



Instrument of Delegation



Knox City Council

Instrument of Delegation

to

The Chief Executive Officer



Instrument of Delegation

In exercise of the power conferred by section 11(1) of the *Local Government Act 2020* (**the Act**) and all other powers enabling it, the Knox City Council (**Council**) delegates to the member of Council staff holding, acting in or performing the position of Chief Executive Officer, the powers, duties and functions set out in the Schedule to this Instrument of Delegation,

AND declares that

1. this Instrument of Delegation is authorised by a Resolution of Council passed on 26 July 2021.
2. the delegation
 - 2.1 comes into force immediately upon being signed by the Council's Acting Chief Executive Officer and the Mayor;
 - 2.2 is subject to any conditions and limitations set out in the Schedule;
 - 2.3 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
 - 2.4 remains in force until Council resolves to vary or revoke it.

DocuSigned by:



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Cr Lisa Cooper - Mayor

27/7/2021 | 13:03:06 AEST

DocuSigned by:



902B001BEE55417

Ian Bell – Acting Chief Executive Officer

27/7/2021 | 14:48:05 AEST

Date:



SCHEDULE

1. The power to
 - 1.1 determine any issue;
 - 1.2 take any action; or
 - 1.3 do any act or thingarising out of or connected with any duty imposed, or function or power conferred on Council by or under any Act.

CONDITIONS AND LIMITATIONS

The delegate must not determine the issue, take the action or do the act or thing:

1. if the issue, action, act or thing is an issue, action, act or thing which involves:
 - 1.1 Expenditure that is:
 - 1.1.1 a contract with a value exceeding \$1,000,000 (including GST) that is not a multi-year contract; or
 - 1.1.2 a multi-year contract with a value exceeding \$500,000 (including GST) per annum for each year of the contract, up to 5 consecutive years; or
 - 1.1.3 other expenditure exceeding \$1,000,000 (including GST).
 - 1.2 appointing an Acting Chief Executive Officer for a period exceeding 28 days;
 - 1.3 electing of a Mayor or Deputy Mayor;
 - 1.4 granting a reasonable request for leave under section 35 of the Act;
 - 1.5 making any decision in relation to employment, dismissal or removal of the Chief Executive Officer;
 - 1.6 making, amending or revoking a Local Law;
 - 1.7 approving or amending the Council Plan;
 - 1.8 adopting or amending any Policy that Council is required to adopt under the Act;
 - 1.9 adopting or amending the Governance Rules;
 - 1.10 appointing the chair or the members to a delegated committee;
 - 1.11 approving the Budget or Revised Budget;
 - 1.12 approving the borrowing of money;
 - 1.13 subject to s181H(1)(b) of the Local Government Act 1989, declaring general rates, municipal charges, service rates and charges and specified rates and charges;
 - 1.14 appointing Councillor or community delegates or representatives to external organisations;
 - 1.15 the entering into of any contract for the sale, purchase or exchange of land, with or without consideration;



- 1.16 the disposal of any land for any unpaid rates or charges;
 - 1.17 the exercise of the powers in relation to beneficial enterprises under Section 110(1) and 110(2) of the Local Government Act 2020;
 - 1.18 the establishment of any regional Corporation of which Council is intending to become a member;
 - 1.19 the waiving of a single debt above the value of \$10,000;
 - 1.20 the imposition, reduction, alteration or waiver of any fee or charge, including interest which the Council may lawfully impose, above the value of \$5,000; or
2. If the issue, action, act or thing is an issue, action, act or thing which is required by law to be done by Council resolution at a Council Meeting;
3. If any issue, action, act or thing is an issue, action, act or thing which Council has previously designated as an issue, action, act or thing which must be subject to the Resolution of Council at a Council Meeting, Special Committee Meeting or a delegated Committee Meeting;
4. If the determining of the issue, the taking of the action or doing of the act or thing, would or would be likely to involve a decision which is inconsistent with a
 - 4.1 policy; or
 - 4.2 strategyadopted by Council;
5. 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 11(2)(a)-(n) (inclusive) of the Act or otherwise; or
6. the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff.