

# C7 Instrument of Delegation by the Chief Executive Officer to Community Asset Committee




## Moira Shire Council Instrument of Delegation by the Chief Executive Officer to the Wilby Park 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 Moira 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 **26 August 2020** and known as "Wilby Park Recreation Reserve Community Asset Committee" (**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 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 **28 August 2020** and is made by the Chief Executive Officer.

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

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)

..... Bobby Brook .....  
Witness



## **C7 Instrument of Delegation by the Chief Executive Officer to Community Asset Committee**



### **SCHEDULE**

#### **Powers and functions**

To manage the following community asset:

#### **Wilby Park Recreation Reserve**

And for that purpose:

To exercise Council's functions and powers and to perform Council's duties in relation to the management of the reserve and all buildings and facilities comprising the Wilby Racecourse and Recreation Reserve facility situated on Tungamah-Peechelba Road Wilby.

1. to enter into contracts, and to incur expenditure, in compliance with the Moira Shire Council Procurement Policy and in accordance with the Community Asset Committee Operations Manual.
2. to do all things necessary or convenient to be done for or in connection with the performance of those functions, duties and powers.

#### **Requirements**

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

3. comply with the governance requirements, monitor and report on its activities and performance at least in accordance with the Community Asset Committee Operations Manual.

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

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

4. enter into contracts, or incur expenditure, not in compliance with the Moira Shire Council Procurement Policy and in accordance with the Community Asset Committee Operations Manual.