier, potential carrier, premises or other thing. 	<p>General Manager Team Leader, Biosecurity Project Officer, Biosecurity Biosecurity Officers</p>

<p>BSA11</p> <p>Cont.</p>		<p>Section 102</p> <p>Powers that can be exercised on premises</p>	<p>Subsection (1) Cont ...</p> <ul style="list-style-type: none"> (e) isolate, confine or detain any biosecurity matter or other thing, (f) erect or repair fencing, gates or any other method of enclosure, or carry out any other security or containment measures in relation to any premises, biosecurity matter or other thing, (g) erect signs, (h) move any biosecurity matter or other thing, (i) install or use a device for the purpose of detecting or monitoring the presence of any biosecurity matter or other thing, (j) install devices for the purpose of capturing any biosecurity matter or other thing, (k) take any photographs or other recordings that the authorised officer considers necessary, (l) require records to be produced for inspection, (m) examine and inspect any records, (n) copy any records, (o) seize any biosecurity matter or other thing if the authorised officer has reasonable grounds for believing that seizure of the biosecurity matter or other thing is necessary to prevent, eliminate or minimise a biosecurity risk posed by or in relation to the biosecurity matter or thing, (p) seize anything that the authorised officer has reasonable grounds for believing is connected with an offence against this Act or the regulations, 	<p>General Manager Team Leader, Biosecurity Project Officer, Biosecurity Biosecurity Officers</p>
---	--	--	--	--

<p>BSA11</p> <p>Cont.</p>		<p>Section 102</p> <p>Powers that can be exercised on premises</p>	<p>Subsection (1) Cont ...</p> <ul style="list-style-type: none"> (q) isolate, confine or detain any biosecurity matter or other thing, (r) erect or repair fencing, gates or any other method of enclosure, or carry out any other security or containment measures in relation to any premises, biosecurity matter or other thing, (s) erect signs, (t) move any biosecurity matter or other thing, (u) install or use a device for the purpose of detecting or monitoring the presence of any biosecurity matter or other thing, (v) install devices for the purpose of capturing any biosecurity matter or other thing, (w) take any photographs or other recordings that the authorised officer considers necessary, (x) require records to be produced for inspection, (y) examine and inspect any records, (z) copy any records, (aa) seize any biosecurity matter or other thing if the authorised officer has reasonable grounds for believing that seizure of the biosecurity matter or other thing is necessary to prevent, eliminate or minimise a biosecurity risk posed by or in relation to the biosecurity matter or thing, (bb) seize anything that the authorised officer has reasonable grounds for believing is connected with an offence against this Act or the regulations, 	<p>General Manager Team Leader, Biosecurity Project Officer, Biosecurity Biosecurity Officers</p>
---	--	--	--	--

<p>BSA11</p> <p>Cont.</p>		<p>Section 102</p> <p>Powers that can be exercised on premises</p>	<p>Subsection (1) Cont ...</p> <p>(cc) isolate, confine or detain any biosecurity matter or other thing,</p> <p>(dd) erect or repair fencing, gates or any other method of enclosure, or carry out any other security or containment measures in relation to any premises, biosecurity matter or other thing,</p> <p>(ee) erect signs,</p> <p>(ff) move any biosecurity matter or other thing,</p> <p>(gg) install or use a device for the purpose of detecting or monitoring the presence of any biosecurity matter or other thing,</p> <p>(hh) install devices for the purpose of capturing any biosecurity matter or other thing,</p> <p>(ii) take any photographs or other recordings that the authorised officer considers necessary,</p> <p>(jj) require records to be produced for inspection,</p> <p>(kk) examine and inspect any records,</p> <p>(ll) copy any records,</p> <p>(mm)</p> <p>seize any biosecurity matter or other thing if the authorised officer has reasonable grounds for believing that seizure of the biosecurity matter or other thing is necessary to prevent, eliminate or minimise a biosecurity risk posed by or in relation to the biosecurity matter or thing,</p> <p>(nn) seize anything that the authorised officer has reasonable grounds for believing is connected with an offence against this Act or the regulations,</p>	<p>General Manager Team Leader, Biosecurity Project Officer, Biosecurity Biosecurity Officers</p>
---	--	--	--	---

