

C7 Instrument of Delegation – by CEO to Community Asset  
Committee

**Yarriambiack Shire Council**  
**Instrument of Delegation**  
**by the Chief Executive Officer**  
**to the Hopetoun Recreation Reserve Community Asset**  
**Committee**

In exercise of the power conferred by s 47(1)(b) of the *Local Government Act 2020* (**Act**), I, as Chief Executive Officer of Yarriambiack Shire Council, by this Instrument of Sub-Delegation –

1. delegate to each person who is from time to time appointed as a member of the Community Asset Committee, established by resolution of Council passed on **27** November, 2024 and known as "Hopetoun Recreation Reserve Community Asset Committee" each power and/or function and/or duty set out in the Schedule;
2. declare that a delegate can only exercise the delegations contained in this Instrument of Sub-Delegation while acting as a member of the Community Asset Committee at a meeting of the Community Asset Committee;
3. declare that this Instrument of Sub-Delegation –
  - 3.1 comes into force immediately upon its execution;
  - 3.2 remains into force until varied or revoked; and
  - 3.3 is subject to the conditions and limitations set out in paragraph 4 and 5, and in the Schedule;
4. declare that the delegate must comply with specified governance requirements to ensure appropriate standards of probity are met and monitor and report on the activities and performance of the Community Asset Committee;
5. declare that the delegate must not determine the issue, take action or do the act or thing if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation, whether on account of s 47 of the Act or otherwise.

**This Instrument of Sub-Delegation** is dated **27 November, 2024** and is made by the Chief Executive Officer.

**Signed** by the Chief Executive Officer of )  
Council in the presence of: )

\_\_\_\_\_  
Witness Signature

\_\_\_\_\_  
Witness Name

## SCHEDULE

### 1. Powers and functions

To manage the following community asset:

**Hopetoun Recreation Reserve located at 29 Strachan Street, Hopetoun Victoria 3396.**

And for that purpose:

to manage the facility in accordance with this instrument of delegation, the Committee's Charter and the Facility Management Plan

- a) to enter into contracts, and to incur expenditure, not exceeding the value of \$14,999 as per Section 14 of the Facility Management Plan
- b) to do all things necessary or convenient to be done for or in connection with the performance of those functions, duties and powers.

### 2. Requirements

The members of the Community Asset Committee must, when exercising the powers, functions and duties delegated to them:

- a) comply with the following governance requirements:
  - Manage the asset in accordance with this Instrument of Delegation and the Committee's Charter (refer to appendix),
  - Oversee the proper and efficient operation of the facility within the framework/constraints of the resources and budget provided by Council,
  - Provide direct management of the asset, including liaison with individual users and user groups, minor maintenance, reporting risk issues to Council and collection of income,
  - Liaise with the local community and assist Council to plan for future local needs,
  - Report all occupational health and safety issues to the Council representative immediately and engage only contractors approved by the Council to conduct maintenance and repairs.
- b) monitor and report on its activities and performance at least in accordance with the Committee's Charter and Facility Management Plan

### 3. Exceptions, conditions and limitations

The Community Asset Committee is not authorised by this Instrument to:

- a) enter into contracts, or incur expenditure, for an amount which exceeds the approved budget.