

INSTRUMENT OF SUB-DELEGATION

Chief Executive Officer to Members of Staff



Campaspe
Shire Council

Approved by CEO: 26 September 2023

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Instrument of Sub-Delegation

By this Instrument of Sub-Delegation, in exercise of the power conferred by s 47(1) of the Local Government Act 2020, I Pauline Gordon, as Chief Executive Officer of Campaspe Shire Council –

1. delegate each duty and/or function and/or power respectively described in the “Provision” column (and summarised in the “Power and Functions Delegated” column) of the Schedule, to the member of Council staff holding, acting in or performing the duties of the office or position respectively described in the “Delegate” column of the Schedule;
2. record that references in the “Delegate” column of the Schedule are as follows: -

Position	Abbreviation
Application Support Officer	ASO
Duty Supervisors	ADS
Aquatic Facilities Coordinator	AFC
Aquatic Operations Team Leader	AOTL
Arboriculture Officer	AO
Building Assets Officer	BAO
Building Inspector	BI
Building Maintenance Coordinator	BMO
Building Surveyor	BS
Business Development Team Leader???	BDTL
Business Integration Manager	BIM
Capital Works Coordinator	CWC
Centre Based Care Coordinator	CBCCC
Chief Executive Officer	CEO
CEO - Executive Officer	EO - CEO
Child Care Centre Cook	CBC
Children's Services Coordinator - Care	CSCQ
Children's Services Coordinator – Health	CSCS
Commercial Business Coordinator	COPM
Communications Officer	CO
Communities - Executive Assistant	EA - COM
Community Programs Coordinator	CPC
Community Programs Officer	CPO
Contracts and Procurement Manager	CPM
Community Safety and Recovery - EA	EA - CSR
Corporate - Executive Assistant	EA - COR
Customer Service Coordinator	CSC
Customer Service Team Leader	CSTL
Development Engineer	DE
Director Communities	DCOM

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Director Corporate	DCOR
Director Community Safety and Recovery	DEM
Director Infrastructure	DINF
Director Sustainability	DS
Early Childhood Educator Room Leader	ECERL-C
Economic Development Manager	EDM
Emergency Management Assistant	EMA
Emergency Management Coordinator	EMPC
Engineering Design Coordinator	EDC
Environmental Health Coordinator	EHC
Environmental Health Officer	EHO
Environmental Projects Officer – Conservation	EPOC
Financial Accountant	FACC
Flood Recovery Administration	FRA
Flood Recovery Officer	FRO
Flood Recovery Team Leader	FRTL
Fitness & Lifestyle Leader	FLL
Governance Coordinator	GC
Governance Officer Grants	GOG
People and Culture Coordinator	HRC
People and Culture Officer	HRO
Information Management Coordinator	IMC1
Information Technology Coordinator	ITC
Information Technology Officer	ITO
Infrastructure Development Coordinator	IDC
Infrastructure Executive Assistant	EA - INF
Learn to Swim Team Leader	LSTL
Library Services Manager	LSM
Local Laws Assistant	LLA
Local Laws Coordinator	LLC
Local Laws Community Ranger	LLO1
Local Laws Parking Officer	LLPO
Management Accountant	MACC
Manager Economy and Business	MEB
Manager Strategic Assets	MA
Manager Communications	MC
Manager Community Partnerships	MCD
Manager Community Services	MCH
Manager Community Safety and Compliance	MEM
Manager Engineering	ME
Manager Finance	MF
Manager Integrated Planning	MIP
Manager Governance and Risk	MGS

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Manager People and Culture	MHR
Manager Information Communication Technology	MIT
Manager Operations	MO
Manager Planning & Building	MPB
Manager Properties and Facilities	MPB
Manager Major Projects	MPF
Manager Active Communities	MR
Manager Waste and Environment	MWE
Maternal Child Health Nurse	MCHN
Municipal Building Surveyor	MBS
Not Delegated	ND
OHS Adviser	OHSA
Operations Manager - Animal Shelter	OMAS
Parks & Gardens Coordinator	PGC
Parks & Gardens Operations Team Leader	PGOTL
Parks & Gardens Team Leader	PGTL
Planner	PL
Planning and Building Assistant	PBA1
Planning Team Leader	PTL
Plant and Fleet Officer	PFO
Procurement Coordinator	PC
Project Management Coordinator	PMC
Property Manager	PM
Property Officer	PO
Quarry Operations Manager	QOM
Rates and Revenue Team Leader	RRTL
Recreation Coordinator	RC
Recreation Officer	RO
Child Care Centre Coordinator	RCCC
Recovery and Resilience Coordinator	RRC
Saleyards Manager	SM
Senior Planner	SP
Road Services Engineer	SRSE
Workshop Team Leader	SWTL
Strategic Assets Coordinator	SAC
Strategic Planning Team Leader	SPTL
Supported Playgroup Facilitator	SPF
Sustainability - Executive Assistant	EA – SUS
Volunteer and Training Coordinator	VTC
Waste and Environment Coordinator	WSC
Works Business Administrator	WBA
Works Manager	WM
Works Supervisor	WS
Works Team Leaders	WTL

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Position Group	Group Abbreviation	Position Abbreviations
Executive Leadership Team	ALL EMG	DCOR, DINF, DCOM, DS, DEM
Managers	ALL MAN	MC, ME, MF, MHR, MIT, MPB, MPF, MR, MO, MA, MCD, MCH, MGS, MEM, MEB, MIP, MWE
Supervisors	ALL SUP	AFC, LSTL, BM, CBCCR, COPM, CSCQ, CSC, EO, EDC, EHC, GC, IDC, LLC, LSM, MBS, PGTL, PM, QOM, RRTL, SAC, SM, WSC, SMEC, PTL, BIM, IMC1, ITC, CSTL, CPM, CSCS, BS, AOTL, CBCCC, FLL, BDTL, RC, WTL, PGC, WSM, PGOTL, WBA, WS, CWC, PMC, SRSE, CPC, EDM, AO, EOM, ATL2, ATL3, ACSC, ADS, IMC2, OMAS, PATL, RO, WM, FRTL, RRC, EMC

3. record that on the coming into force of this Instrument of Sub-Delegation each delegation under the Instrument of Sub-Delegation dated 03 June 2023 executed by the Chief Executive Officer are revoked;
4. declare that this Instrument of Sub-Delegation -
 - 4.1 comes into force immediately upon its execution;
 - 4.2 remains in force until varied or revoked;
 - 4.3 is subject to any conditions and limitations set out in paragraph 5, and in the "Conditions & Limitations" column of the Schedule;
 - 4.4 must be read in accordance with any guidelines or policies which Council from time to time adopts; and
5. declare that the delegate must not determine the issue, take the action or do the act or thing if:
 - 5.1 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; or
 - 5.2 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
 - (a) policy; or
 - (b) strategy
 adopted by Council; or
 - 5.3 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 ss 11(2)(a) – (n) and 47(2) (inclusive) of the Act or otherwise.

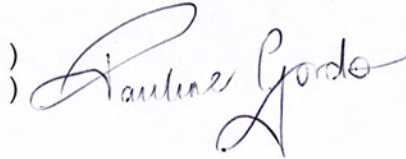
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This Instrument of Sub-Delegation is dated 03 July 2023 is made by the Chief Executive Officer under authority of an instrument of delegation authorised by Resolution of Council made on 21 September 2022.

Signed by the Chief Executive Officer of Council in the presence of:

MATTHEW MCFHERSON



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Witness

Date: 26th September 2023

Schedule

Delegation Sources

- Aboriginal Heritage Act 2006
- Associations Incorporation Reform Act 2012
- Audit Act 1994
- Building Act 1993
- Catchment and Land Protection Act 1994
- Child Wellbeing and Safety Act 2005
- Children Youth and Families Act 2005
- Circular Economy (Waste Reduction and Recycling) Act 2021
- Conservation, Forests and Land Act 1987
- Country Fire Authority Act 1958
- Disability Act 2006
- Domestic Animals Act 1994
- Education and Care Services National Law Act 2010
- Education and Training Reform Act 2006
- Electoral Act 2002
- Emergency Management Act 2013
- Environment Protection Act 2017
- Environment Protection Regulations 2021
- Family Violence Protection Act 2008
- Fences Act 1968
- Filming Approval Act 2014
- Fines Reform Act 2014
- Fire Rescue Victoria Act 1958
- Fire Services Property Levy Act 2012
- Flora and Fauna Guarantee Act 1988
- Food Act 1984
- Freedom of Information Act 1982
- Gambling Regulation Act 2003
- Gender Equality Act 2020
- Graffiti Prevention Act 2007
- Great Ocean Road and Environs Protection Act 2020
- Health Records Act 2001
- Heavy Vehicle National Law 2012
- Heavy Vehicle National Law Application Act 2013
- Heritage Act 2017
- Housing Act 1983
- Impounding of Livestock Act 1994
- Infringements Act 2006
- Land Act 1958

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- Land Acquisition and Compensation Act 1986
- Liquor Control Reform Act 1998
- Local Government Act 2020
- Local Government Act 1989
- Magistrates' Court Act 1989
- Major Transport Projects Facilitation Act 2009
- Pipelines Act 2005
- Privacy and Data Protection Act 2014
- Public Interest Disclosures Act 2012
- Public Health and Wellbeing Act 2008
- Residential Tenancies Act 1997
- Road Management Act 2004
- Road Safety Act 1986
- Service Victoria Act 2018
- Sex Work Act 1994
- Subdivision Act 1988
- Summary Offences Act 1966
- Transfer of Land Act 1958
- Valuation of Land Act 1960
- Water Act 1989
- Building Regulations 2018
- Dangerous Goods (Explosives) Regulations 2022
- Drugs, Poisons and Controlled Substances Regulations 2017
- Electricity Safety (Electric Line Clearance) Regulations 2020
- Local Government (Long Service Leave) Regulations 2021
- Occupational Health and Safety Regulations 2017
- Public Health and Wellbeing Regulations 2019
- Public Health and Wellbeing (Prescribed Accommodation) Regulations 2020
- Road Safety Road Rules 2017
- Road Safety (General) Regulations 2019
- Road Safety (Traffic Management) Regulations 2019
- Road Safety (Vehicles) Regulations 2021
- Subdivision (Fees) Regulations 2016
- Subdivision (Procedures) Regulations 2021
- Miscellaneous and Administrative Powers

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Aboriginal Heritage Act 2006			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Parts 4, 6 and 8	Powers, functions and duties of a sponsor of a cultural heritage management plan under Parts 4, 6 and 8 of the Aboriginal Heritage Act 2006.	ND	
s 74A(1)	Power to enter into an Aboriginal cultural heritage land management agreement with a registered Aboriginal party	ND	
s 74E(1)	Duty to give copy of Aboriginal cultural heritage land management agreement to Secretary of the Department of Premier and Cabinet	ND	

Associations Incorporation Reform Act 2012			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 132	Power to nominate a body to which assets should be returned	ND	Where a wound up incorporated association has assets consisting of property supplied by Council (which includes the unexpended portion of a grant)

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Audit Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 13(1)	Duty to pay, to the Consolidated Fund, an amount determined by the Auditor-General to defray the reasonable costs and expenses incurred by or on behalf of the Auditor-General in conducting an audit of the financial statements of the public body and expressing an audit opinion on Council under s 11	MF	
s 13(4)	Power to dispute the reasonableness of an amount to be paid	MF	
s 17(1)	Function of being consulted by the Auditor-General	MF	
s 18(1)	Function of receiving a final specification of a performance audit	MF	
s 18(4)(a)	Function of receiving an amended specification	MF	
s 18(4)(b)	Function of being consulted by the Auditor-General	MF	
s 23(1)	Power to enter into an agreement with the Auditor-General for the provision of other auditing services	MF	
s 44	Function of receiving a written notice and power to give consent to entry	MF	
s 45	Power to consent to earlier entry	MF	

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Audit Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46(1)	Power to request that the Auditor-General, or authorised person, produce proof of identity	MF	
s 47	Duty to provide all reasonable assistance necessary to each of the people listed in s 47(a) – (c) who attends for the purposes of the Auditor-General, or authorised person, exercising the power to enter and inspect Council's premises	MF	
s 48	Power to request that the Auditor-General or authorised person serve an information gathering notice	MF	
s 58(2)(a)(i) & (ii)	Duty to give Council's officer or employee a reasonable opportunity to respond in relation to the adverse material	MF	
s 65(2)	Duty to give Council's officer or employee a reasonable opportunity to respond in relation to the adverse material	MF	
s 68(1)	Function of receiving information acquired by the Auditor General	MF	Where Council is a specified entity

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Building Act 1993			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 3(1)	Power to appoint municipal building surveyor	ND	The person must be a registered building surveyor (unlimited) as required by s 213
s 11(2)	Duty to publish notice in a newspaper if regulation under Part 2 ceases to have effect	MBS	
s 25AD(1)	Function of receiving written notice of the occurrence of each prescribed event and the prescribed information relating to that event	MBS	
s 25BE	Function of receiving the building permit number and the information given to the Victorian Building Authority (Authority) by the relevant building surveyor under s 18AA in relation to the application for the building permit number	MBS	
s 29A	Function of giving consent to building permit for demolition in its capacity as responsible authority under the Planning and Environment Act 1987	DCOM, MBS, MPB	Note: s.29A of the Act (application for building permit for demolition) provides that if an application is made to the relevant building surveyor under the Act for a building permit for the demolition of a building on land and: (a) the demolition and all other demolitions completed or permitted in respect of the building within the period of three years immediately preceding the date of the

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Building Act 1993			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			<p>application would together amount to the demolition of more than one half of the volume of the building as it existed at the date of the first building permit to be issued within that period for the demolition of any part of the building; or</p> <p>(b) the demolition is of any part of the facade of a building, then the report and consent of the responsible authority under the Planning and Environment Act 1987 for the planning scheme relating to that land must be obtained to that application.</p>
s 29B(1)	Duty to give notice where amendment of planning scheme sought in its capacity as responsible authority under the Planning and Environment Act 1987	DCOM, MPB	Subject to consultation with Municipal Building Surveyor.
s 29B(3)	Duty to give notice where request for amendment withdrawn, refused etc. in its capacity as responsible authority under the Planning and Environment Act 1987	DCOM, MPB	
s 30	Function of receiving copy permit, plans and other documents	MBS, MPB, BI	
s 30B	Function of receiving checklist confirming all relevant documents to be provided by building surveyor	MBS, MPB, BI	

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Building Act 1993			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 31(1)	Duty to keep register of building permits	MBS, MPB, BI	
s 31(2)	Duty to make register available for inspection	MBS, MPB, BI	
s 32	Duty to keep documents	MBS, MPB, BI	
s 32A(2)	Duty to provide Development Victoria notice setting out information in s 32A(3) and a copy of any relevant planning permit within 14 days after being given a copy of building permit under s 30(1), in certain circumstances where s 32A(1) applies	MBS, MPB, BI	
s 66(b)(i)	Function of determining fees	ND	
s 73	Function of receiving copy permit, plans and other documents	MBS	
s 74(1)	Duty to keep register of occupancy permits, temporary approvals and amendments	MBS	