<p>BSA11</p> <p>Cont.</p>		<p>Section 102</p> <p>Powers that can be exercised on premises</p>	<p>(oo) move any seized thing from the place where it is seized or leave it at the place where it is seized and take reasonable action to restrict access to the thing,</p> <p>(pp) direct the occupier of the premises where a thing is seized to retain it at those premises or at another place under the control of the occupier,</p> <p>(qq) destroy, dispose of or eradicate anything,</p> <p>(rr) do anything else authorised by or under this Act.</p> <p>Subsection (3)</p> <p>The power to examine and inspect anything includes a power to use reasonable force to break open or otherwise access a container or other thing being used, or suspected of being used, to hold or contain another thing.</p> <p>Subsection (4)</p> <p>The power to seize anything connected with an offence includes a power to seize:</p> <p>(a) a thing with respect to which the offence has been committed, and</p> <p>(b) a thing that will afford evidence of the commission of the offence, and</p> <p>(c) a thing that was used for the purpose of committing the offence.</p> <p>Subsection (5)</p> <p>The power to do a thing under this section includes a power to arrange for that thing to be done.</p>	<p>General Manager Team Leader, Biosecurity Project Officer, Biosecurity Biosecurity Officers</p>
---	--	--	--	--

<p>BSA11 Cont.</p>		<p>Section 102 Powers that can be exercised on premises</p>	<p>Subsection (6)</p> <p>A power to do something under this section in relation to a thing may be exercised without the consent of the owner of the thing.</p> <p>Subsection (7)</p> <p>The power to destroy a thing is subject to the other provisions of this Part.</p> <p>Note. See Division 6.</p> <p>Subsection (8) In this section, a reference to an offence includes a reference to an offence that there are reasonable grounds for believing has been committed.</p>	<p>General Manager Team Leader, Biosecurity Project Officer, Biosecurity Biosecurity Officers</p>
<p>BSA11</p>		<p>Section 102 Powers that can be exercised on premises</p>	<p>Subsection (1) Cont ...</p> <p>(ss) isolate, confine or detain any biosecurity matter or other thing,</p> <p>(tt) erect or repair fencing, gates or any other method of enclosure, or carry out any other security or containment measures in relation to any premises, biosecurity matter or other thing,</p> <p>(uu) erect signs,</p> <p>(vv) move any biosecurity matter or other thing,</p> <p>(ww) install or use a device for the purpose of detecting or monitoring the presence of any biosecurity matter or other thing,</p> <p>(xx) install devices for the purpose of capturing any biosecurity matter or other thing,</p>	<p>General Manager Team Leader, Biosecurity Project Officer, Biosecurity Biosecurity Officers</p>

<p>BSA11</p> <p>Cont.</p>		<p>Section 102</p> <p>Powers that can be exercised on premises</p>	<p>(yy) take any photographs or other recordings that the authorised officer considers necessary,</p> <p>(zz) require records to be produced for inspection,</p> <p>(aaa) examine and inspect any records,</p> <p>(bbb) copy any records,</p> <p>(ccc) seize any biosecurity matter or other thing if the authorised officer has reasonable grounds for believing that seizure of the biosecurity matter or other thing is necessary to prevent, eliminate or minimise a biosecurity risk posed by or in relation to the biosecurity matter or thing,</p> <p>(ddd) seize anything that the authorised officer has reasonable grounds for believing is connected with an offence against this Act or the regulations,</p> <p>(eee) move any seized thing from the place where it is seized or leave it at the place where it is seized and take reasonable action to restrict access to the thing,</p> <p>(fff) direct the occupier of the premises where a thing is seized to retain it at those premises or at another place under the control of the occupier,</p> <p>(ggg) destroy, dispose of or eradicate anything,</p> <p>(hhh) do anything else authorised by or under this Act.</p>	<p>General Manager Team Leader, Biosecurity Project Officer, Biosecurity Biosecurity Officers</p>
---	--	--	---	---

