

PORT STEPHENS COUNCIL

INSTRUMENT OF DELEGATION TO GENERAL MANAGER

On Tuesday, 26 November 2024 the Port Stephens Council ("**Council**") resolved that:

1. All previous delegations of Functions the subject of this Instrument be revoked.
2. The person who from time to time holds the position of General Manager of Council ("**General Manager**"), being at the date of this instrument Tim Crosdale, be delegated authority under section 377 of the LG Act, to exercise and/or perform on behalf of Council the Council's Functions under all Legislation in force and as amended from time to time:
 - 2.a **Subject to** any condition or limitation on a Function specified in Schedule 1; and
 - 2.b **Excluding** those Functions:
 - i. that are expressly prohibited from delegation as listed under Section 377 of the LG Act;
 - ii. which are expressly required by legislation to be exercised by a resolution of the Council.
3. The General Manager be sub-delegated authority to exercise and/or perform on behalf of Council the Functions delegated to the Council under, and in accordance with, the instrument of delegation to the Council set out in **Schedule 2, excluding** those Functions which pursuant to the terms of the delegation to the Council may not be sub-delegated.
4. The General Manager be conferred authority to carry out the Policy Authorities listed in **Schedule 3** and undertake any administrative actions necessary to carry out those Policy Authorities.
5. The General Manager be delegated any Function which is taken to be conferred or imposed on the Council pursuant to section 381(1) of the LG Act.

6. In the absence of the General Manager that a person appointed by resolution to act as General Manager assume all Functions, delegations, and sub-delegations of the General Manager for the period only of the absence of the General Manager unless otherwise resolved by the Council.
7. These delegations and authorities are subject to, and are to be exercised in accordance with:
 - a.a the requirements of the relevant Legislation;
 - a.b any conditions or limitations set out in **Schedule 1** and **Schedule 3**; and
 - a.c any resolution or policy, procedure or budget adopted from time to time by the Council.
8. These delegations and authorities are effective from the date of the Resolution of the Council and remain in force until amended or revoked by a resolution of the Council.
9. In this delegation:
 - **“Functions”** means powers, authorities, duties and functions and anything ancillary or related to the exercise or performance thereof.
 - **“Legislation”** means legislation enacted by the parliament of New South Wales and the parliament of the Commonwealth of Australia, including an Act, regulation made under an Act, by-law, rule or ordinance.
 - **“LG Act”** means the *Local Government Act 1993* as amended.

Schedule 1: Limitations

Part A – Limitations applicable to specific statutory Function (if any)	
Legislation	Limitation (if any)
N/A	N/A
Part B – General Limitations	
N/A	

Schedule 2: Instruments of Delegation to Council

Delegator	Instrument Name	Date Of Instrument
N/A	N/A	N/A

Schedule 3: Policy Authorities

Code	Policy Authority	Conditions / Limitations (if any)
CP014 - Media Policy	Authority to issue media releases and to provide supporting factual information and comment in accordance with the Media Policy and associated Management Directive.	N/A
CP017 - Annual leave	Authority to approve annual leave applications for staff within his/her section.	N/A
CP018 - Sick/carer's leave	Authority to approve staff applications for sick or carer's leave within his/her section.	N/A
CP019 - Other leave	Authority to approve staff applications for other leave including but not limited to: long service leave, parental leave, bereavement/compassionate leave or career break, in accordance with any corporate processes.	N/A
CP020 - Overtime/leave in lieu	Authority to approve the allocation and payment of overtime, leave in lieu and payment of meal allowances and travelling time to staff within his/her section.	N/A
CP021 - Authorise scheduled training	Authority to approve the attendance of staff within his/her section at scheduled training courses or seminars.	N/A
CP022 - Authorised scheduled training	Authority to approve attendance of staff within his/her Group to attend unscheduled training courses or seminars.	N/A
CP023 - Unscheduled	Authority to approve attendance of staff	N/A

training	within his/her Section to attend unscheduled training courses or seminars.	
CP024 - Examination leave	Authority to approve examination and study leave for staff within his/her area of responsibility, in accordance with any corporate processes.	N/A
CP025 - Approve timesheets	Authority to approve timesheets for staff within his/her area of responsibility.	N/A
CP026 - Approve flexi time	Authority to approve flexi time leave for staff within his/her area of responsibility.	N/A
CP028 - Rostered days off and rostering working times	Authority to approve variations to rostered day off patterns and rostered working times.	N/A
CP030 - Social Media Spokesperson	Authority to act as a social media spokesperson for the purpose of representing Council's position on matters of policy, and to provide information on Council's activities within their area or responsibility. This function includes the authority to publish content on behalf of Council on social media platforms	N/A
CP031 - Speak to the Media	Authority to act as a spokesperson for Council for the purposes of representing Council's position on matters of policy, and to provide factual background information on Council's administration and operations within their area of responsibility.	N/A
CP032 - Transfer of vote within a program maximum \$10,000	Authority to transfer a vote within a budget program up to a maximum of \$10,000.	N/A
CP033 - Write off bad debts up to \$10,000	Authority to write off bad debts to an amount of \$10,000 in any one instance.	N/A
CP033A - Write off rate or charges up to \$10,000	Authority to write off rate or charges to an amount of \$10,000 in any one instance.	N/A
CP034 - Appoint & replace Directors	Authority to appoint and replace Directors in accordance with the current structure and staff establishment numbers	N/A

	and after consultation with Council.	
CP037 - Written and oral communications	Authority to carry out administrative actions, including written and oral communication, necessary to perform the duties and functions of the position.	N/A
CP041 - Authority to sign contracts for sale	Authority to sign contracts of sale in accordance with the Resolution of Council to buy or sell land.	N/A
CP043 - Authority to endorse cheques, bills, promissory notes and EFT	Authority to solely endorse cheques, bills, promissory notes and EFT payable to the Order of the Council in accordance with the duties and functions of the delegates position.	N/A
CP044 - Authority to enter into a contract	Authority to sign and enter into a contract on behalf of Council.	Authority to sign and enter into a contract on behalf of Council, with the exception of the head contracts relating to pools/leisure centres, waste, and pound/animal refuges, all of which must be reported to Council for decision.
CP065 - Authority to use purchasing card	Authority to use purchasing card to pay suppliers within your area of responsibility and within the approved budget. Note: General Manager and Directors only.	N/A
CP069 - Authority to approve purchase orders	Authority to approve purchase orders within your area of responsibility and within the approved budget. Note: General Manager and Directors only.	N/A
CP090 - Authority to serve on Newcastle Airport	Authority to act as a Council nominated director on Newcastle Airport Pty Ltd, Greater Newcastle Aerotropolis Pty Ltd,	N/A

	Newcastle Airport Partnership Company 3 and Newcastle Airport Partnership Company 4	
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Pursuant to a Resolution of the Council at its meeting of Tuesday, 26 November 2024,



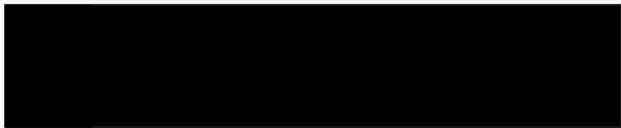
Leah Anderson

Mayor Date: Tuesday, 26 November 2024

Review date: Monday, 27 November 2028

General Manager's acknowledgement of Delegations of Authority

I Tim Crosdale, currently employed by the Council in the position of General Manager, do hereby acknowledge that I have read and understood this Instrument of Delegation and that I will perform these delegations and authorities in accordance with this Instrument of Delegation and my position description.



General Manager of Port Stephens Council

Date: 3/12/24