Ararat Rural City

S5 INSTRUMENT OF DELEGATION TO CHIEF EXECUTIVE OFFICER

26 AUGUST 2025

Instrument of Delegation

In exercise of the power conferred by s 11(1) of the *Local Government Act 2020* (**the Act**) and all other powers enabling it, the Ararat Rural 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 August 2025

1.   the delegation

1.1   comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;

1.2   is subject to any conditions and limitations set out in the Schedule;

1.3   must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and

1.4   remains in force until Council resolves to vary or revoke it.

The COMMON SEAL of the
ARARAT RURAL CITY COUNCIL
Was affixed hereto in accordance with
The resolution of Council made on the
26 August 2025

Mayor _____

Chief Executive Officer _____

SCHEDULE

	Local Government Act 2020		
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
11(1)	SCHEDULE The power to 1. determine any issue; 2. take any action; or 3. do any act or thing arising out of or connected with any duty imposed, or function or power conferred on Council by or under any Act.	CEO	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 entering into a contract exceeding the value of $225,000 for good/services and $300,000 for works; (unless it is expenditure for contracts of insurance) 1.2 making any expenditure that exceeds $225,000 for good/services and $300,000 for works. 1.3 for insurance premiums, payment of salaries, wages allowances and associated amount to staff, expenses which Council is required to make by legislation, in which case it must not exceed $1,500,000. 1.4 appointing an Acting Chief Executive Officer for a period exceeding 28 days; 1.5 electing a Mayor or Deputy Mayor; 1.6 granting a reasonable request for leave under s 35 of the Act; 1.7 making any decision in relation to the employment, dismissal or removal of the Chief Executive Officer; 1.8 approving or amending the Council Plan; 1.9 adopting or amending any policy that Council is required to adopt under the Act; 1.10 adopting or amending the Governance Rules;

Local Government Act 2020			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
			1.11 appointing the chair or the members to a delegated committee;
			1.12 making, amending or revoking a local law;
			1.13 approving the Budget or Revised Budget;
			1.14 approving the borrowing of money;
			1.15 subject to section 181H(1)(b) of the Local Government Act 1989, declaring general rates, municipal charges, service rates and charges and specified rates and charges;
			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;
			3. if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council;
			4. if the determining of the issue, 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 strategy
			adopted 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

Local Government Act 2020			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
			is already the subject of an exclusive delegation to another member of Council staff.