

POSITION DESCRIPTION



1. POSITION DETAILS

Position Title: Solicitor
Division: Legal & Governance
Unit: Legal Services

2. ORGANISATIONAL RELATIONSHIPS

Position Title of Supervisor:

Principal Lawyer

Titles of Positions which report to Solicitor are:

Nil

Contractors for which this position is responsible:

Contractors may report to this position on a day to day basis

3. PRIMARY PURPOSE OF POSITION

Working as part of a team within the Legal & Governance Division, the position holder will provide high quality legal advice and conduct litigation to ensure the protection of Council's interests. While this position will work across a range of legal areas, a particular focus of the work will be to provide advice and representation in planning, and environmental compliance matters.

As required, to manage external solicitors and barristers to ensure that they provide high quality and cost effective services to Council.

4. POSITION OBJECTIVES

The major objectives to be achieved by the Solicitor are:

- Provide high quality legal services to ensure that the City acts within the law, that its interests are protected and that it achieves its strategic vision – Sustainable Sydney 2030, including critical analysis of legal questions and developing innovative and practical solutions.

- Work with team members and other colleagues within the Division to ensure the delivery of an effective and efficient legal services function to the City.
- Ensure that legal advice is accurate, balanced and practical and that it is delivered in a timely and cost effective manner.
- Effectively communicate through collaboration and timely contact with relevant stakeholders including internal clients, managers, experts and external stakeholders.
- Develop and maintain strong and respectful relationships with internal and external stakeholders.
- Conduct all litigation efficiently, effectively and consistently with model litigant principles.
- To be held accountable for working conditions under the control of the position and for detecting any unsafe or unhealthy conditions or behaviour and to take immediate steps to investigate and rectify any risks to health, safety and welfare arising from any activity.

5. POSITION ACCOUNTABILITIES

- Ensure the provision of legal services in the broad areas of planning law and compliance, as well as other legal areas arising out of Council's operations. The extent and specialisation of services in these areas will depend upon the skills recruited and the nature of work required but general responsibilities and objectives will include:
 - advising Council staff on a broad range of legal issues with a particular focus of the role being planning and environmental compliance advice and litigation;
 - preparing and managing cases and disputes and in particular, planning appeals, and briefing Counsel as required;
 - drafting legal documents, including court documents, advice and correspondence;
 - providing advice on potential implications and effectiveness of legislative policy changes;
 - advising or developing the ability to advise on a wide range of other areas such as privacy, employment, regulation of local government, regulation of roads and access to information;
 - preparing responses to correspondence to the Lord Mayor and Council;
 - providing advice on the ramifications of court and tribunal decisions;
 - monitoring and developing professional standards of legal work and ensuring that minimum levels of service, quality and efficiency are maintained;
 - preparation and delivery of training for Council officers; and

- advising on Council policy and procedures and reviewing reports to Council.
- In a timely manner, record all relevant information in the Legal Service's data base.
- Ensure the Principal lawyer and General Counsel are kept fully informed of key legal matters and proceedings.
- Ensure compliance with legislative, industrial and Council policy requirements and standards in the areas of Equal Employment Opportunity, Work, Health and Safety, and Rehabilitation, and Record Management.
- Comply with and keep up to date with relevant legislation applicable to the performance of the duties of this position.

6. WORK, HEALTH & SAFETY RESPONSIBILITIES

Workers have an active role to play in the Safety Management System (SMS). Workers have the following responsibility, authority and accountability:

- Working safely so as not to put yourself or others at risk
- Stopping work in circumstances that are deemed an immediate risk to health and safety until a satisfactory solution is agreed/implemented
- Cooperating and complying with safe work method statements, policies and procedures and participating in their development
- Reporting all accident, incidents and hazards to your supervisor immediately and participating in accident/incident investigation and risk management activities
- Attending WHS training
- Complying with the requirements of the City's Return to Work program

A full list of WHS responsibilities and accountabilities are available within the City's SMS document; Responsibility, Authority and Accountability (RAA) Matrix.

7. AUTHORITY TO ACT

Solicitors are required to provide the highest possible level of legal advice necessary to meet the needs and protect the interests of Council, its Committees, Councillors and administration. The position holder will be required to make accurate and informed decisions concerning the use of internal and external resources. Solicitors will report to the Principal Lawyer but also work under the day to day supervision of Senior Solicitors.

While Solicitors will have recourse to legislation, case precedent etc, considerable judgement will need to be brought to the position to:

- assess the impact of complex legal problems on Council's policies, operations and financial position; and
- appraise the relative positions of parties to legal proceedings and prioritise legal work.

Solicitors will also be required to evaluate, under the supervision of more senior staff, complex situations and determine strategies to effectively manage risk and will be required to initiate and develop proposals for changes to the law.

Subject to the supervision of a Principal Lawyer and/or Senior Solicitor, the Solicitor has the authority to take any reasonable steps to ensure that the smooth flow of operations is maintained providing the actions are consistent with the responsibilities of the position and subject to any limitations, corporate policies, procedures or safe work method statements.

All personnel have the power to stop work in circumstances that are deemed an immediate risk to health and safety until a satisfactory resolution is agreed / implemented. Such circumstances may include life threatening situations or those that could result in loss of limb or other significant lost time injury.

8. SELECTION CRITERIA

Essential Criteria

- Admission or eligibility for admission to the Supreme Court of New South Wales.
- Post-admission experience in planning law. Experience in local government, compliance and enforcement and other relevant areas of law (for example, privacy and access to information) is desirable.
- Proven ability to provide clear, expert and strategic legal advice on matters and conduct legal proceedings in the Land and Environment Court and Local Court.
- An appreciation of the political and social context in which Council operates.
- Demonstrated ability to work independently and to contribute to an effective team culture.
- Highly developed written and verbal communication skills.
- Ability to negotiate and mediate sensitive and complex issues and cases.
- Demonstrated commitment to Equal Employment Opportunity, Work, Health and Safety, and Rehabilitation, and Records Management.

RECEIPT OF POSITION DESCRIPTION

I acknowledge that I have received a copy of my position description.

Please return the signed copy to Workforce and Information Services, Level 5, Town Hall House and retain a copy for your records.

Once returned this signed position description shall be placed on your personnel file.

.....
Position Holder (please print)

.....
Signature

.....
Date

WORKFORCE AND INFORMATION SERVICES USE ONLY

Date Received:

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Band:

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