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Building Act 1993			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 74(2)	Duty to make register available for inspection	DEM, ED, DCOM, MBS, MPB, PBA1, BS, BI	
s 75	Duty to keep documents	MBS	
s 80	Function of receiving notification of appointment	MBS	
s 80A(3)(a)	Function of receiving written notice of designated building surveyor referred to in s 80A(2)	MBS	
s 80A(4)(a)	Function of receiving notice of the new designated building surveyor	MBS	
s 80C(4)(c)	Function of receiving a copy of the transfer form	MBS	
s 80D(6)(b)	Function of receiving notification of functions being transferred from an employee building surveyor or a designated building surveyor in accordance with a direction under s 80D(1) or (2)	MBS	

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Building Act 1993			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 81(2)	Function of receiving notification for work terminated	MBS	
s 83F	Function of receiving notice of appointment of manager for private building surveyor's business from the Authority	MBS	
s 101(2)	Function of receiving copy documents	MBS	
s 120(2)(a)	Function of receiving notification that an order is complied with	MBS	
s 123(1)	Power to determine whether to recover from the owner the costs of work carried out or action taken under Part 8 Division 3 of the Act by the municipal building surveyor as a debt due to Council pursuant to s 123(1) of the Act	MBS	
s 123(2)	Power to determine whether to apply any sum or part of any sum for which a bond or undertaking is deposited with Council under a condition imposed on a permit under s 22 of the Act towards the costs of carrying out work or taking action pursuant to s 123(2) of the Act	MBS	
s 125(1)	Function of receiving copy notice or order	MBS	

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Building Act 1993			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 125(2)	Function of receiving written notice of the compliance, amendment, or cancellation	MBS	
s 126(1)	Duty to keep register of emergency orders, building notices and building orders	MBS	
s 126(2)	Duty to make register available for inspection	MBS	
s 138(5)	Power to appeal to the Building Appeals Board	MBS	Where Council is a 'prescribed reporting authority'
s 160(3)(d)	Power to make application to the Building Appeals Board	MBS	
s 162(1)(a)(i)	Function of being consulted by the Building Appeals Board	MBS	
s 162(4)(b)	Function of entering into an agreement when directed by Building Appeals Board	MBS	Note: Division 5 of the Act refers to powers concerning disputes and other proceedings and provides for the making of agreements.
s 164(1)	Power to agree to terminate or vary agreement	MBS	

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Building Act 1993			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 164(2)	Power to terminate or vary agreement	MBS	
s 164(4)	Power to apply for approval	MBS	
s 165(1)(a)	Duty to lodge copy or give notice	MBS	
s 165(1)(b)	Duty to apply to agreement made in the Register	MBS	
s 192A(7)	Function of receiving a copy of the map prepared by the Minister	MBS	
s 192A(8)	Duty to make a copy of the most recent map available for inspection by members of the public without charge, during business hours, at Council's offices	MBS	
s 214(1)	Power to enter into agreement	ND	Note: s.214(1) provides that despite anything to the contrary in the Local Government Act 1989, a council may enter into an agreement with any other council or with the Victorian Building Authority in respect of the carrying out by the Authority or the municipal building surveyor of the second council of any of the functions under this Act or the

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Building Act 1993			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			regulations of the municipal building surveyor of the first council.
s 215(1)	Power to enter into agreements with a private building surveyor	MBS	
s 216A	Power to apply to the Minister for exemption	ND	Note: s.216A provides that a council may apply to the Minister to exempt its municipal building surveyor from any requirement to consider applications for building permits for building work other than prescribed domestic building work.
s 216C	Power to appoint a municipal building surveyor to carry out certain functions outside of the municipal district	MBS	
s 216D(2)	Duty to establish and maintain a register of swimming pools located in Council's municipal district	MBS, MPB, BI	
s 216D(5)(a)	Duty to submit, on request, all or any part of the information, record and document recorded in the register to the Authority	MBS, BI	

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Building Act 1993				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	
s 216D(5)(b)	Duty to submit, on request, all or any part of the information, record and document recorded in the register to any other prescribed person, agency or body	MBS, BI		
s 222	Function of receiving order from Minister	ND		
s 230(2)	Duty to keep a register containing the prescribed information relating to the exercise of a power of entry under Subdivision 5 by any of the authorised persons referred to in s 230(2)(a) and (b)	MBS		
s 230(7)(a)	Duty to keep the prescribed information relating to each exercise of a power of entry under Subdivision 5 for 10 years after the date of the entry	MBS		
s 230(7)(b)	Duty to make the register required under s 230(2) available for inspection by the Authority on request, and at a time agreed to between Council and the Authority	MBS		
s. 230(7)(c)	duty to provide an extract under s 230(6), if requested	MBS		
s 232	Power to receive complaints about the exercise of a power under Part 13 Division 2 by Council's municipal building surveyor, or a person authorised by Council's	DCOM, MPB		

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Building Act 1993			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	municipal building surveyor to act on behalf of the municipal building surveyor		
s 234A	Duty to consider the complaint and give a written report to the complainant of the person's consideration of the complaint	DCOM, MBS, MPB	If the complaint is brought under Part 13 Division 2 of the Act
s 236(7)	Power to consent to remove or deface an order or notice put up under s 236(4) or 236(4A)	DCOM, MBS, MPB	
s 241(1)&(4)	Power to authorise a person or persons to bring proceedings for a summary offence against Part 3, 4, 5, 7 or 8 of the Act or the building regulations within Council's municipal district pursuant to s 241(1) and 241(4)	ND	
s 242	Function of receiving funds recovered through prosecution	DCOM, MPB	
s 252(1)	Power to determine whether to apply to the Magistrates' Court for a warrant under s 252 of the Act if a person refuses to vacate a building or land when required to do so by order under the Act pursuant to s 252(1) of the Act	DCOM	

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Building Act 1993				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	
s 259AB(1)	Function of entering an information sharing arrangement with the Authority	DCOM	Subject to s 259AB(2) Where Council is a relevant agency	
s 259AB(3)	Power to request and receive information held by the Authority, and power to disclose information to the Authority	DCOM	Only to the extent that the information is reasonably necessary to assist in the exercise of functions under this Act, or the functions of Council Where Council is a relevant agency	
s 259AB(4)(a)	Function of being referred, by the Authority, any matter (including any complaint) with respect to building work, plumbing work or architectural services	MBS	Where Council is a building regulator	
s 259AB(4)(b)	Function of receiving from the Authority any matter of a type described in s 259AB(4)(a)	MBS	Where Council is a building regulator	
s 259AB(4)(c)	Function of conducting a joint investigation with the Authority into any matter of a type described in s 259AB(4)(a)	MBS	Where Council is a building regulator	
s 259AB(5)	Power to, despite any other Act or law of the State, refer a matter referred to in s 259AB(4) to the Authority, or to conduct an investigation into the matter jointly with the Authority	MBS	Where Council is a building regulator	

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Building Act 1993			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
sch 2 cl 1(c)(i)	Function of determining fees	ND	
sch 2 cl 4(2)	Function of receiving copy application	MBS	
sch 2 cl 4(3)	Function of receiving fees	MBS	
sch 2 cl 4(4)	Power to fix fees in accordance with cl 4(5)	ND	
sch 2 cl 4A(2)(b)	Duty to give the owner of the allotment an opportunity to make a submission in respect of the possible detriment	MBS	Where Council is the 'reporting authority'

Catchment and Land Protection Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 22E(2)	Power to apply in writing to the Minister to request an extension of time to submit the proposed roadside weed and pest animal management plan	DINF	
s 22K(1),(2)&(3)	Power to request, in writing, that the Minister approve a variation of its approved roadside weed and pest animal management plan	DINF	

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Child Wellbeing and Safety Act 2005			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
ss 19 & 23A	Duty to comply with the Child Safe Standards	MCHN, RCCC, CBCCCR, CSC, MCH, SPF, CBCCC	Where Council is a Schedule 1 entity
s 25	Function of receiving education, information and advice from the Commission for Children and Young People regarding the Child Safe Standards	MCHN, RCCC, CBCCCR, CSCQ, CSC, MCH, SPF, CBCCC	
s 29A(2)(a)	Function of receiving notice of inspection of the relevant premises by an authorised officer	MCHN, RCCC, CBCCCR, CSCQ, CSC, MCH, SPF, CBCCC	
s 29(3)	Power to consent to inspection of relevant premises without written notice by the Commission for Children and Young People	DCOM	
s 34C	Duty to comply with an adverse publicity order	MCHN, RCCC, CBCCCR, CSCQ, CSC, MCH, SPF, CBCCC	

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Child Wellbeing and Safety Act 2005			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 36	Duty to ensure that the Commission, a sector regulator or authorised person is given any assistance reasonably required to perform functions	RCCC, CBCCR, CSCQ, CSC, MCH, CBCCC	
s 36A	Function of receiving an official warning from the sector regulator	RCCC, CBCCR, CSCQ, CSC, MCH, CBCCC	
s 36B	Function of receiving infringement notice	RCCC, CBCCR, CSCQ, CSC, MCH, CBCCC	
s 36C(1)	Power to make an enforceable undertaking	RCCC, CBCCR, CSCQ, CSC, MCH, CBCCC	
s 36C(3)	Power to withdraw or vary an enforceable undertaking	RCCC, CBCCR, CSCQ, CSC, MCH, CBCCC	Must be in writing.
s 411	Power to seek review by the sector regulator of decision by the Commission to issue a notice to produce or a notice to comply, or to issue an official warning or to publish information	DCOM	

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Child Wellbeing and Safety Act 2005			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 41J	Power to apply to VCAT for a review of the sector regulator to issue a notice to comply or to publish information	DCOM	Must have first exhausted all available avenues for review under s 41I
s 41V	Power to, on Council's own initiative, disclose confidential information, other than excluded information, to another information sharing entity	RCCC, MCHN, CBCCR, CSCQ, CSC, MCH, SPF	Where Council is an 'information sharing entity' and a 'disclosing entity'
s 41W(1)	Power to request another information sharing entity to disclose confidential information, other than excluded information	RCCC, MCHN, CBCCR, CSCQ, CSC, MCH, SPF	Where Council is an 'information sharing entity' and a 'requesting entity'
s 41W(2)	Power to disclose to the responding entity any confidential information that may assist the responding entity	RCCC, MCHN, CBCCR, CSCQ, CSC, MCH, SPF	Where Council is an 'information sharing entity' and a 'requesting entity'
s 41Y	Power to disclose confidential information, other than excluded information, to any person set out in s 41Y(1)(a) – (c)	RCCC, MCHN, CBCCR, CSCQ, CSC, MCH, SPF	Where Council is an 'information sharing entity'
s 41Z	Power to collect and use any confidential information disclosed to Council under Part 6A	RCCC, MCHN, CBCCR, CSCQ, CSC, MCH, SPF	Where Council is an 'information sharing entity'

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Child Wellbeing and Safety Act 2005			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 41ZD(2)	Power to collect, use or disclose confidential information	RCCC, MCHN, CBCCR, CSCQ, CSC, MCH, SPF	Where Council is an 'information sharing entity' within the meaning of Part 5A of the Family Violence Protection Act 2008
s 41ZF	Power to refuse to give an individual access to their confidential information under a relevant privacy law	DCOM, LLC, LLO1, LLO2	Where Council is an 'information sharing entity' following consultation with MGS about other/competing requirements

Children Youth and Families Act 2005			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 25	Power to use land or property for the purposes of the Department of Health and Human Services	DCOM	Where authorised by the Secretary
s 192	Power to provide information to the Secretary	DCOM	

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Circular Economy (Waste Reduction and Recycling) Act 2021			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 50(2)	Function and power of sharing information or data with the Head, Recycling Victoria where permitted	, DS, WSC, MWE	
s 56	Power to enter into an agreement with the Head, Recycling Victoria	DS, MWE WSC	
s 57	Function of receiving advice and support from the Head, Recycling Victoria	, DS, MWE, WSC	
s 58	Duty to have regard to guidelines issued by the Head, Recycling Victoria	DS, MWE, WSC	
s 60	Duty to provide municipal residual waste and municipal recycling services	DS, MWE, WSC	

Conservation, Forests and Land Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 67	Power to take action contrary to a Code of Practice if paragraphs (a) and (b) apply	ED	

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Country Fire Authority Act 1958			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 36	Function of providing fire hydrants when so requested by the Authority	DEM, ED, DINF, MEM	
s 41A	Power to recover costs of serving notice by fire prevention officer	DEM, ED, DCOM, LLC, LLO1, MPB, LLO2	
s 42(1)	Power to request officers and members of any CFA brigade to carry out work (including burning) for the removal or abatement of any fire danger or for the prevention of fire	DEM, ED, DINF	
s 43(2)	Power to acquire equipment, etc. for purposes of s.43(1) and pay for it out of municipal fund	DEM, ED, DINF, MA	
s 50F(1)	Power to prepare Neighbourhood Safer Places Plan	DEM, ED, MEM	
s 50F(4)	Duty to publish and make the Neighbourhood Safer Places Plan available at Council's office for public inspection during office hours free of charge	DEM, ED, MEM	
s 50G(4)	Duty to ask the CFA to assess the neighbourhood safer place	DEM, ED, MEM	
s 50J(5)	Power to decommission a neighbourhood safer place if paragraphs (a) or (b) apply	DEM, ED, MEM	

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Country Fire Authority Act 1958			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 96A(1)(a)	Duty to appoint fire prevention officer	ND	
s 96A(1)(b)	Power to appoint assistant fire prevention officers	ND	
s 109C	Function of receiving funds for penalties recovered under s 41E	ALL EMG	

Disability Act 2006			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 38(4)	Power to prepare a Disability Action Plan, in accordance with s 38	ED	

Domestic Animals Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 12(1)	Power to appoint an agent for Council in the registration of cats and dogs	DEM, ED, DCOM, MPB	
s 14(b)	Power to approve form of registration or renewal of registration of dogs and cats	DEM, ED, DCOM, LLC, MPB	

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Domestic Animals Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 15(2)	Power to permit pro-rata fees for dogs or cats registered for part of a year	DEM, ED, DCOM, LLC, LLO1, MPB, LLO2	
s 17(1)	Power to register or renew the registration of a dangerous dog and impose conditions upon the registration	DEM, ED, DCOM, LLC, MPB	
s 17(1A)(a)	Power to register or renew the registration of a restricted breed dog	DEM, ED, DCOM, LLC, LLO1, MPB, LLO2	Under ss 10A(4) and 10C(6), a Council cannot register a restricted breed dog unless the dog is desexed (subject to the exception under s 10B(1)(e)) and the dog has been implanted with a prescribed permanent identification device
s 17(1A)(b)	Power to impose conditions on the registration or the renewal of the registration of a restricted breed dog	DEM, ED, DCOM, LLC, MPB	Under ss 10A(4) and 10C(6), a Council cannot register a restricted breed dog unless the dog is desexed (subject to the exception under s 10B(1)(e)) and the dog has been implanted with a prescribed permanent identification device

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Domestic Animals Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 18(2)(b)	Power to fix fee for inspection of registrations of dogs and cats in the municipality	DEM, ED, DCOM, MPB	
s 34(1)	Power to declare a dog dangerous	DEM, ED, DCOM, LLC, LLO1, MPB, LLO2	
s 41J(2)(a)	Power to issue a permit to own more than 2 restricted breed dogs to any person who has applied to the Council for such a permit	DEM, ED, DCOM, LLC, LLO1, MPB, LLO2	
s 41J(2)(b)	Power to issue a permit to keep more than 2 restricted breed dogs at a premises to any person who has applied to the Council for such a permit	DEM, ED, DCOM, LLC, LLO1, MPB, LLO2	
s 44(1)	Power to require restraint of animals	DEM, ED, DCOM, LLC, LLO1, MPB, LLO2	If Council has made a relevant local law prohibiting the keeping of animals in a specified area

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Domestic Animals Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 44AC(1)(c)	Power to inspect information kept on register of dangerous, menacing and restricted breed dogs, in accordance with the regulations	DEM, ED, DCOM, LLC, LLO1, MPB, LLO2	
s 46(2)	Power to approve form of registration of domestic animal businesses and information required	DEM, ED, DCOM, LLC, LLO1, MPB, LLO2	
s 47(1) & (2)	Power to register and impose any terms, conditions, limitations or restrictions on the registration of premises for the purposes of a domestic animal business	DEM, ED, DCOM, LLC, LLO1, MPB, LLO2	
s 48(2)	Power to approve form of renewal of registration	DEM, ED, DCOM, LLC, LLO1, MPB, LLO2	
s 48(3)	Power to approve form of renewal of registration and information required	DEM, ED, DCOM, LLC, LLO1, MPB, LLO2	

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Domestic Animals Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 49(1)	Power to fix fees for registration or renewal of registration of domestic animal premises	DEM, ED, DCOM, MPB	
s 49(2)	Power to refund all or part of application fee	DEM, ED, DCOM, LLC, LLO1, MPB, LLO2	
s 52(2)(a)	Power to approve form of application to transfer registration	DEM, ED, DCOM, LLC, LLO1, MPB, LLO2	
s 52(2)(c)	Power to fix fee for transfer of registration and information required	DEM, ED, DCOM, MPB	
s 52(3)	Function of requiring and receiving any further information relating to the transfer of registration	DEM, ED, DCOM, LLC, LLO1, MPB, LLO2	
s 54(1)	Power to refuse to register or renew the registration, refuse to transfer registration, suspend registration and revoke registration of premises	DEM, ED, DCOM, LLC, MPB	

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Domestic Animals Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 54(2)	Power to act in accordance with s 54(1) if satisfied that the circumstances of s 54(2)(a) or (b) are in existence	DEM, ED, DCOM, LLC, MPB	
s 55	Duty to give notice if it is proposed that the powers under ss 54, 54A, 54B, 54C or 54D will be exercised	DEM, ED, DCOM, LLC, MPB	
s 58AI(1)(a)	Power to cancel or not renew a commercial dog breeder approval	DEM, ED, DCOM, LLC, MPB	Where Council is the 'relevant Council'
s 58AI(1)(b)	Power to suspend a commercial dog breeder approval	DEM, ED, DCOM, LLC, MPB	Where Council is the 'relevant Council'
s 58AL	Function of receiving notice of the Minister's grant, renewal, refusal to grant or renew, revocation or cancellation of a commercial dog breeder approval as soon as possible after it occurs	DEM, ED, DCOM, LLC, MPB	Where Council is the relevant Council

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Domestic Animals Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 58B	Power to apply to Minister to register premises as premises on which domestic animal business conducted	DEM, ED, DCOM, MPB	
s 58D(2)	Power to apply to Minister for renewal of registration of premises	DEM, ED, DCOM, MPB	
s 58F	Power to surrender registration of premises on which domestic animal business conducted by notice to Minister	DEM, ED, DCOM, LLC, MPB	
s 58J	Power to make submissions to the Minister regarding Minister's exercise of power under s 58H	DEM, ED, DCOM, MPB	
s 68A(1)	Duty to, in consultation with Secretary, prepare a domestic animal management plan	DEM, ED, DCOM, LLC, MPB	Subject to s 68A(1A)
s 68A(1A)	Power to apply to the Secretary for an extension of time within which to prepare a domestic animal management plan	DEM, ED, DCOM, LLC, MPB	

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Domestic Animals Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 68B	Power , on application under s 68C, to register a person to provide foster care on a premises in the municipal district of the Council, if the person provides or intends to provide foster care on that premises	DEM, ED, DCOM, LLC, MPB	
s 68D(1)	Power to renew registration	DEM, ED, DCOM, LLC, MPB	
s 68G(a)	Power to approve form of applications under s 68C or 68D(2)	DEM, ED, DCOM, LLC, MPB	
s 68G(b)	Power to require information in applications under s 68C or 68D(2)	DEM, ED, DCOM, LLC, MPB	
s 68G(c)	Power to fix fee for applications under s 68C or 68D(2)	DEM, ED, DCOM, LLC, MPB	
s 68H(2)	Power to permit a pro rata fee to be paid where a foster carer registration only applies for part of a year	DEM, ED, DCOM, LLC, MPB	

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Domestic Animals Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 68I(1)(b)	Power to impose conditions on a foster carer registration	DEM, ED, DCOM, LLC, LLO1, MPB, LLO2	
s 68J(1)	Power to suspend or cancel a foster carer registration where the criteria in s 68J(1)(a) or (b) apply	DEM, ED, DCOM, LLC, MPB	
s 72	Power to appoint, by instrument, employees to be authorised officers	DEM, ED, DCOM, LLC, MPB	
s 72A(1)	Power to appoint person who is not employee of Council as authorised officer	DEM, ED, DCOM, LLC, MPB	Person appointed must have qualifications and experience prescribed by Secretary
s 73(1)	Duty to issue identity card to authorised officers	DEM, ED, DCOM, LLC, MPB	
s 84DD(2)	Function of receiving report	DEM, ED, DCOM, LLC,	

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Domestic Animals Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 84J	Power to retain custody of dog or cat until animal recovered under Division 5 or disposed of under Division 6	DEM, ED, DCOM, LLC, LLO1, MPB, LLO2	
s 84L(1)	Power to retain custody of dog the subject of a declaration under s 98A until review of the declaration is determined under Part 7E or the dog is recovered under Division 5 or destroyed under Division 6	DEM, ED, DCOM, LLC, MPB	
s 84L(2)	Power to retain custody of dog before destruction under division 6 where dog is seized under s 80 and officer cannot serve declaration because owner cannot be identified	DEM, ED, DCOM, LLC, LLO1, MPB, LLO2	
s 84M(1)	Power to decide not to retain custody of dog or cat seized under ss 23(1), 82, 82B, 83, 84, 84A, 84B or 84C	DEM, ED, DCOM, LLC, LLO1, MPB, LLO2	

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Domestic Animals Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 84N(1)(c)	Power to require custody of restricted breed dog until the outcome of prosecution under the Act or Regulations in relation to the dog	DEM, ED, DCOM, LLC, LLO1, MPB, LLO2	
s 84N(1)(d)	Power to fix an amount payable for the reasonable costs and expenses incurred by the Council in seizing the dog and retaining custody of it until its recover	DEM, ED, DCOM, LLC, MPB	
s 84O(1)	Power to destroy a cat seized under Part 7A if cat does not bear an identification marker or device or cat is wild, uncontrollable or diseased	DEM, ED, DCOM, LLC, LLO1, MPB, LLO2	
s 84P	Power to destroy dog seized under Part 7A in certain circumstances listed in paragraphs (a), (c), (d), (e) and (f)	DEM, ED, DCOM, LLC, LLO1, MPB, LLO2	
s 84R	Power to require owner to provide his or her current address to Council in certain circumstances	DEM, ED, DCOM, LLC, LLO1, MPB, LLO2	

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Domestic Animals Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 84S	Power to destroy dog seized under Part 7A, in the time periods listed, if owner is suspected of committing an offence set out in paragraph (a), (b) or (c) of section 84Q(2) and cannot be identified,	DEM, ED, DCOM, LLC, LLO1, MPB, LLO2	
s 84TA(1)	Power to destroy a dog seized under Part 7A in circumstances listed (a) - (c)	DEM, ED, DCOM, LLC, LLO1, MPB, LLO2	84TA (4) & (5) Council must make decision within 48 hours and record the time and date of decision
s 84TC(1)	Power to destroy a dangerous dog if the dog was declared a dangerous dog and it is believed that the owner of the dog is guilty of an offence under s 24 or 26	DEM, ED, DCOM, LLC, LLO1, MPB, LLO2	84TC (4) & (5) Council must make decision within 48 hours and record the time and date of decision
s 84V(2)	Power to give animal to an approved person or body	DEM, ED, DCOM, LLC, LLO1, MPB, LLO2	Where Council is authorised under this Act to destroy the animal
s 84VA(1)	Power to recover any reasonable cost incurred by the Council for the care, transport, maintenance and disposal of the dog or cat for the whole or any part of the time from when the dog or cat is seized under Division 2 until the time when the dog or cat is disposed of under s 84TD	DEM, ED, DCOM, LLC, MPB	

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Domestic Animals Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 84VA(2)	Power to recover costs under s 84VA(1) from the owner, or person in charge of the dog or cat when the dog or cat was seized	DEM, ED, DCOM, LLC, MPB	
s 84Y	Power to enter written agreement to seize, receive and retain, sell or destroy dogs or cats , as well as the power to give a seized dog or cat to a community foster care network, give a seized dog or cat to an animal shelter and/or charge fees for doing any of the things under the written agreement	DEM, ED, DCOM, LLC, MPB	
s 98(1A)	Power to apply to VCAT for review of a decision by Minister in relation to registration of domestic animal business	DEM, ED, DCOM, LLC, MPB	
s 100D	Power to disclose information held by Council to another Council, a restricted authorised officer or a Departmental authorised officer for the purpose of the performance of Functions under Part 4 or Part 4AA or regulations under those Parts by that person	DEM, ED, DCOM, LLC, LLO1, MPB, LLO2	

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Education and Care Services National Law Act 2010			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 271(3)	Power to disclose information to authorities or government departments in respect of education and care services	CSCQ, DCOM, LLC, LLO1, MCH, LLO2	following consultation with MGS about other/competing requirements

Education and Training Reform Act 2006			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 4.2.2(1)(g)	Function of receiving education, information and advice on Child Safe Standards	DCOM, MCH	
s 5.8.18	Function of receiving notice to comply from the Victorian Registration and Qualifications Authority	DCOM, MCH	
s 5.8.24	Function of receiving official warning from the Victorian Registration and Qualifications Authority	DCOM, MCH	
s 5.8.26(1)	Power to make an enforceable undertaking	DCOM, MCH	
s 5.8.26(4)	Power to withdraw or vary an undertaking	DCOM, MCH	

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Education and Training Reform Act 2006			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 5.8.30	Duty to comply with an adverse publicity order	DCOM, MCH	

Electoral Act 2002			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 108(1)(d)(ii)	Power to enable identification of a person	DCOR, MGS	

Emergency Management Act 2013			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 59B(1)(b)	Power to nominate a member of Council staff to be the chairperson of the Municipal Emergency Management Planning Committee	ED	

Environment Protection Act 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 50(3)	Power to require the applicant to provide necessary information relating to the application	EHO, EHC, DCOM	

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Environment Protection Act 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 50(4)(b)	Power to agree time period	EHO, EHC, DCOM	
s 50A(1)	Power to require an applicant to pay a fee	EHC, DCOM, MCH	Provision commences on 1 June 2023, unless proclaimed earlier
s 50A(3)	Duty to give notice	EHC, DCOM, MCH	Provision commences on 1 June 2023, unless proclaimed earlier
s 51A	Power to require an applicant to provide information	EHC, DCOM, MCH	Provision commences on 1 June 2023, unless proclaimed earlier
s 54(1)	Power to issue a permission subject to conditions specified in the permission	EHO, EHC, DCOM	
s 58(1)	Power to amend a permission issued on own initiative	EHO, EHC, DCOM	
s 60(1)	Power to suspend a permission	EHO, EHC, DCOM	
s 60(6)	Power to remove period of suspension	EHO, EHC, DCOM	
s 60(7)	Power to extend period of suspension	EHO, EHC, DCOM	

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Environment Protection Act 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 61(1) & (2)	Power to revoke permission on own initiative	EHO, EHC, DCOM	
s 84(8)	Power to renew permit for (a) a period of not more than 5 years or (b) any shorter period prescribed	EHO, EHC, DCOM	
s 84(9)	Power to renew a permit more than once	EHO, EHC, DCOM	
s 114(2)	Power to appoint litter enforcement officer	DEM, ED, DCOM	Where Council is a litter authority
s 121(1)	Power to issue a waste abatement notice	EHO, EHC, DCOM, LLC, LLO1, MPB, LLO2	Where Council is a litter authority
s 121(6)	Power to direct the occupier of the place or premises to remove or dispose of the waste within the time specified in a waste abatement notice	EHO, EHC, DCOM, LLC, LLO1, MPB, LLO2	Where Council is a litter authority
s 121(8)	Power to vary or revoke a waste abatement notice	EHO, EHC, DCOM, LLC, LLO1, MPB, LLO2	Where Council is a litter authority

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Environment Protection Act 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 122(1)	Power to remove or dispose of waste or object or thing	EHO, EHC, DCOM, LLC, LLO1, MPB, LLO2	Where Council is a litter authority
s 122(2)	Power to recover any reasonable costs incurred in taking action under this section	DCOR, DCOM	Where Council is a litter authority
s 131(2)	Power to take further action	DCOR, DCOM	
s 171(1)	Power to appoint a residential noise enforcement officer	DCOM	
s 172(1)	Power to issue a residential noise improvement notice	EHO, EHC, DCOM	
s 172(5)(a)	Power to extend time to comply with residential noise improvement notice	EHO, EHC, DCOM	
s 172(5)(b)	Power to revoke or amend any requirement specified in a residential noise improvement notice	EHO, EHC, DCOM	
s 174(1)	Power to apply for injunctions relating to residential noise	EHO, EHC, DCOM	

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Environment Protection Act 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 242(2)	Power to appoint an employee or class of employee as an authorised officer for the purposes of the power or function delegated to council	EHC, DCOM, MCH	
s 242(2A)	Power to appoint a specified person or each member of a specified class of person as an authorised officer for the purposes of the power or function delegated to council	EHC, DCOM, MCH	
s 242(2B)	Duty to prepare and give to the Authority a written report	EHC, DCOM, MCH	
s 347(3)	Power to take proceedings for an offence against a provision relating to permits under the Environment Protection Regulations 2021	EHC, DCOM, MCH	
s 347(4)	Power to take proceedings for an offence against a provision of Part 6.3	DEM, ED, DCOM, MPB, MCH	Where Council is a litter authority
s 347(7)	Power to appoint a person who is an employee or an officer of council to take proceedings for offences under ss 25, 27, 286, 287 and 288	EHC, DCOM, MCH	
s 391(1)	Power to nominate a representative to a Local Government Waste Forum in a waste and resource region	ND	Where Council is in a waste and resource region

