

***C4. Instrument of Delegation (Special Committees)***

**Ballarat City Council**  
**Instrument of Delegation**  
**to the**  
**Contracts Approval Special Committee**

**Instrument of Delegation**

Ballarat City Council (**Council**) delegates to the Special Committee established by resolution of Council passed on 14 October 2009 (R339/09) and known as the *Contracts Approval Special Committee (the Committee)*, the powers and functions set out in the Schedule, and declares that:

1. ~~this Instrument of Delegation is authorised by a resolution (R309/18) of Council passed on 24 October 2018;~~
2. the delegation:
  - 2.1 comes into force immediately the Common Seal of Council is affixed to this Instrument of Delegation;
  - 2.2 remains in force until Council resolves to vary or revoke it; and
  - 2.3 is to be exercised in accordance with the guidelines or policies which Council from time to time adopts; and
3. all members of the Committee will have voting rights on the Committee.
  - 3.1 Council Officers who attend the meetings of the Committee are to provide advice and support the Committee and are not classed as Committee members.

Dated: 24 October 2018

The **Common Seal** of **Ballarat City Council** was affixed by authority of the Council in the presence of:

)  
)  
)



..... *J. Ho Rinaldi* .....

..... *Paul M...* .....

..... *[Signature]* .....

MAYOR/COUNCILLOR

COUNCILLOR

CHIEF EXECUTIVE OFFICER

## SCHEDULE

### **Powers and functions**

To exercise Council's functions and powers to perform Council's duties in relation to streamlining Council's contract procurement process and improve Council's ability to deliver its capital works program and for these purposes:

1. to function in accordance with the Council endorsed Terms of Reference;
2. the power to consider and/or approve contracts between the values of \$250,000 and \$1,000,000 that form part of the Council budget;
3. the power to refer any contract submitted to the Committee to the full Council for decision.

### **Exceptions, conditions and limitations**

The Committee is not authorised by this Instrument to:

1. consider and/or approve contracts greater than the value of \$1,000,000;
2. consider and/or approve contracts which are not within the Council approved budget for the relevant year;
3. consider and/or approve contracts for which full evaluation reports have not been prepared in accordance with Council's Procurement Policy, including the consideration of local content;
4. consider and/or approve contracts which have not been authorised by the relevant Director and the Chief Executive Officer of Council; and
5. exercise the powers which, by force section 86 of the *Local Government Act 1989* cannot be delegated.