<p>BSA11</p> <p>Cont.</p>		<p>Section 102</p> <p>Powers that can be exercised on premises</p>	<p>Subsection (3) The power to examine and inspect anything includes a power to use reasonable force to break open or otherwise access a container or other thing being used, or suspected of being used, to hold or contain another thing.</p> <p>Subsection (4) The power to seize anything connected with an offence includes a power to seize: (a) a thing with respect to which the offence has been committed, and (b) a thing that will afford evidence of the commission of the offence, and (c) a thing that was used for the purpose of committing the offence.</p> <p>Subsection (5) The power to do a thing under this section includes a power to arrange for that thing to be done.</p> <p>Subsection (6) A power to do something under this section in relation to a thing may be exercised without the consent of the owner of the thing.</p> <p>Subsection (7) The power to destroy a thing is subject to the other provisions of this Part.</p> <p>Note. See Division 6. Subsection (8) In this section, a reference to an offence includes a reference to an offence that there are reasonable grounds for believing has been committed.</p>	<p>General Manager Team Leader, Biosecurity Project Officer, Biosecurity Biosecurity Officers</p>
---	--	--	---	---

Procurement

CODE	SOURCE	TITLE	DESCRIPTION	POSITION
P01	Local Government (General) Regulation 2005 – Part 7.	Calling and Consideration of Tenders	To fulfil the role of "Council" referred to in the Regulation, limited by the acceptance of tenders which cannot be delegated under the Act, but including entering into contracts on behalf of Council once a tender has been accepted in accordance with Section 19 of the Regulation within Council's financial delegations.	General Manager
P02	Local Government (General) Regulation 2005 – Clause 164.	Receive or deal with tenders submitted	Act as an appropriate person, within the meaning of clause 164 of the Local Government (General) Regulation 2005, to receive or deal with tenders submitted to Council. The functions of an "appropriate person" under the Act and Regulations include: <ol style="list-style-type: none"> 1. Placing tenders submitted by facsimile in a sealed envelope (cl 173); 2. Store in an information system tenders submitted by electronic means (cl 174); 3. Open tenders in presence of one other person designated by the General Manager (cl 175); 4. Prepare a tender list (cl 175). 	General Manager
P03	Local Government (General) Regulation 2005 Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005. Act as appropriate person- Pursuant to Clause 164.	Decide method of tendering	Authority to decide, pursuant to clause 166 of the Local Government (General) Regulation 2005, the method of tendering to be used where Council is required to invite tenders in accordance with section 55 of the Local Government Act 1993. Pursuant to Clause 166	General Manager

P04	Local Government (General) Regulation 2005 Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005. Act as appropriate person- Pursuant to Clause 164	Selective Tendering	Authority to carry out all of a council's functions under, and in accordance with, clause 169 (selective tendering method by which recognised contractors listed by council are invited to tender for particular kinds of proposed contracts) of the Local Government (General) Regulation 2005. Pursuant to - clause 169 of the Local Government (General) Regulation 2005	General Manager Chief Financial Officer (CFO)
P05	Council Policy	Expenditure - Operating Budget up to \$500	To incur expenditure up to \$500 , <i>subject to the expenditure being provided for in Council's Annual Operational Plan and associated budget</i> , and also being within the Officer's area of general responsibility.	Biosecurity Officers
P06	Council Policy	Expenditure - operating budget up to \$5,000	To incur expenditure up to \$5,000 , <i>subject to the expenditure being provided for in Council's Annual Operational Plan and associated budget</i> , and also being within the Officer's area of responsibility.	Team Leader, Biosecurity Team Leader, Weed Control Project Officer, Biosecurity
P07	Council Policy	Expenditure - operating budget up to \$250,000	To incur expenditure up to \$250,000.00 <i>subject to the expenditure being provided for in Council's Annual Operational Plan and associated budget</i> .	General Manager

