



C4 Instrument of Delegation (Delegated Committees)

Ballarat City Council

Instrument of Delegation

Contracts Approval Delegated Committee



Instrument of Delegation

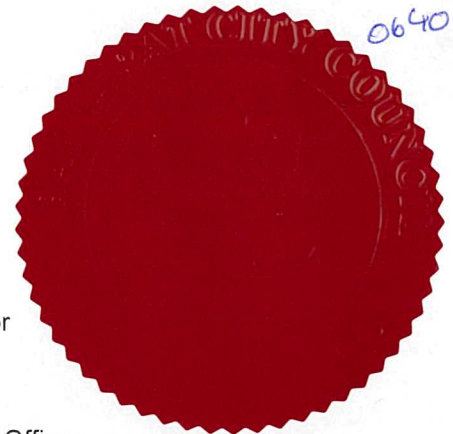
Ballarat City Council (**Council**) delegates to each person who is from time to time appointed as a member of the Delegated Committee established by resolution of Council passed on 24 November 2021 and known as the *Contracts Approval Delegated Committee (the Committee)*, the powers and functions set out in the Schedule, and declares that:

- 1. this Instrument of Delegation is authorised by a resolution (R265/21) of Council passed on 24 November 2021
- 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.
 - 4.1. 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: 1 December 2021

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

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)
)



.....
[Signature]

Mayor/Councillor

.....
Evan King

Chief Executive Officer



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 \$500,001 and \$2,000,000 (inclusive of GST) 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 \$2,000,000 (inclusive of GST);
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.