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Environment Protection Regulations 2021			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 21(2)	Power to require an applicant to provide additional information	EHO, EHC, DCOM	
r 25	Power to administer prescribed permit activities	EHO, EHC, DCOM	
r 161	Function of receiving notification	EHO, EHC, DCOM, MCH	
r 162(2)	Power to inspect records under subregulation 1	EHO, EHC, DCOM	
r 171	Power to take proceedings for specified offences relating to on-site wastewater management systems	DCOM, MCH	
r 215	Power to (a) waive the fee, in whole or parts; or (b) refund the fee paid, in whole or part	EHC, DCOM	

Family Violence Protection Act 2008			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 144KA	Power to disclose confidential information to a risk assessment entity for a family violence assessment purpose	MCHN, CBCCR, CSCQ, CSC, DCOM, MCH, SPF	Where Council is an 'information sharing entity'

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Family Violence Protection Act 2008			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 144KB(1)	Function of receiving a request from a risk assessment entity for confidential information for a family violence assessment purpose	DCOM	Where Council is an 'information sharing entity'
s 144KB(2)	Function of receiving confidential information from a risk assessment entity to assist with identifying the confidential information that is relevant to the request and determining whether to disclose confidential information	DCOM	Where Council is an 'information sharing entity' and a 'responding entity'
s 144LA	Power to disclose confidential information to another information sharing entity for a family violence protection purpose	MCHN, CBCCR, CSCQ, CSC, DCOM, MCH, SPF	Where Council is an 'information sharing entity'
s 144LB(1)	Power to request confidential information from another information sharing entity for a family violence protection purpose	MCHN, CBCCR, CSCQ, CSC, DCOM, MCH, SPF	Where Council is an 'information sharing entity' and a 'requesting entity'
s 144LB(2)	Power to provide the responding entity with any confidential information that may assist the responding entity to identify the confidential information relevant to the request or determine whether to disclose the confidential information	MCHN, CBCCR, CSCQ, CSC, DCOM, MCH, SPF	Where Council is an 'information sharing entity' and a 'requesting entity'
s 144LD	Power to collect or use any confidential information disclosed to it for a family violence protection purpose	MCHN, CBCCR, CSCQ, CSC,	Where Council is an 'information sharing entity'

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Family Violence Protection Act 2008			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		DCOM, LLC, LLO1, MCH, SPF, LLO2	following consultation with Manager Governance about other/competing requirements
s 144M(1)	Power to disclose confidential information about a person of concern to a primary person for a family violence protection purpose if the confidential information is not excluded information	MCHN, CBCCR, CSCQ, CSC, DCOM, MCH, SPF	Where Council is an 'information sharing entity'
s 144M(2)	Power to disclose confidential information about a person of concern to the persons set out in s 144M(2)(a) and (b) if the primary person is a child and the confidential information is not excluded information	MCHN, CBCCR, CSCQ, CSC, DCOM, MCH, SPF	Where Council is an 'information sharing entity'
s 144N	Power to collect, use and disclose confidential information about a relevant person without consent	MCHN, CBCCR, CSCQ, CSC, DCOM, LLC, LLO1, MCH, SPF, LLO2	Where Council is an 'information sharing entity' following consultation with MGS with regards to other/competing requirements.
s 144NC(1)	Power to collect, use and disclose confidential information about a primary person who is a child without the consent of any person if s 144NC(1)(a) or (b) applies	MCHN, CBCCR, CSCQ, CSC, DCOM, LLC, LLO1, MCH, SPF, LLO2	Where Council is an 'information sharing entity' following consultation with MGS with regards to other/competing requirements.

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Family Violence Protection Act 2008			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 144NC(2)	Power to collect, use and disclose confidential information about a primary person who is an adult or a linked person without the consent of the linked person if the information relates to confidential information set out in s 144NC(1)(a) and (b)	MCHN, CBCCR, CSCQ, CSC, DCOM, LLC, LLO1, MCH, SPF, LLO2	Where Council is an 'information sharing entity' following consultation with MGS with regards to other/competing requirements.
s 144ND(1)	Power to obtain consent from the primary or linked person's authorised representatives, unless the authorised representative is a person of concern or is alleged to pose a risk of family violence	MCHN, CBCCR, CSCQ, CSC, DCOM, MCH, SPF	Where Council is an 'information sharing entity'
s 144QA	Power to refuse to give an individual access to their confidential information under a relevant privacy law if s 144QA(1)(a) and (b) apply	MCHN, CBCCR, CSCQ, CSC, DCOM, LLC, LLO1, MCH, SPF, LLO2	Where Council is an 'information sharing entity' following consultation with MGS with regards to other/competing requirements.

Fences Act 1968			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 16(1)	Power to agree with adjoining owner of land on a fence line other than common boundary	DINF	With respect to land owned by or under the control of Council

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Filming Approval Act 2014			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Power to consider operational requirements such as commercial agreements and the maintenance of any land or facilities, or to consider public amenity, safety and security, and environmental and heritage impacts when approving a permit application	ED	

Fines Reform Act 2014			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 10F(4)	Function of receiving notice from Director regarding where infringement notice waived	DCOM, LLA, LLC, LLO1, MPB, LLO2	
s 10V(6)	Power to take any action referred to in s 38(1)(a) with respect to the FVS eligible offence	DEM, ED, DCOM, LLA, LLC, MPB	if an effective known user statement is cancelled under s 84BF of the Road Safety Act 1986, and the FVS eligible offence is referred to Council
s 10W(4)	Power to, 21 days after the Director has notified the FVS applicant of their ineligibility, immediately resume enforcement action	DEM, ED, DCOM, LLA, LLC, MPB	If the Director of Fines Victoria determines that an FVS applicant is not an FVS eligible person in respect of the relevant FVS eligible offence under s 10T

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Fines Reform Act 2014			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 10Y(1)(a)	Power to withdraw an infringement notice and take no further action or issue an official warning	DEM, ED, DCOM, LLA, LLC, MPB	Where the Director of Fines Victoria refers an infringement offence under s 10X(2) by issuing a withdrawal notice under s 19 of the Infringements Act 2006 At least two authorised officers must agree to withdraw an infringement notice.
s 10Y(1)(b)	Power to file a charge-sheet charging the offence	ALL EMG, DCOM, LLA, LLC, MPB, MO, MA, ME, MCH	
s 21(1)	Power to withdraw infringement notice, issue official warning or file a charge-sheet upon receipt of notice under s 20	DEM, ED, DCOM, LLA, LLC, MPB	At least two authorised officers must agree to withdraw an infringement notice.
s 22	Power to request Director of Fines Victoria not to issue or serve notice of final demand	DEM, ED, DCOM, LLA, LLC, MPB	

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Fines Reform Act 2014			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 43	Power to refer infringement fine to Director of Fines Victoria for management by payment arrangement upon request	DEM, ED, DCOM, LLA, LLC, MPB	
s 54(5)	Function of receiving notice from Director of Fines Victoria where fine recipient makes certain requests or the payment arrangement that applies to that person is cancelled under s 56	DCOM, LLA, LLC, MPB	

Fire Rescue Victoria Act 1958			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 5(2)	Power to acquire equipment and do anything necessary to fulfil duty under s 5(1) and pay for it from municipal fund	DEM, ED, DINF	
s 5A(1)(b)	Power to appoint assistant fire prevention officer	ND	
s 72(1)	Power to request the Board to carry out fire prevention works	DINF	
s 72(3)	Power to consent to carrying out fire prevention work	DINF	

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Fire Services Property Levy Act 2012			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 9(9)	Power to apportion any levy amount	MF	For 2 or more parcels of land which have a combined valuation and are owned separately
s 9A(2)(b)	Power to specify form and timeframe for making applications under s 9A(1)	MF	
s 9A(3)	Power to require further particulars or for applicant to verify particulars regarding application	MF	
s 22	Power to exercise powers and functions under s 229 of the Local Government Act 1989 (land information certificates) and s 313 of the Local Government Act 2020 (institute proceedings)	DCOR, MF, RRTL	
s 27(1)	Power to defer payment of levy in respect of rateable leviable land where applicant shows hardship	MF, RRTL	s 170 of the Local Government Act 1989 applies, subject to modifications set out in s 27. Note: may only defer levy if have deferred rates or charges under s 170 of the Local Government Act 1989 for that land

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Fire Services Property Levy Act 2012			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 27(1)	Power to require payment of levy in respect of rateable leviable land where applicant no longer in hardship or no longer occupies land	MF	s 170 of the Local Government Act 1989 applies, subject to modifications set out in s 27
s 27(1)	Power to waive levy in respect of rateable leviable land	MF	s 171 of the Local Government Act 1989 applies, subject to modifications set out in s 27(4) Note: may only waive levy if have waived rates or charges under s 171 of the Local Government Act 1989 for that land
s 27(1)	Power to decide to treat a person to whom a waiver is granted as having made a continuing application or waiver in respect of rateable leviable land, in accordance with s 171(4)(f) of the Local Government Act 1989	MF	s 171 of the Local Government Act 1989 applies, subject to modifications set out in s 27(4) Note: may only waive levy if have waived rates or charges under s 171 of the Local Government Act 1989 for that land

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Fire Services Property Levy Act 2012			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 27(1)	Power to require information or verification in respect of rateable leviable land	MF	s 171A of the Local Government Act 1989 applies, subject to modifications set out in s 27(4) Note: may only waive levy if have waived rates or charges under s 171A of the Local Government Act 1989 for that land
s 27(1)	Power to waive levy or levy interest in respect of rateable leviable land	MF	s 171A of the Local Government Act 1989 applies, subject to modifications set out in s 27(4) Note: may only waive levy if have waived rates or charges under s 171A of the Local Government Act 1989 for that land
s 28(1)	Power to defer payment of levy in respect of non-rateable leviable land where applicant shows hardship	MF	s 170 of the Local Government Act 1989 applies, subject to modifications set out in s 28
s 28(1)	Power to require payment of levy in respect of non-rateable leviable land where applicant no longer in hardship or no longer occupies land	MF	s 170 of the Local Government Act 1989 applies, subject to modifications set out in s 28

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Fire Services Property Levy Act 2012			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 28(1)	Power to waive levy in respect of non-rateable leviable land	MF	s 171 of the Local Government Act 1989 applies, subject to modifications set out in s 28(4)
s 28(1)	Power to decide to treat a person to whom a waiver is granted as having made a continuing application or waiver in respect of non-rateable leviable land, in accordance with s 171(4)(f) of the Local Government Act 1989	MF	s 171 of the Local Government Act 1989 applies, subject to modifications set out in s 28(4)
s 28(1)	Power to require information or verification in respect of non-rateable leviable land	MF	s 171A of the Local Government Act 1989 applies, subject to modifications set out in s 28(4)
s 28(1)	Power to waive levy or levy interest in respect of non-rateable leviable land	MF, DCOR	s 171A of the Local Government Act 1989 applies, subject to modifications set out in s 28(4)
s 30(3)	Power to obtain court order requiring payment of levy	MF	
s 30(4)	Power to waive levy interest where court order obtained under s 30(3)	MF	
s 30(5)	Power to exempt any person from paying the whole or part of levy interest, in accordance with s 30(5)(a) or (b)	MF	

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Fire Services Property Levy Act 2012			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 30(6)	Power to recover levy interest due in the same way as Council recovers the levy amount	MF	
s 31(1)	Power to recover the whole of the levy from either all, any or one persons jointly liable to pay levy	MF	Where 2 or more persons jointly liable to pay levy
s 32(7)	Power to recover amount in arrears, in accordance with s 32(7)	MF, RRTL	
s 33(1)	Power to send notice where levy due and unpaid	MF, RRTL	
s 33(5)	Power to recover unpaid amount due	MF, RRTL	
s 35(1)	Power to recover unpaid levy amount	MF, RRTL	
s 35(4)(b)	Power to request occupier to disclose the amount of rent and name and address of person to whom rent is payable	MF, RRTL	
s 36(5)	Power to refund overpayment, if determined that the payment was in excess of amount owed	MF, RRTL	
s 37(3)	Power to retain any interest earned on levy amounts and levy interest	MF	

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Fire Services Property Levy Act 2012			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 38(1)	Power to cancel assessment of person's liability to pay levy if satisfied that an assessment has been made in error	MF	
s 41(4)	Power to decide to forward late payments of levy amounts and levy interest to the Commissioner at the same time as the next instalment is payable	MF	
s 71(2)	Power to specify the manner and form of applications under s 71(1)	MF	

Flora and Fauna Guarantee Act 1988			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 20B(5)	Power to request that the information set out in s 20B(3) be withheld	DINF	Where Council is a landholder

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 20(2)	Power to limit or impose conditions on the authority granted to an authorised officer	DCOM	

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 45AA	Power to act in proceedings against the Crown	DCOM	Power of the responsible agency
s 45AC	Power to bring proceedings for an offence under the Act	EHC, DCOM	
s 58(1)	Duty to notify the Victorian Liquor Commission where an order is made under s 19 of the Act and a licence/permit under the Liquor Control Reform Act 1998 is in force	EHO, EHC, DCOM, LLC, MPB, MCH	Where Council is the registration authority
s 58(2)	Duty to notify the Victorian Liquor Commission when a holder of a permit/licence under the Liquor Control Reform Act 1998 is found guilty or pleads guilty and in respect of which no conviction is recorded	EHO, EHC, DCOM, LLC, MPB, MCH	Where Council is the registration authority
s 58B(1)	Power to take action in relation to a thing done or omitted at the food premises	EHO, EHC	Where Council is the registration authority for the temporary or mobile food premises
s 58B(2)	Power to take into account results of inspection, assessment, audit or other action taken by another registration authority in relation to temporary or mobile food premises	EHO, EHC, DCOM, MCH	Where Council is the registration authority for the temporary or mobile food premises
s 59C(2)	Power to take actions necessary to ensure compliance with direction under Part III or Part VII	EHO, EHC, DCOM, MCH	

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 59C(7)(b)	Power to recover costs incurred under s 59C(2) or (3)	EHO, EHC, MCH	
s 71(a)	Power to revoke or suspend of the registration of the food premises under Part IIIB or s 40D in certain circumstances	DCOM	

Freedom of Information Act 1982			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 49D(3)	Power to request a copy of the application from the Information Commissioner	GC, MGS	
s 49KA(4)	Power to apply for extension	GC, MGS	
s 49L(2)	Power to agree with the Information Commissioner to another time period for making the fresh decision under s 49L(1)	GC, MGS	
s 49M(1)	Power to exercise a choice to reconsider the subject matter of an application for review and make a fresh decision	GC, MGS	Must advise the Information Commissioner and the applicant in writing

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Freedom of Information Act 1982			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			Decision must be made within 28 days of referral, unless other time period agreed under s 49M(2) May make a fresh decision only once during a review under this part s 49M(8)
s 49M(2)	Power to agree with Information Commissioner to another time period for making a fresh decision	GC, MGS	
s 50(3D)	Power to apply to the Tribunal for review of a decision of the Information Commissioner under s 49P	GC, MGS	
s 53(6)	Power to make an application to the Tribunal for an extension of time	GC, MGS	
s.61GA(3)	power to apply for extension	GC, MGS	
s 61H	Power to reach an agreement with a complainant	GC, MGS	
s 61I(2)	Power to make submissions to the Information Commissioner in relation to a complaint	GC, MGS	

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Freedom of Information Act 1982			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s.61L(5)	Power to comment on, and respond to, a draft recommendation	GC, MGS	
s.63BA(1)	Power to apply to the Supreme Court to determine whether the Information Commissioner, or the Public Access Deputy Commissioner, has jurisdiction to serve a notice to produce or attend	GC, MGS	

Gambling Regulation Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s.3.3.6	Power to make submission to Commission on application for approval of premises	DCOM, MPB	
s.3.3.14	Power to apply to Tribunal for review of Commission's decision granting approval of premises	DCOM, MPB	
s.3.4.19	Power to make submission to the Commission addressing the economic and social impact of a proposed licence amendment on the wellbeing of the community of the municipal district in which the approved venue (or venue whose approval under Part 3 is suspended) is located; and taking into account the impact of the proposed amendment on surrounding municipal districts	DCOM, MPB	

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Gambling Regulation Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 3.4.21(2)	Power to apply to Tribunal for review of Commission's decision relating to amendment increasing number of gaming machines	DCOM, MPB	
s 8.5.5	Power to submit report to Commission on application received under s 8.5.3(3)(a)	DCOM, MPB	

Gender Equality Act 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 7(a)	Duty to consider and promote gender equality	DCOR, MHR	Where Council is a 'defined entity'
s 7(b)	Duty to take necessary and proportionate action towards achieving gender equality	DCOR, MHR	Where Council is a 'defined entity'
s 9(1)	Duty to undertake a gender impact assessment	DCOR, MHR	Where Council is a 'defined entity'
s 10(1)	Duty to prepare a Gender Equality Action Plan	DCOR, MHR	Where Council is a 'defined entity'

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Gender Equality Act 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 10(2)(a)	Duty to take into account the gender equality principles in preparing a Gender Equality Action Plan	DCOR, MHR	Where Council is a 'defined entity'
s 10(2)(b)	Duty to consult in preparing a Gender Equality Action Plan	DCOR, MHR	Where Council is a 'defined entity'
s 10(3)	Duty to ensure adequate resources are allocated to developing and implementing the Gender Equality Action Plan	DCOR, MHR	Where Council is a 'defined entity'
s 11(1)	Duty to undertake a workplace gender audit before developing a Gender Equality Action Plan	DCOR, MHR	Where Council is a 'defined entity'
s 11(2)(d)	Power to determine any other matters that are relevant	DCOR, MHR	Where Council is a 'defined entity'
s 12(1)	Duty to submit a Gender Equality Action Plan to the Commissioner	DCOR, MHR	Where Council is a 'defined entity'
s 12(2)	Power to request an extension of time to submit the Gender Equality Action Plan	DCOR, MHR	Where Council is a 'defined entity'

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Gender Equality Act 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 12(3)(a)	Duty to, within a reasonable time after submitting the Gender Equality Action Plan to the Commissioner, publish the completed Gender Equality Action Plan on Council's website	DCOR, MHR	Where Council is a 'defined entity'
s 12(3)(b)	Duty to, within a reasonable time after submitting the Gender Equality Action Plan to the Commissioner, notify the councillors, employees and employee representatives of the publication	DCOR, MHR	Where Council is a 'defined entity'
s 13(1)	Power to submit to the Commissioner a report or document prepared by Council for another purpose and request that it be taken to be a Gender Equality Action Plan	DCOR, MHR	Where Council is a 'defined entity'
s 13(3)	Duty to, if a report or other document is taken to be a Gender Equality Action Plan, publish it on Council's website, and notify the councillors, employees and employee representatives of the publication	DCOR, MHR	Where Council is a 'defined entity'
s 15(1)	Power to amend its Gender Equality Action Plan at any time if considers the amendment is considered necessary	DCOR, MHR	Where Council is a 'defined entity'
s 15(2)(a)	Duty to submit the amended Gender Equality Action Plan to the Commissioner	DCOR, MHR	Where Council is a 'defined entity'

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Gender Equality Act 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 15(2)(b)	Duty to, within a reasonable time after submitting the amended Gender Equality Action Plan to the Commissioner, publish the amended plan on Council's website, and notify the councillors, employees and employee representatives of the publication	DCOR, MHR	Where Council is a 'defined entity'
s 16(1)	Duty to make reasonable and material progress in relation to the workplace gender equality indicators	DCOR, MHR	Where Council is a 'defined entity'
s 18(1)	Duty to make reasonable and material progress towards meeting gender equality targets prescribed	DCOR, MHR	Where Council is a 'defined entity'
s 18(2)	Duty to make reasonable and material progress towards meeting gender equality quotas prescribed	DCOR, MHR	Where Council is a 'defined entity'
s 19(1)	Duty to submit a progress report to the Commissioner	DCOR, MHR	Where Council is a 'defined entity'
s 19(2)	Power to request an extension of time to submit a progress report	DCOR, MHR	Where Council is a 'defined entity'

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Gender Equality Act 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 19(4)	Duty not to identify or report on a policy, program or service if it would disclose any of the information set out in s 19(4)(a) – (c)	DCOR, MHR	Where Council is a 'defined entity'
s 20	Duty to publish Council's progress report on its website as soon as reasonably practicable after it is submitted under s 19(1)	DCOR, MHR	Where Council is a 'defined entity'
s 22(1)	Function of being issued with a compliance notice from the Commissioner	DCOR, MHR	Where Council is a 'defined entity'
s 22(2)	Duty to comply with the compliance notice	DCOR, MHR	Where Council is a 'defined entity'
s 24(1)	Power to, 14 days after receiving a compliance notice, give a written response to the Commissioner outlining Council's reasons for disagreeing with the compliance notice	DCOR, MHR	Where Council is a 'defined entity'
s 25(1)	Power to apply to the Tribunal for review of the Commissioner's decision to confirm a compliance notice under s 24(2)(c)	DCOR, MHR	Where Council is a 'defined entity'

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Gender Equality Act 2020				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	
s 26(a)	Power to provide the Commissioner with a written undertaking	DCOR, MHR	Where Council is a 'defined entity'	
s 27(2)	Power to, with the consent of the Commissioner, withdraw or vary the undertaking	DCOR, MHR	Where Council is a 'defined entity'	
s 47(2)	Duty to have regard to any guidelines issued under s 47(1)	DCOR, MHR	Where Council is a 'defined entity'	
s 48(2)	Duty to have regard to the guidelines	DCOR, MHR	Where Council is a 'defined entity' and subject to guidelines issued under s 48(1)	
s 49(2)	Duty to have regard to the guidelines	DCOR, MHR	Where Council is a 'defined entity' and subject to guidelines issued under s 49(1)	

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Gender Equality Act 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 51(1)	Duty to, before publication, remove any personal information from a Gender Equality Action Plan and progress report	DCOR, MHR	Where Council is a 'defined entity'
s 51(2)	Duty to, when submitting to the Commissioner material that is likely to be published, advise the Commissioner whether the material contains any personal information	DEM, DCOR, MHR	Where Council is a 'defined entity'

Graffiti Prevention Act 2007			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 18(1)	Power to take action necessary to remove or obliterate graffiti from private premises where graffiti is visible from a public place, in accordance with s 18	DINF, DCOM, LLC, LLO1, MPB, LLO2	
s 18(2)	Power to enter private property for the purpose of s 18(1) if notice provided and owner has given written consent to removal of graffiti and entry	DINF, DCOM, LLC, LLO1, MPB, LLO2	
s 18(2)(a)	Power to serve notice regarding proposal to remove or obliterate graffiti at least 28 days before action proposed to be taken	DINF, DCOM, LLC, LLO1, MPB, LLO2	

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Graffiti Prevention Act 2007			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 18(3)(b)	Power to remove or obliterate graffiti (where entry not necessary), Where written notice of proposed action given and owner gives consent or does not object in accordance with notice	DINF, DCOM, LLC, LLO1, MPB, LLO2	
s 18(3A)	Power to take further action to remove or obliterate graffiti	DINF, DCOM, LLC, LLO1, MPB, LLO2	Within 3 months after Council has taken action under subsection (3)
s 19(1)	Power to authorise a person to carry out Council's functions under s 18.	DINF, DCOM, LLC, LLO1, MPB, LLO2	
s 19(2)(c)	Power to determine performance criteria for authorised persons	DINF, DCOM, LLC, MPB	

Great Ocean Road and Environs Protection Act 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 49A	Function of providing information to the Authority	ND	This provision applies to a responsible entity

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Great Ocean Road and Environs Protection Act 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 49B	Function of consulting with the Authority, if planning the development of visitor facilities or visitor infrastructure	ND	This provision applies to a responsible entity
s 49C	Duty to comply with guidelines issued by the Authority	ND	This provision applies to a responsible entity

Health Records Act 2001			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 56(3)	Power to indicate wishes with respect to whether conciliation appropriate	DCOM, MCH	
s 61(1)(b)	Power to sign the record of a conciliation agreement	DCOM, MCH	

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Health Records Act 2001			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 61(2)	Power to lodge a copy of the record with the Tribunal	DCOM, MCH	
s 65(1)	Power to require the Health Complaints Commissioner to refer the complaint to the Tribunal	DCOM, MCH	
s 72	Power to apply to the Tribunal for review of a decision to serve a compliance notice	DCOM, MCH	
s 73(1)	Power to apply to the Tribunal for an interim order	DCOM, MCH	

Heavy Vehicle National Law 2012			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 156(2)	Power to request a longer period to decide to give or not give consent under s 156(1)	DINF, ME	Where Council is the relevant road manager
s 158(4)	Power to decide to give or not give the consent in the circumstances	DINF, ME	Where Council is the relevant road manager

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Heavy Vehicle National Law 2012			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 159	Power to notify the Regulator that a route assessment is required and the fee payable for the route assessment	DINF, ME	Where Council is the relevant road manager
s 159(4)	Power to stop considering whether to give or not to give consent until route assessment fee is paid	DINF, ME	Where Council is the relevant road manager
s 160(1)	Power to consent to the grant of a mass or dimension authority subject to a road condition listed in (a) or (b)	DINF, ME	Where Council is the relevant road manager
s 162(1)	Power to request the Regulator to impose a stated vehicle condition on the authority	DINF, ME	Where Council is the relevant road manager
s 167(2)(b)	Power to give the Regulator a notice of objection to the application of s 167 to the proposed replacement authority	DINF, ME	Where Council is the relevant road manager
s 167(3)	Power to give written notice of consent or refusal	DINF, ME	Where Council is the relevant road manager

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Heavy Vehicle National Law 2012			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 169	Power to give consent to the grant of a mass or dimension authority for a trial period	DINF, ME	Where Council is the relevant road manager
s 170(3)	Power to give written objection	DINF, ME	Where Council is the relevant road manager
s 174(2)(a)	Power to request the Regulator to amend the mass or dimension authority, where satisfied of matters in s 174(1)	DINF, ME	Where Council is the relevant road manager
s 174(2)(b)	Power to request the Regulator to cancel the mass or dimension authority, where satisfied of matters in s 174(1)	DINF, ME	Where Council is the relevant road manager
s 178(2)(a)	Power to request the Regulator to amend the mass or dimension authority, where satisfied of matters in s 178(1)	DINF, ME	Where Council is the relevant road manager
s 178(2)(b)	Power to request the Regulator to cancel the mass or dimension authority, where satisfied of matters in s 178(1)	DINF, ME	Where Council is the relevant road manager

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Heavy Vehicle National Law 2012			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 611(2)	Power to apply for a compensation order	DINF	

Heavy Vehicle National Law Application Act 2013			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 18(2)	Power to enter into an arrangement to transfer a function	DINF, ME	In respect of roads where Council is the relevant road manager

Heritage Act 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 100(2)	Power to make written submission to Executive Director in relation to application received under s 100(1)	DCOM, MPB	
s 108(4)	Power to request a hearing be held by the Heritage Council in relation to an application for review under s 107 of Executive Director's determination	DCOM, MPB	

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Heritage Act 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 108(5)	Power to appear and be heard or represented at a hearing into review of Executive Director's determination	DCOM, MPB	

Housing Act 1983			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 34(3)	Power to enter into arrangements with Homes Victoria for the purposes of this Act	ND	
s 67(1)(a)	Power to do all things to make house comply with regulations or to give effect to direction	DCOM, MPB	
s 67(1)(b)	Power to demolish house (where case so requires)	DCOM, MPB	
s 67(2)	Power to recover expenses	DCOM, MPB	
s 67(3)	Power to sell or dispose of material	DCOM, MPB	

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Housing Act 1983			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 68(1)	Power to order that house (a) be and remain unoccupied; or (b) be vacated by the occupier	DCOM, MPB	
s 68A	Power to revoke declaration	DCOM, MPB	
s 71(1)	Power to authorise person for purposes of s 71	ND	
sch 6 cl 1	Power to authorise staff member to sign certificate	DCOM	
sch 6 cl 2	Power to request recording in Register	DCOM	
sch 6 cl 7(1)	Power to require occupier to pay to Council any money owing	DCOM, MF	

Impounding of Livestock Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 10	Power to give written permission to owner or occupier of land to impound livestock on their land for longer than 4 days	DEM, ED, DCOM, LLC, LLO1, MPB, MO, LLO2	

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Impounding of Livestock Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 16A(3)	Power to approve form of notice to be served under s 16A(1)	DEM, ED, DCOM, MPB, MO, LLC, LLPO, LLO1, LLO2	
s 16B(3)	Power to approve form of notice to be served under s 16B(1)	DEM, ED, DCOM, MPB, MO, LLC, LLPO, LLO1, LLO2	
s 18	Power to offer uncollected livestock for sale	DEM, ED, DCOM, LLC, MPB, MO	
s 21	Power to dispose of livestock including destroying or re-housing	DEM, ED, DCOM, LLC, MPB, MO	
s 28(3)	Power to release impounded livestock pending determination of proceedings	DEM, ED, DCOM, LLC, LLO1, MPB, MO, LLO2	
s 30	Power to recover outstanding amount as a debt	DEM, ED, DCOM, LLC, MPB, MO	
s 33A	Power to appoint an authorised officer for the specific purpose of filing charge-sheets in respect of an alleged offence committed in the municipal district	ND	

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Infringements Act 2006			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 3	Power to appoint an issuing officer	ND	
s 9	Power to make and publish guidelines and policies in respect of the use of official warnings for infringement offences	MCB, ALL EMG, DCOM, LLA, LLC, MPB, MA, MCH	
s 15	Power to accept late payment of infringement penalty	MCB, ALL EMG, DCOM, LLA, LLC, MPB, ME, MCH	
s 17(1)	Power to refer certain matters to the Court	MCB, ALL EMG, DCOM, LLA, LLC, MPB, ME, MCH	
s 17(3)	Power to withdraw infringement notice and file a charge and summons in the Children's Court in some circumstances	MCB, ALL EMG, DCOM, LLA, LLC, MPB, ME, MCH	

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Infringements Act 2006				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	
s 18(1) & (2)	Power to withdraw an infringement notice in some circumstances	MCB, ALL EMG, DCOM, LLA, LLC, MPB, ME, MCH		
s 22	Function of receiving application for review of decision to serve infringement notice	DEM, ED, DCOM, LLA, LLC, MPB	Note: An internal review conducted under this Division must be conducted by a person employed by Council and who did not issue the infringement notice	
s 23(1)	Power to request additional information required to conduct review	MCB, ALL EMG, DCOM, LLA, LLC, MPB, ME, MCH		
s 23(4)	Power to refuse or grant request for extension of time made under s 23(3)(b)	MCB, ALL EMG, DCOM, LLA, LLC, MPB, ME, MCH		
23(6)(a)	Power, if applicant fails to provide information requested under s 23(1) within time under s 23(3) or, within the period of extension if an extension is granted under s 23(4)(b), to review the decision under s 24 without additional information	MCB, ALL EMG, DCOM, LLA, LLC, MPB, ME, MCH		

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Infringements Act 2006			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 23(6)(b)(i) & (ii)	Power, if applicant fails to provide information requested under s 23(1) within time under s 23(3) or, within the period of extension if an extension is granted under s 23(4)(b), to accept information provided by the applicant out of time and to review the decision under s 24 with that late information	MCB, ALL EMG, DCOM, LLA, LLC, MPB, ME, MCH	
s 25(1)	<p>Power, after reviewing a decision, to take the following actions (or any combination of those actions):</p> <ul style="list-style-type: none"> (a) confirm the decision to serve an infringement notice; (b) withdraw the infringement notice and serve an official warning; (c) withdraw the infringement notice; (d) withdraw the infringement notice and refer the matter to the Court in accordance with Part 2 or, where infringement notice served on a child, withdraw the infringement notice and file a charge and summons in the Children's Court; (e) in the case of an infringement offence involving additional steps, alter or vary those steps; (f) waive all or any penalty reminder notice fees; or (g) approve a payment plan. 	MCB, ALL EMG, DCOM, LLA, LLC, LLO1, MPB, ME, MCH, LLO2	
s 25(2)	Power, in the case of application made under s 22(1)(b), to:	MCB, ALL EMG, DCOM, LLA,	

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Infringements Act 2006			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	(a) confirm the decision; (b) withdraw the notice and serve an official warning; or (c) withdraw the notice.	LLC, MPB, ME, MCH	
s 25(2A)	Power made under s 22(1)(d), to grant or refuse application	MCB, ALL EMG, DCOM, LLA, LLC, MPB, ME, MCH	
s 29(1) & (2)	Power to serve a penalty reminder notice	MCB, ALL EMG, DCOM, LLA, LLC, MPB, ME, MCH	
s 46(4)	Power to offer payment plan in certain circumstances	MCB, ALL EMG, DCOM, LLA, LLC, MPB, ME, MCH	
s 46(5)(a)	Power to offer a payment plan by arrangement and management of a payment plan for the person to whom it applies by that agency	MCB, ALL EMG, DCOM, LLA, LLC, MPB, ME, MCH	

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Infringements Act 2006			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46(5)(b)	Power to offer a payment plan by referring the infringement penalty and penalty reminder notice fee to the Secretary for management by payment arrangement under the Fines Reform Act 2014	MCB, ALL EMG, DCOM, LLA, LLC, MPB, ME, MCH	
s 47(1)	Power to arrange a payment plan	MCB, ALL EMG, DCOM, LLA, LLC, MPB, ME, MCH	
s 49A(2)	Power to vary terms of a payment arrangement	MCB, ALL EMG, DCOM, LLA, LLC, MPB, ME, MCH	
s 50(3)(a)	Power to offer to apply amount of overpayment to outstanding infringement penalties, prescribed costs or enforcement orders, if person consents and directs Council to do so	MCB, ALL EMG, DCOM, LLA, LLC, MPB, ME, MCH	
s 50(3)(b)	Power to refund amount of overpayment by appropriating Consolidated Fund or refunding from another fund or account	DCOR, MF	

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Land Act 1958			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 134A(2)(a)	Power to be consulted before Minister grants lease for stratum of Crown land	DINF	
s 138A(3)(a)	Power to be consulted before person grants licence for strata of Crown land	DINF	
s 172(1)	Power to approve excise of land from certain streets by Governor in Council	DINF	
s 183A(1)	Power to raise funds by allowing use of common for the purposes of agriculture	DINF, LLC, LLO1, LLO2	Consent of Minister required
s 190	Power to authorise persons to enter onto Crown land and remove materials for the purposes of forming/maintaining public road	DINF	Consent of Minister required
s 400	Power to give notice to Secretary that road is an unused road	DINF	Land Regulations 2016, r 10 For the purposes of s 400(2) of the Act, the prescribed form and particulars for a notice that a road or part of a road that a municipal Council considers is not required for public traffic is an unused road is the form and particulars in sch 4.

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Land Act 1958			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 407(1)	Power to inform Minister it is desirable to re-open licensed closed road or water frontage	DINF	
s 407(3)(b)	Power to cause any building / hedge/ ditch etc to be taken down / filled up / removed etc	DINF	Where a licence under Division 8 of Part I has been cancelled under s 407(1)

Land Acquisition and Compensation Act 1986			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 7(1)(b)	Power to serve statement on person interested in the land in accordance with s 7(1)(b)	DINF	
s 14(1)	Power of an authority to amend notice upon agreement with persons on whom it was served	DINF	
s 15(1)	Power of an authority not to proceed with the acquisition	DINF	
s 17	Power of the authority to agree with owner to extend operation of notice	DINF	
s 18(1)	Power of the authority to acquire interest in land by agreement	DINF	

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Land Acquisition and Compensation Act 1986			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 26(5)	Power of the authority to enter into possession of the land	DINF	
s 27	Power of the authority to recover any rent due	DINF, MF	
s 28(1)	Power of the authority to issue a warrant where refusal to give up possession	DINF	
s 31(1) and supporting provisions	Power of the authority to make an offer, including the Power to determine amount of the offer.	DINF	
s 31(7)	Power of the authority to reduce the offer by an amount equal to outstanding interest, rates, taxes, etc.	DINF	
s 36(2)	Power of the authority to admit/vary/reject the claim under s 36	DINF	
s 43(2)	Power of the authority to give notice of intention	DINF	
s 45(1)	Power of the authority to grant a loan to claimant	DINF	
s 51(8)	Power of the authority to advance compensation to assist a person purchasing another interest in land	DINF	

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Land Acquisition and Compensation Act 1986			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 68(1)	Power of the authority to purchase or redeem interest in mortgage	DINF	
s 68(4)	Power of the authority to direct where to convey release of mortgagee's interest upon payment under s 68(3)	DINF	
s 68(5)	Power of the authority to give notice to the mortgagee that it will pay principal and interest upon 6 months of the notice	DINF	
s 68(6)	Power of the authority to direct where to convey release of mortgagee interest upon payment under s 68(5)	DINF	
s 69(1)	Power of the authority to pay amounts required under s 69(1) (c)-(e) to the credit of the Trust Fund where mortgagee fails to release interest or adduce good title	DINF, MF	
s 69(2)	Power of the authority to execute a deed poll	DINF	
s 70(4)	Power of the authority to direct where to convey release of mortgagee interest upon payment under s 70(3)	DINF	
s 71(1)	Power of the authority to pay amount required by s 70(3) to the credit of the Trust Fund where mortgagee fails to convey interest or adduce good title	DINF, MF	

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Land Acquisition and Compensation Act 1986			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 71(3)	Power of the authority to execute and register a deed poll	DINF	
s 72(4)	Power of the authority to direct where to convey release of mortgagee's interest	DINF	
s 73(1)	Power of the authority to pay compensation to the credit of the Trust Fund where mortgagee fails to release/adduce good title	DINF, MF	
s 73(3)	Power of the authority to execute and register a deed poll	DINF	
s 74(1)	Power of the authority to enter land	DINF	
s 75(1)	Power of the authority occupy land as long as is necessary for the purposes of the Local Government Act 1989	DINF	
s 75(2)(a)	Power of the authority or authorised person to dig and take from land any clay, soil, etc.	DINF	
s 75(2)(b)	Power of the authority to deposit any material on land	DINF	
s 75(2)(c)	Power of the authority to make cuttings or excavations on land	DINF	
s 75(2)(d)	Power of the authority to take timber from the land	DINF	

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Land Acquisition and Compensation Act 1986			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 75(2)(e)	Power of the authority to make and use roads on land	DINF	
s 75(2)(f)	Power of the authority to manufacture on the land any materials required	DINF	
s 75(2)(g)	Power of the authority to erect workshops, sheds, etc on land	DINF	
s 80	Power of the authority to refer a claim to the Court/Tribunal for determination	DINF	
s 87	Power of the authority in a compulsory conference to increase the amount of an offer	DINF	
s 91(4)	Power of the authority to set-off costs of determinations against any compensation award/costs payable to claimant	DINF	
s 103(1)	Power of the authority to inspect documents by notice in writing	DINF	
s 104(3)	Power of the authority/authorise a person to accept service on its behalf	DINF	
s 106(1)(c)	Power of the authority to extend/abridge time limits under the Act by agreement with concerned party	DINF	
s 109(1)	Power of the authority to sell, lease or deal with an interest in land	DINF	

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Liquor Control Reform Act 1998			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 40(1)	Power to object to grant, variation or relocation of a licence	DCOM, MPB	Not required to report to Council if breaching planning permit condition.
s 40(1A)	Power to object to grant, variation or relocation of packaged liquor licence or late night (packaged liquor) licence	DCOM, MPB	Not required to report to Council if breaching planning permit condition.
s 91	Power to request the Commission to conduct an inquiry into whether there are grounds to take disciplinary action	DCOM, MPB	
s 94	Power to request the Commission to conduct an inquiry into amenity or disuse	DCOM, MPB	

Local Government Act 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 103	Power to invest any money in accordance with subsections (a) to (f)	DCOR, MF	

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Local Government Act 2020				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	
s 116(1)	Power to transfer, exchange or lease land with or without consideration to an entity described in s 116(1)(a) to (e)	ND		
s 117(1)(a)	Power to approve another person to carry out the work required under s 117(1)	DINF	Delegation extends only to area of functional responsibility of delegate	
s 117(1)(b)	Power to carry out the work required under s 117(1)	DINF	Delegation extends only to area of functional responsibility of delegate	
s 117(3)	Power to recover costs of carrying out work	DINF	Note: this provision commences on 1 July 2021	
s 119	Power to require payment of all or part of money from present owner or occupier	MF	Subject to section 121	
s 120(1)	Power to charge interest on unpaid money (other than rates and charges) in accordance with s 120	DCOR, MF	Note: this provision commences on 1 July 2021	

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Local Government Act 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 121(4)	Power to provide a land information certificate, including the power to provide in a land information certificate any other information concerning the land as the delegate considers in their absolute discretion to be relevant	DCOR, MF, RRTL	
s 177(1)	Power to apply to the Minister for a compliance exemption from a regulatory requirement under this Act or the regulations specified in the application	DCOR	Subject to subsection (2)
s 313(1)	Power to institute proceedings in the corporate name of the Council	DCOR	Subject to subsection (a) – (d)
s 313(1)	Power to authorise a person to institute proceedings in the corporate name of the Council	DCOR	Subject to subsection (a) - (d)

Local Government Act 1989			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 154	Power to determine that land is not rateable land in accordance with s 154	MF	Delegate in accordance with adopted Rating Strategy
s 158(3)	Power to levy rates by sending notice to person liable	MF, RRTL	

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Local Government Act 1989			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 158(3A)	Power to send rate notice to a person specified upon request	MF, RRTL	
s 159(5)	Power to determine form & time period	MF, RRTL	
s. 159(6)	power to require applicant to give further particulars or verify particulars	MF, RRTL	
s 170(1)	Power to defer payment where applicant shows hardship	MF, RRTL	
s 170(3)(a)	Power to require payment where no longer hardship/in occupation	MF, RRTL	
s 171(1)	Power to waive rate/charge to eligible recipient or in accordance with Council determination	MF, RRTL	
s171(4)(f)	Power to decide to treat person to whom waiver granted as having made continuing application or waiver	MF	Requires the approval of the Minister administering the State Concessions Act 2004
s 171(5A)	Power to waive rate/charge where person has right to recover it from another (upon application of the eligible recipient)	MF	
s 171A(2)	Power to require information or verification	MF	

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Local Government Act 1989			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 171A(3)	Power to waive rate/charge/interest	MF	Under \$1,000
s 172(1)	Power to raise interest and require payment from person liable	MF, RRTL	
s 172(3)	Power to exempt a person from paying interest	MF	
s 172(4)	Power to recover interest due	MF, RRTL	
s 175(2)	Power to require current rates, arrears from person acquiring land	MF, RRTL	
s 177(1)	Power to require occupier to pay rent upon notice	DINF, MPF, PM	
s 177(4)	Power to recover unpaid rent as a debt due	DINF, MPF, PM	
s 180(1)	Power to recover unpaid rate/charge as a debt due	MF, RRTL	
s 181(2)	Power to dispose of land where rate/charge unpaid	MF	

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Local Government Act 1989			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			Report to be provided to Council for approval whether the disposal is to proceed.
s 181(5)	Power to serve and to give notices before Council sells the land.	MF	Subject to Council decision under s.181(2)
s 181(7)	Power to deduct expenses incurred in connection with sale	MF	
s 181C(2)	Power to send notice to person liable to pay environmental upgrade charge	MF	
s 185I	Power to enter into a cladding rectification agreement in respect of rateable land with an existing building on it	DCOM	Subject to ss 185I(4), 185J(4) and 185J(5)
s 185J(8)	Power to enter into a cladding rectification agreement if all the existing mortgagees of the rateable land agree in writing to the proposed cladding rectification charged	DCOM	If Council is not satisfied of the matters set out in s 185J(4)
s 185J(9)	Power to enter into a cladding rectification agreement if all the existing mortgagees of those lots agree in writing to the cladding rectification charge	DCOM	If Council is not satisfied of the matters set out in s 185J(5)
s 200(1)	Power to give persons notice that must carry out drainage works	DINF	

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Local Government Act 1989			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 200(2)	Power to carry out works itself where non-compliance with notice	DINF	
s 203(1)	Power to develop and implement a transport plan	DINF, MPF, ME	
s 203(2)	Power to prepare a transport plan jointly with one or more other councils	DINF	
s 203A	Power to procure, provide or enable transport services within the municipal district	DINF	
s 204(1)	Power to publish notice in Government Gazette of road to be declared a public highway	DINF	
s 223(3)	Power to authorise members of Council staff to carry out administrative procedures	ALL EMG, ALL MAN, ALL SUP	Delegation only extends to matters within the functional responsibility of delegate.
sch 10 cl 1(a)	Power to make, maintain and repair roads	DINF, MO, ME	
sch 10 cl 4	Power to enter and take any materials necessary from certain land	DINF	

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Local Government Act 1989			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
sch 10 cl 5(1)(a)	Power to approve, assign or change the name of a road	ND	Power in cl 5(1) must be exercised in accordance with the Geographic Place Names Act 1998
sch 10 cl 5(1)(b)	Power to erect signs on a road	DINF, IDC, ME MO	
sch 10 cl 5(1)(c)	Power to approve, assign and change the number of a road and any premises next to a road	DINF, MF	Limitation note for road numbers only
sch 10 cl 6	Power to cause standard survey marks to be established in roads	DINF	
sch 10 cl 8(1)(b)	Power to allow persons to make minor repairs, alterations, etc between the old alignment and the new alignment of a road	DINF, ME, IDC, MO	
sch 10 cl 9	Power to provide for temporary roads	DINF, ME, IDC, MO	
sch 10 cl 10	Power to permit the erection and maintenance of gate and fences and to revoke the permission and to permit the construction of by-passes for unfenced roads and to revoke the permission and require the removal of the by-pass	DINF, ME, IDC	

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Local Government Act 1989			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
sch 10 cl 11(a)	Power to require/cause the filling up of holes or excavations	DINF, ME, IDC	
sch 10 cl 11(b)	Power to require/cause the removal of a cause of danger/damage	DINF, ME, IDC, MO	
sch 10 cl 11(c)	Power to require/cause the erection or restoration of a fence between the holes or excavations and any adjacent land or road	DINF, ME, MO	
sch 10 cl 12	Power to make, maintain, repair or reconstruct a bridge or crossing	DINF, ME, IDC, MO	
sch 11 cl 1	Power to fix times when vehicles may stand in parking areas and the fees for and manner of standing in parking areas	ED	
sch 11 cl 2	Power to issue special parking permits to disabled persons	ED	
sch 11 cl 3	Power to remove abandoned/unregistered vehicles	ED	
sch 11 cl 4	Power to tow away and impound vehicles which are causing an unlawful obstruction etc and to charge a fee	DEM, ED, DCOM, LLC, LLO1, MPB, LLO2	

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Local Government Act 1989			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
sch 11 cl 5	Power to require or cause the removal of any encroachment or obstruction	ED	
sch 11 cl 6	Power to control traffic to enable works to be carried out on, over, or on land next to a road	DINF	
sch 11 cl 7	Power to close a road, or part of a road for a particular period	DINF, ME	
sch 11 cl 8	Power to erect and remove any works or structures to protect passengers, pedestrians and drivers or to regulate traffic on a road	DINF, ME	
sch 11 cl 10(1)(a) & cl 10(1)(b)	Power to block or restrict the passage or access of vehicles on a road by placing a temporary barrier or obstruction on a road	DINF, ME	If the road is a freeway or arterial road, consent of Head, Transport for Victoria is required
sch 11 cl 12(2)	Power to make decision to prohibit the use of a road by a vehicle over a certain size or weight	DINF, ME	Only to be exercised where immediate risk of danger to people or damage to property exists and action is immediately reported to Council
sch 11 cl 13	Power to determine speed limits	DINF, ME	Note - consent of VicRoads required for erection of major traffic control items.

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Local Government Act 1989			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
sch 11 cl 14	Power to prohibit or restrict traffic on a road if unsafe	DINF, ME	

Magistrates' Court Act 1989			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 99A(4)	Power to give persons or bodies making a written request under s 99A(3) access to any information that may be of use in the enforcement of court orders and fines	GC, MGS	

Major Transport Projects Facilitation Act 2009			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 111C(1)(a)	Power to enter into an agreement with project authority	ND	Council as specified entity
s 134(5)	Duty to give written notice to the Project Minister and project authority of any lease, licence or other of interest in land	DINF	Provision inserted under Suburban Rail Loop Act 2021
s 134(6)	Function of receiving written notice from the Project Minister	DINF	

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Major Transport Projects Facilitation Act 2009			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 167	Function of receiving written notice from the project authority	DINF	For land owned or vested in Council Provision inserted under Suburban Rail Loop Act 2021
s 189(2)	Duty to obtain consent of project authority for the purposes of carrying out works or discontinue a road within a project area	DINF	Provision inserted under Suburban Rail Loop Act 2021
s 189(5)	Function of receiving written consent	DINF, MPF	

Pipelines Act 2005			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 21(1)	Power to consent to entry onto Crown Land for purpose of conducting survey	DINF, DCOM	Where Crown Land is vested in Council
s 102	Power to decide construction of the pipeline in relation to roads, bridges and tramways is satisfactory	DINF	Where Council is the 'relevant authority'

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Pipelines Act 2005			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 103	Power to decide construction of the pipeline in relation to electrical apparatus or other pipelines is satisfactory	DINF	Where Council is the 'relevant authority'

Privacy and Data Protection Act 2014			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 22(1)	Power to seek approval of a code of practice or an amendment to a code of practice	GC, MGS	
s 28(5)	Power to refuse a request by an authorised representative of an individual for access to personal information where it is reasonably believed that access may endanger the individual	GC, MGS	
s 29(1)	Power to apply to the Commissioner for a public interest determination	GC, MGS	
s 30(1)	Power to request that application be for a temporary public interest determination	GC, MGS	

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Privacy and Data Protection Act 2014			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 34(1)	Power to apply to the Information Commissioner for approval of an amendment to a public interest determination	GC, MGS	
s 38(1)	Power to apply to the Information Commissioner for a temporary public interest determination and power to make a submission	GC, MGS	
s 47(1)	Power to apply for approval of an information usage arrangement	GC, MGS	Where Council is a lead party to an information usage arrangement
s 52(1)	Power to apply for approval of an amendment to an information usage arrangement	GC, MGS	Where Council is a lead party to an information usage arrangement
s 53(2)	Power to request revocation of an approval of an information usage arrangement	GC, MGS	Where Council is a party to an information usage arrangement
s 56	Power to apply to VCAT for review of a decision to issue a certificate under s 55	GC, MGS	Where Council's interests are affected by the decision

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Privacy and Data Protection Act 2014			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 62(3)	Power to attend before the Information Commissioner and produce documents	GC, MGS	
s 67(3)	Power to attend conciliation and settle the matter	GC, MGS	
s 69(1)	Power to prepare and sign conciliation agreement	GC, MGS	
s 69(2)	Power to lodge certified conciliation agreement	GC, MGS	
s 72	Power to apply to VCAT for an interim order	GC, MGS	
s 77(1)	Power to administer/ implement order of VCAT	GC, MGS	

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Privacy and Data Protection Act 2014			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 78(3)	Power to apply for extension in relation to compliance notice	GC, MGS	
s 79	Power to give information or produce a document	GC, MGS	
s 83(1)	Power to apply to VCAT for review of a decision of the Information Commission under s 78(1)	GC, MGS	

Public Interest Disclosures Act 2012			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 23	Power to provide information in respect of the disclosure	GC	
s 54(1)	Power to disclose information regarding an assessable disclosure or identity of person who has made an assessable disclosure, only in the circumstances listed in s 54(2)	GC	

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Public Health and Wellbeing Act 2008			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 27(3)	Power to apply to the Secretary for an exemption from complying with s 26	DCOM	
s 28(a)	Duty, in a state of emergency or when a pandemic declaration is in force, to comply with an order of the Secretary	ALL EMG	
s 31(4)	Power to give directions to authorised officers	EHC, DCOM, MCH	
s 57(2)	Power to disclose certain information to the Secretary, Chief Health Officer or another Council	DCOM	
s 57(4)	Power to disclose certain information to a Government Department, statutory body or other person responsible for administering another Act or regulations	DCOM	
s 62(4)(a)	Power to exercise the powers in section 66 where that section applies, for the purposes of s 62(3)(a)	EHO, EHC, DCOM, MCH	
s 62(4)(b)	Power to issue an improvement notice or a prohibition notice for the purposes of s 62(3)(a)	EHO, EHC, DCOM, MCH	

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Public Health and Wellbeing Act 2008			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 62(4)(c)	Power to bring proceedings under s 219(2) for an offence against this Act for the purposes of s 62(3)(a)	EHC, DCOM	
s 64	Power to institute proceedings for an offence under s 61	EHC, DCOM, MCH	
s 65	Power to investigate nuisance occurring outside municipal district	EHO, EHC, DCOM, MCH	
s 66(2)(a)	Power to enter and take steps to abate nuisance and do all things necessary for abatement	EHO, EHC, DCOM, MCH	Where nuisance comes from land for which the occupier and owner are unknown or cannot be found Unless another Council is abating the nuisance under s 66(2)
s 66(2)(b)	Power to do all things necessary for abatement of nuisance	EHO, EHC, DCOM, MCH	Where nuisance comes from land for which the occupier and owner are unknown or cannot be found Unless another Council is abating the nuisance under s 66(2)

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Public Health and Wellbeing Act 2008			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 66(4)	Power to recover costs incurred under s 66(2)	MF	
s 67A	Function of receiving application for registration of lower risk prescribed accommodation	EHO, EHC, DCOM, MCH	Provision commences on 15 February 2023
s 73(1)(a)	Power to give the applicant notice requiring specified information before considering the application under s 71	EHC, DCOM, MCH	
s 73(1)(b)	Power to inspect prescribed accommodation or premises before considering the application under s 71	EHO, EHC, DCOM, MBS, MPB, MCH	
s 73(1)(c)	Power to require alterations or improvements to prescribed accommodation or premises before considering the application under s 71	EHO, EHC, DCOM, MBS, MPB, MCH	
s 73(2)	Power to issue, transfer or renew a registration subject to s 73(1)(c)	EHO, EHC, DCOM, MCH	
s.74	power to decide issue, transfer or renew registration	EHO, EHC, DCOM, MCH	

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Public Health and Wellbeing Act 2008			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 76(1)(a)	Power to refuse to issue a registration	DCOM	Decision of delegate only valid where Council later ratifies the refusal
s 76(1)(b)	Power to issue a registration subject to a condition imposed on the registration by the Council under s 73(2)	EHO, EHC, DCOM, MCH	Subject to s 74
s 76(1)(c)	Power to vary a registration	EHC, DCOM, MCH	
s 76(1)(d)	Power to cancel a registration	EHC, DCOM, MCH	
s 76(1)(e)	Power to suspend a registration	EHC, DCOM, MCH	
s 76(1)(f)	Power to refuse to transfer a registration	DCOM	Decision of delegate only valid where Council later ratifies the refusal
s 76(1)(g)	Power to transfer a registration subject to a condition imposed on the registration by the Council under s 73(2)	EHO, EHC, DCOM, MCH	Subject to s 74
s 76(1)(h)	Power to refuse to renew a registration	EHO, EHC, DCOM, MCH	Decision of delegate only valid where Council later ratifies the refusal

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Public Health and Wellbeing Act 2008

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 76(1)(i)	Power to renew a registration subject to a condition imposed on the registration by the Council under s 73(2)	EHO, EHC, DCOM, MCH	Subject to s 74
s 78	Power to issue a replacement certificate of registration	EHO, EHC, DCOM, MCH	
s 181(1)	Power to take any step in paragraphs (a)-(d) with respect to items seized by an authorised officer appointed by Council	EHO, EHC, DCOM, MCH	
s 182	Power to destroy or otherwise dispose of forfeited item	DCOM	
s 185(2)	Power to approve form in which complaint is made	DCOM	
s 194(2)(a)	Power to issue an improvement notice	EHO, EHC, DCOM, MCH	In accordance with s 194(3)
s194(2)(b)	Power to issue a prohibition notice	EHO, EHC, DCOM, MCH	In accordance with s 194(3)
s 196(1)	Power to apply to Magistrates' Court for an injunction (compelling a person to comply or restraining a person from contravening an improvement notice or prohibition notice)	DCOM, MCH	

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Public Health and Wellbeing Act 2008			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 197(2)	Power to cause a complaint to be made to the Magistrates' Court (where prohibition notice or improvement notice issued and person does not comply or nuisance likely to recur)	DCOM, MCH	
s 197(5)(a)	Power, where order issued under s 197(4), to enter land and abate nuisance and do whatever is necessary to execute the order	EHO, EHC, DCOM, MCH	
s 197(5)(b)	Power to recover costs and expenses incurred	MF	
s 205(5)	Power to agree a period greater than 28 days for review of a decision with the applicant	DCOM, MCH	delegate must not have been involved or consulted in the making of the original decision
s 205(6)(a)	Power to make a decision affirming, varying or revoking a decision	DCOM, MCH	delegate must not have been involved or consulted in the making of the original decision
s 205(6)(b)	Power to make any other decision where original decision is revoked	DCOM	Where decision is to refuse an application, decision of delegate only valid where Council later ratifies the refusal delegate must not have been involved or consulted in the making of the original decision

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Public Health and Wellbeing Act 2008			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 209(2)	Power to serve infringement notice	EHO, EHC, DCOM, MBS, MPB, MCH	
s 219(2)(a)	Power to bring proceedings for offence against Part 6, 9 or 10 (or any regulations under Part 6, 9 or 10)	DCOM	
s 219(2)(b)	Power to bring proceedings for offence relating to an improvement notice or a prohibition notice	DCOM	
s 228(2)	Power to seek payment for cost of work conducted by Council where awarded legal costs	MF	'work' is defined in s 228(3)
s 229(3)	Power to take the actions necessary to ensure compliance with the direction, requirement, improvement notice or prohibition notice	EHO, EHC, DCOM, MCH	Where Council is so authorised by Chief Health Officer under s 229(2)
s 230(2)(b)	Power to recover, in court, costs incurred under s 229	MF	

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Residential Tenancies Act 1997			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 91ZU(1)	Power to give a renter a notice to vacate rented premises	ND	Where Council is a public statutory authority engaged in the provision of housing
s 91ZZC(1)	Power to give a renter a notice to vacate rented premises	ND	Where Council is a public statutory authority authorised to acquire land compulsorily for its purposes
s 91ZZE(1)	Power to give a renter a notice to vacate rented premises	ND	Where Council is a public statutory authority engaged in the provision of housing
s 91ZZE(3)	Power to publish Council's criteria for eligibility for the provision of housing	PM, MF	Where Council is a public statutory authority engaged in the provision of housing
s 142D	Function of receiving notice regarding an unregistered rooming house	EHO, EHC, DCOM, PM, MCH	
s 142G(1)	Duty to enter required information in Rooming House Register for each rooming house in municipal district	EHO, EHC, DCOM, PM, MCH	

