



**GREATER SHEPPARTON CITY COUNCIL  
INSTRUMENT OF DELEGATION  
AUSTRALIAN BOTANIC GARDENS SHEPPARTON SPECIAL COMMITTEE**

Greater Shepparton City Council (Council) delegates to the special committee established by resolution of Council passed on 16 April 2013 and known as the Australian Botanic Gardens Special 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 16 April 2013;
2. the delegation:
  - 2.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
  - 2.2 remains in force until the Council resolves to vary or revoke it;
  - 2.3 is to be exercised in accordance with the guidelines or policies which Council from time to time adopts; and
3. all members of the Committee will have voting rights.

The COMMON SEAL of the GREATER )  
 SHEPPARTON CITY COUNCIL was )  
 affixed on the .....day of )  
 .....2013 in the presence of the )  
 Chief Executive Officer being a delegated )  
 officer pursuant to Local Law No. 2 of the )  
 Council . )

.....  
 CHIEF EXECUTIVE OFFICER  
 Gavin Robert Cator

## **SCHEDULE TO INSTRUMENT OF DELEGATION**

### **FUNCTIONS**

The function of the Australian Botanic Gardens Shepparton Special Committee is to manage the former Kialla Landfill Site ("Facilities") and to work closely with Council with the objectives of:

- a) preparing a development and management plan for the site which will include landscaped dry climate garden areas, wetlands and a bushland regeneration area;
- b) maximising the sustainable use of the Facilities;
- c) minimising the Council's public liability risk exposure;
- d) encouraging public interest and maximising involvement and participation of the community in the development and use of the Facilities;
- e) establishing and implementing policies for the successful management of the Facilities which are consistent with the directions and instructions of the Council;

### **POWERS**

The Australian Botanic Gardens Shepparton Special Committee has the power to:

- a) determine fees and charges for the use of the Facilities, subject to the Council's adoption of the budget.
- b) enter into agreements on behalf of the Council with casual hirers of the Facilities in accordance with any conditions of hire approved by the Council from time to time;
- c) retain on behalf of the Council all monies received from hire fees and charges associated with the management of the Facilities, and to apply such monies firstly to the maintenance and operation of the Facilities and any other expenses which may be incurred by the Australian Botanic Gardens Shepparton Special Committee in its management of the Facilities;
- d) carry out capital works in accordance with any plan of development approved in advance by the Council;
- e) enter into any contracts on behalf of the Council for amounts not exceeding \$2,000 and included in the adopted budget;
- f) any contracts in excess of \$2,000 and not included in the adopted budget cannot be implemented until approved by the Council;
- g) deposit any surplus funds from time to time in an account, entitled with the joint names of the Council and the Australian Botanic Gardens Shepparton Special Committee, in the bank generally used by the Council.