

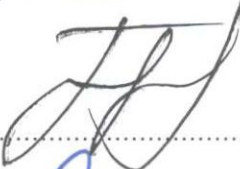
C4 Instrument of Delegation (Delegated Committees)

Moyne Shire Council Instrument of Delegation Port of Port Fairy Delegated Committee

Moyne Shire Council (**Council**) delegates to each person who is from time to time appointed as a member of the Delegated Committee established by resolution of Council passed on 25 August 2020 and known as the "Port of Port Fairy Delegated Committee" (**the Committee**), the powers and functions set out in the Schedule, and declares that:

1. this Instrument of Delegation is authorised by a resolution of Council passed on 25 August 2020;
2. a delegate can only exercise the delegations contained in this Instrument of Delegation while acting as a member of the Committee at a meeting of the Committee;
3. the delegation:
 - 3.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
 - 3.2 remains in force until Council resolves to vary or revoke it; and
 - 3.3 is to be exercised in accordance with the guidelines or policies which Council from time to time adopts; and
4. all members of the Delegated Committee will have voting rights on the Delegated Committee.

The Common Seal of the Moyne Shire Council
was hereto affixed this 25th day of
August 2020 in the presence of


..... Councillor


..... Chief Executive Officer



SCHEDULE

Powers and functions

To exercise Council's functions and powers to perform Council's duties in relation to the management of the Port of Port Fairy, and for those purposes:

1. to incur expenditure in relation to the Port;
2. to charge priorities and timing of items in the Business Plan in line with current circumstances and needs, providing the total budget is unchanged;
3. to make policy and management decisions consistent with its purpose;
4. to encourage public interest in and support for the use, development and management of the facilities;
5. to make rules for regulating the use of and the changes applicable for such use and the conduct to be observed in the various components of the Port;
6. to carry out any research, investigation, survey or inquiry relative to the existing or proposed facilities within the Port;
7. to review the existing facilities within the Port and keep them under review including the fees and charges;
8. to resolve conflicts where these may occur between any parties using the Port;
9. to publicise and promote interest in the Port;
10. to monitor the approved budget and be responsible for its implementation;
11. to do all the things necessary or convenient to be done for or in connection with the performance of those functions, duties and powers.

Exceptions, conditions and limitations

The Committee is not authorised by this Instrument to:

1. enter into contracts, and to incur expenditure for an amount which exceeds the approved budget;
2. exercise the powers which, by force section 11(2) of the Local Government Act 2020, cannot be delegated.