



## Hindmarsh Shire Council

### Instrument of Delegation

#### by the Chief Executive Officer

#### to the Rainbow 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 Hindmarsh 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 **19 August 2020** and known as "Rainbow 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 paragraph 4 and 5, and 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: )

  
.....

Witness



## **SCHEDULE**

### **Powers and functions**

To manage the following community asset: **Rainbow Recreation Reserve**.

And for that purpose:

1. to arrange for the cleaning and routine maintenance of the facility, so that it is in a safe and satisfactory condition;
2. to ensure all permanent and casual users of the facility have public liability insurance to cover their activities where alcohol is served or where more than 50 persons will be using the facility;
3. to fundraise for capital improvements of the facility;
4. to implement a system for public booking of the facility, so that it is available on fair and reasonable terms encouraging maximum public access and use;
5. to ensure the security of the facility and its contents
6. to implement a fair and reasonable system of user/hire charges and bonds, and procedures for the sharing of joint costs, such as electricity, between users;
7. to submit to Council in December of each year requests for improvements/major repairs for consideration in the Council's budget
8. to enter into contracts, and to incur expenditure, not exceeding the value of \$1,000.00 and for the specific purpose of improving or maintaining the Rainbow Recreation Reserve;
9. 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:

10. comply with the following governance requirements:
  - 10.1 the Community Asset Committee will keep full and accurate minutes and financial records;
  - 10.2 the Community Asset Committee will abide by the conflict of interest requirements of Councillors outlined in the Governance Rules;
  - 10.3 decisions are to be made by the committee;
11. monitor and report on its activities and performance at least in accordance with the following:
  - 11.1 to submit a report of activities to the CEO annually including minutes of meetings and financial reports;
12. comply with all legislation, regulations and local laws applicable to the operations of the Committee.

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

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

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