



***C4 Instrument of Delegation (Delegated Committees)***

**Ballarat City Council**

**Instrument of Delegation**

**Contracts Approval Delegated Committee**



### Instrument of Delegation

Ballarat City Council (**Council**) delegates to each person who is from time to time appointed as a member of the Delegated Committee established by resolution of Council passed on 22 July 2020 and known as the *Contracts Approval Delegated 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 (R180/20) of Council passed on 22 July 2020;
- 2. a delegate can only exercise the delegations contained in this Instrument of Delegation while acting as a member of the Committee at a meeting of the Committee;
- 3. the delegation:
  - 3.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
  - 3.2 remains in force until Council resolves to vary or revoke it; and
  - 3.3 is to be exercised in accordance with the guidelines or policies which Council from time to time adopts; and
- 4. all members of the Delegated Committee will have voting rights on the Delegated Committee.
  - 4. i. Council Officers who attend the meetings of the Committee are to provide advice and support the Committee and are not classed a Committee member.

Date: 31 July 2020

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

*Ben Taylor*

Mayor/Councillor  
Cr Ben Taylor

*Janet Dore*

Chief Executive Officer  
Janet Dore



## SCHEDULE

### **Powers and functions**

To exercise Council's functions and powers to perform Council's duties in relation to the management of streamlining Council's contracts 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 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;
4. to do all things necessary or convenient to be done for or in connection with the performance of those functions, duties and powers.

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

The members of the Delegated Committee are 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, under section 11(2) of the *Local Government Act 2020*, cannot be delegated.