

**C7 Instrument of Delegation  
by CEO to Community Asset Committee**

**Yarriambiack Shire Council**

**Instrument of Delegation**

**by the Chief Executive Officer**

**to the Hopetoun Swimming Pool 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 **22 November 2023** and known as **‘Hopetoun Swimming Pool Community Asset Committee’ (Community Asset Committee)**, each power and/or function and/or duty set out in the Committee’s Charter.
2. declare that a delegate can only exercise the delegations contained in this Instrument of Delegation while acting as a member of the Hopetoun Swimming Pool Community Asset Committee at a meeting of the Community Asset Committee.
3. declare that this Instrument of 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 Committee’s Charter.
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 Delegation** is dated **22 November 2023** and is made by the Chief Executive Officer.

**Signed** by Tammy Smith, Chief Executive Officer of Council in the presence of:



Witness



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## SCHEDULE

### Powers and functions

To manage the following community asset: **Hopetoun Swimming Pool and Land, located at 70 Evelyn Street, Hopetoun Victoria 3396**

And for that purpose:

### Requirements

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

1. comply with the following governance and reporting requirements:
  - 1.1 manage the asset in accordance with this Instrument of Delegation and the Committee's Charter (refer to appendix)
  - 1.2 oversee the proper and efficient operation of the facility within the framework/constraints of the resources and budget provided by Council.
  - 1.3 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.
  - 1.4 liaise with the local community and assist Council to plan for future local needs.
  - 1.5 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.

### Exceptions, conditions, and limitations

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

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

Appendix

COMMITTEE'S CHARTER

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