Staff Related Delegations

CODE	SOURCE	TITLE	DESCRIPTION	POSITION
S01		Appointment of Staff	To recommend the appointment of, and to control staff within the Council, in accordance with the approved organisation structure and resources of Council.	General Manager
S02		Advertising of position vacancies	To authorise the advertising of position vacancies, in all operational areas of Council in accordance with Council policy, where approval has been given by the General Manager to fill the position.	General Manager Team Leader, Biosecurity Team Leader, Weed Control
S03		Fees - reductions	To reduce a particular individual fee in a particular circumstance – Limit \$1,000.	General Manager Chief Financial Officer
S04		Funding certificates	To issue funding certificates.	General Manager Chief Financial Officer
S05		Funding acquittals	Forward funding acquittals and project reports to funding bodies.	General Manager Chief Financial Officer Project Officer, Biosecurity Team Leader, Biosecurity
S06		Conferences	To approve staff attendance and payment of travel, accommodation and other expenses for conferences.	General Manager
S07		Meetings	To approve staff attendance and payment of travel, accommodation and other expenses for meetings within NSW.	General Manager
S08		Jury Service	To approve the absence of staff for Jury Service.	General Manager Staff-member's Supervisor
S09		Recognition of previous service	To approve the recognition of previous service for long service leave purposes in accordance with the award for staff in any operational area of Council.	General Manager

S10		Recruitment Action - Casual Staff	To approve appointment of casual staff	General Manager
S11		Retirement of staff	To approve the retirement of staff in any operational area of Council on the grounds of age or ill health.	General Manager
S12		Rostered working times	To approve variations to rostered working times.	General Manager Team Leader, Biosecurity Team Leader, Weed Control
S13		Termination of staff	To reduce the term of employment of <i>temporary Council or agency staff</i> in any operational area of Council.	General Manager
S14		Termination of Staff	Make recommendations to the General Manager with respect to the dismissal and suspension of employees within the position holder's area of responsibility	Team Leader, Biosecurity Team Leader, Weed Control
S15		Timesheets and Leave	To authorise staff timesheets and all forms of staff leave except Leave without pay and Long Service Leave; within the position holder's area of responsibility	General Manager Team Leader, Biosecurity Team Leader, Weed Control
S16		Signing of Correspondence	The authority to sign all correspondence emanating from their particular work area of responsibilities but not including correspondence to Councillors, Members of State and Federal Parliament and documents that are required to be executed under the seal of Council.	General Manager Team Leader, Biosecurity Project Officer, Biosecurity Team Leader, Weed Control Biosecurity Officers
S17		Signing of Correspondence	The authority to sign forms, notices and reply to routine enquiries relating specifically to departmental issues including: - information to educate and assist the public as to their responsibilities for the bio security and environmental issues	Team Leader, Biosecurity Project Officer, Biosecurity Team Leader, Weed Control Biosecurity Officers

Governance

CODE	SOURCE	TITLE	DESCRIPTION	POSITION
CS01	Local Government Act 1993, Section 666 and the State Records Act 1998.	Records maintenance and disposal	To dispose of non-current Council records in accordance with relevant legislative requirements and Council policy.	Finance and Administration Officer
CS02		Insurance claims – to excess	Settlement of all insurance claims to the amount of Council's excess.	General Manager Chief Financial Officer
CS03		Insurance claims – above excess	Authorise settlement of insurance claims by insurer, above the excess amount.	General Manager Chief Financial Officer
CS04	Local Government (General) Regulation 2005 – Section 243.	Minutes	To supervise inspection of minutes of meetings of Council or committees	Finance and Administration Officer