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Residential Tenancies Act 1997			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 142G(2)	Power to enter certain information in the Rooming House Register	EHO, EHC, DCOM, PM, MCH	
s 142I(2)	Power to amend or revoke an entry in the Rooming House Register if necessary to maintain the accuracy of the entry	EHO, EHC, DCOM, PM, MCH	
s 206AZA(2)	Function of receiving written notification	EHO, EHC, DCOM, PM, MCH	
s 207ZE(2)	Function of receiving written notification	EHO, EHC, DCOM, PM, MCH	

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 87(2)(a)	Power to investigate complaint	DINF, MO, ME	Where Council is the appointing entity

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Road Management Act 2004

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 87(2)(b)	Power to provide written report	DINF, MO, ME	Where Council is the appointing entity
s 89(2)	Power to provide written authority to an authorised officer to give any information acquired by the authorised officer in carrying out those functions to any other person, whether directly or indirectly	DINF	Where Council is the appointing entity
sch 2 cl 4	Power to make submissions on the Head, Transport for Victoria's proposal to act under s 42 and cl 3	DINF	
sch 5A cl 51	Power to claim from the Head, Transport for Victoria an amount for loss or expense incurred as a result of an order under Division 2 Part 5 of the Act	DINF	Council must have sustained pecuniary loss or incurred an expense

Road Safety Act 1986

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 59(1)(a) and (d)	Power to authorise officer or other person to request or signal driver or person in charge of motor vehicle to do certain things, such as stop the motor vehicle	DINF, DCOM, LLC, LLO1, MPB, MO, ME, LLO2	

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Road Safety Act 1986

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 77(4)	Power to authorise officer to take proceedings for any offence which relates to the parking or leaving standing of a vehicle if the offence occurs on land or premises which are vested in, or under the control of, Council	DCOM, LLC, MPB, LLPO	
s 84BE(4), (5) and (5A)	Power to decide to accept statements as effective statements for the purposes of this Part	DINF, MO, ME	Where Council is the enforcement official
s 84BF	Power to cancel acceptance of a statement	DINF	Where Council is the enforcement official
s 87(1)	Power to serve, or cause to be served, a parking infringement notice	DEM, DCOM, LLC, MPB, LLPO	
s 90D(1)	Power to enter into an agreement with the owner or occupier or land for the provision of parking services	DEM, ED, DCOM	
s 90I	Power to issue parking permits to enable vehicles displaying a parking permit for people with disabilities to be parked in accordance with the Road Safety Road Rules 2017 (Vic)	DCOM, LLC, MPB	

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Road Safety Act 1986			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 99A(4)	Power to establish requirements for traffic management plan	DINF, IDC, MO, ME	Where Council is the coordinating road authority under the Road Management Act 2004
s 99B(1)	Power to issue permit to conduct non-road activity (including on conditions specified in s 99B(3))	DINF, IDC, MO, ME	Where Council is the coordinating road authority under the Road Management Act 2004
s 99B(2)	Power to authorise closure of highway to traffic	DINF, MO, ME	Where Council is the coordinating road authority under the Road Management Act 2004

Service Victoria Act 2018			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 7(5)	Power to perform a customer service function in accordance with the enactment that confers the function on the service agency	DCOR	
s 12(5)	Power to perform an identity verification function in accordance with the enactment that confers the function on the service agency	DCOR	

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Service Victoria Act 2018			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 47E	Power to make changes to information in database	DCOM, MCH	
s 54A(2)	Power to disclose regulated information in certain circumstances in (a) – (g)	DCOM, MCH	

Sex Work Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 3	Power to appoint an authorised officer	ND	Note: the Sex Work Act 1994 will be repealed on 1 December 2023

Subdivision Act 1988			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 3(5)	Power to require variation of easement or restriction in compliance with planning scheme or permit	DCOM, MPB	
s 5(3)(d)	Power to provide statement of compliance	DCOM, MPB	
s 5(4)	Power to accept and consider plans	DCOM, MPB	

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Subdivision Act 1988			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 5(4A)	Power to consider and certify plans before Transfer of Land Act 1958 application determined	DCOM, MPB	
s 8(1)	Duty to refer plans to referral authority in certain circumstances	PL, DEM, ED, DCOM, MPB, SP, PBA1, PTL	Unless sub s 8(2)-(5) apply Form of referral per r 13 and 14 of the Subdivision (Procedures) Regulations 2021
s 10(1)	Power to require applicant to alter plan	DCOM, MPB	
s 10(2)	Power to agree to an alteration at request of applicant	DCOM, MPB	
s 10(5)	Duty to send altered plan to referral authority	PL, DEM, ED, DCOM, MPB, SP, PBA1, PTL	Must send notice in prescribed Form 7 in Schedule 1 outlining revised times, r 19 of the Subdivision (Procedures) Regulations 2021
s 11(2A)	Power to amend without referral if minor amendment	DCOM, MPB	
s 11A(1)	Power to require more information	PL, DCOM, MPB, SP, PTL	

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Subdivision Act 1988			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			Requires internal referral so that requests are grouped and only made once for a particular application
s 15(1)	Power to require engineering plan	PL, DINF, DCOM, MPB, SP, PTL	Does not apply where s 14 applies
s 15(6)	Power to charge for engineering plans prepared by it	DINF	Does not apply where s 14 applies
s 17(2)(a)	Power to appoint supervisor of works	DINF, DCOM, MPB,	Does not apply where s 14 applies
s 17(2)(b)	Power to charge for supervision	DINF, DCOM, MPB	Does not apply where s 14 applies
s 17(2)(c)	Power to enter into agreement with owner or applicant in anticipation of applicant becoming owner	DCOM, MPB, SP, PTL	Does not apply where s 14 applies
s 17(2D)	Power to transfer works/interest in land relating to the works by agreement from Council to a relevant authority	DINF, DCOM	Does not apply where s 14 applies

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Subdivision Act 1988			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 18(1)	Power to require applicant to set aside land for public open space and/or pay a percentage	DCOM, MPB	Does not apply where ss 14 and 18(8) apply Must have regard to matters in s 18(1A)-2
s 18(1B)	Power to vary time of payment by agreement with applicant	DCOM, MPB	
s 18(4)	Power to agree with applicant to set aside/pay different percentage	DINF, DCOM, MPB	Does not apply where s 14 applies
s 18(7)	Power to refund amount paid under s 18(1) where no longer intend to subdivide	DINF, DCOM, MPB	Does not apply where s 14 applies
s 18(8)	Power to consider it unlikely that each lot will be further subdivided.	DCOM, MPB	
s 18A(6)	Power to decide to refund the amount paid to it, if satisfied that it is no longer intended to subdivide the land	DINF, DCOM, MPB	
s 19(1)	Power to obtain valuation where value is not agreed	DCOM, MPB	Does not apply where s 14 applies

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Subdivision Act 1988			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 19(5)	Power to obtain revaluation on each anniversary of the making of the public open space requirement and vary the requirement accordingly, where the public open space requirement has not been complied with	DCOM, MPB	Does not apply where s 14 applies
s 21(4)	Power to provide in the statement of compliance that agreement pursuant to Planning and Environment Act 1987 no longer applies in certain circumstances	DCOM, MPB, SP, PTL	Does not apply where s 14 applies
s 24A(2)	Power to certify a plan prepared under s 24A(1) where applicant certifies land no longer reserved	DCOM, MPB, SP, PTL	
s 34E	Power to apply to VCAT for order compelling an owners corporation to carry out a requirement or perform a duty	DCOM, MPB, SP, PTL	
s 35(2)	Power to require acquiring authority to submit certification new/amended plan	DCOM, MPB, SP, PTL	s 35(3)-(5) apply
s 35(8)	Power of acquiring authority to submit for certification and registration of any land vested/registered in its own name	DCOM, MPB, SP, PTL	s 35(9) applies
s 38	Power to provide written consent	DCOM, MPB	

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Subdivision Act 1988			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 38A(1)	Power to provide written consent	DCOM, MPB	
s 38B	Power to provide written consent	DCOM, MPB	
s 38C	Power to provide written consent	DCOM, MPB	
s 39(1)	Power to refer disputes to VCAT	DCOM, MPB	Unless s 39(2) applies
s 39(3)	Power to apply to the County Court to order registration of plan be stopped in certain circumstances	DCOM, MPB	
sch 2 cl 11(1)	Power to apply to a court for an order regarding scheme of development	DCOM, MPB	

Summary Offences Act 1966			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 4	Power to give permission or consent to certain things	ALL EMG	

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Transfer of Land Act 1958			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 45(1)	Power to sign a transfer of land in respect of which a decision to acquire or dispose of land has been made under the Local Government Act 2020	DINF, DCOM	Where Council is the landowner Note: Where Council receives a request for consent to the creation or surrender of an easement (right of carriageway) in a s 45 transfer of land that Council is not a party to, see s 73B
s 54	Power to make application to be registered proprietor	DINF, DCOM	Applies only where the Council is an 'acquiring authority' as defined in s 53
s 57(2)	Power to withdraw notice of intention to acquire	DINF, DCOM	Applies only where the Council is an 'acquiring authority' as defined in s 53
s 88(1B)	Power to consent to the varying or releasing of a restrictive covenant	DINF, DCOM	Where land is located in Council's municipal district
s 88(2)	Power to lodge with the Registrar a notification of the acquisition of an easement or any other right over or affecting land	DINF	Applies only where the Council is an 'acquiring authority' as defined in s 53
s 106(1)(b)	Power to consent to the registration of a dealing or plan	DINF	

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Valuation of Land Act 1960			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 7AB(2)	Power to adjust the rate or fire services property levy payable retrospectively for any period it considers just	MF	
s 7A(1)	Power to pay valuer subject to the requirements of this section	MF	
s 7A(2)	Power to make a payment, irrespective of s 7A(1), if Council satisfies paragraphs (a) and (b)	MF	
s 10(1)	Power to make a nomination to have the power to cause a valuation of all land in its municipal district for a specified year	MF	
s 10(6)	Power to revoke nomination made under s 10(1)	MF	
s 13DA(1)	Power to appoint people to carry out valuations	MF	Where Council is the valuation authority The person(s) to be appointed must hold the qualifications or experience specified by Minister
s 13DC(2)	Power to use in force valuations in certain circumstances	MF	
s 13DF(3A)	Power to use supplementary valuation before it is certified to levy or adjust municipal rate or fire services property levy	MF	

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Valuation of Land Act 1960			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 13DF(5)	Power to adjust rate or fire services property levy payable retrospectively where supplementary valuation made in circumstance referred to in s 13DF(2)(o)	MF, RRTL	
s 13DFB(1)	Power to request valuer-general to carry out a supplementary valuation	MF, RRTL	
s 13G(1)	Power to make a nomination to have the Power to cause a valuation of land specified in s 13G(2) for a specified year	MF	Where Council is the collection agency
s 13G(7)	Power to revoke nomination made under s 13G(1)	MF	Where Council is the collection agency
s 13J	Power to appoint people to carry out valuation	MF	The person(s) to be appointed must hold qualifications or experience specified by Minister Applies when Council is making a valuation for the purposes of the Fire Services Property Levy Act 2012
s 13L(4)	Power to use a supplementary valuation before it is certified by the valuer-general	MF	Where Council is the collection agency

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Valuation of Land Act 1960			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 13L(6)	Power to adjust the fire services property levy payable retrospectively for any period considered just	MF	Where Council is the collection agency
s 13N(1)	Power to request the Valuer-General to make a supplementary valuation	MF, RRTL	Where Council is the collection agency
13Q(4)	Power to adjust a rate or fire services property levy	MF	Provision commences on 1 July 2023, unless proclaimed earlier

Water Act 1989			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s12(1)(b)	Power to withhold authorisation or permission until such works are carried out that are required to avoid or lessen any possible adverse effect	DINF, ME	
s. 122ZC	Power to contribute money to environmental or recreational area for improving or maintaining the area	DINF, DCOM	
s. 165(1)	Power to require an Authority to fix fire plugs to works	DINF	

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Water Act 1989			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s.217	Power to apply for an order for removal or modification of works	DINF	
s218(8)	Power to require an owner, occupier or other public statutory body to remove any interferences, carry out any works and maintain any structures, if the Council has the management and control of a drainage course	DINF	Subject to the limitations set out in 218
s218(14)	Power to enter into and remain on the drainage course for the purpose of doing anything that an owner or occupier failed to do	DINF	
s244(8)(b)	Power to consent to community agreement where it involves the construction of a drain across a road reserve	DINF	
s246	Power to exercise the powers and perform the Functions of the committee if requested by the committee, where land is affected by a community drainage or salinity mitigation or community water supply scheme	DINF	

Building Regulations 2018			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 5(2)	Power to designate an area liable to flooding	DINF	Where Council is the relevant council

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Building Regulations 2018			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 73(2)	Power of providing report and consent	DCOM, MBS, MPB	Where Council is the relevant council
r 74(4)	Power of providing report and consent	DCOM, MBS, MPB	Where Council is the relevant council
r 75(4)	Power of providing report and consent	DCOM, MBS, MPB	Where Council is the relevant council
r 76(4)	Power of providing report and consent	DCOM, MBS, MPB	Where Council is the relevant council
r 77(3)	Power of providing report and consent	DCOM, MBS, MPB	Where Council is the relevant council
r 78(6)	Power of providing report and consent	DCOM, MBS, MPB	Where Council is the relevant council
r 79(6)	Power of providing report and consent	DCOM, MBS, MPB	Where Council is the relevant council
r 80(6)	Power of providing report and consent	DCOM, MBS, MPB	Where Council is the relevant council

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Building Regulations 2018			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 81(6)	Power of providing report and consent	DCOM, MBS, MPB	Where Council is the relevant council
r 82(5)	Power of providing report and consent	DCOM, MBS, MPB	Where Council is the relevant council
r 83(3)	Power of providing report and consent	DCOM, MBS, MPB	Where Council is the relevant council
r 84(9)	Power of providing report and consent	DCOM, MBS, MPB	Where Council is the relevant council
r 85(3)	Power of providing report and consent	DCOM, MBS, MPB	Where Council is the relevant council
r 86(3)	Power of providing report and consent	DCOM, MBS, MPB	Where Council is the relevant council
r 87(2)	Power of providing report and consent	DCOM, MBS, MPB	Where Council is the relevant council
r 89(3)	Power of providing report and consent	DCOM, MBS, MPB	Where Council is the relevant council

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Building Regulations 2018			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 90(2)	Power of providing report and consent	DCOM, MBS, MPB	Where Council is the relevant council
r 91(5)	Power of providing report and consent	DCOM, MBS, MPB	Where Council is the relevant council
r 92(2)	Power of providing report and consent	DCOM, MBS, MPB	Where Council is the relevant council
r 94(6)	Power of providing report and consent	DCOM, MBS, MPB	Where Council is the relevant Council
r 95(3)	Power of providing report and consent	DCOM, MBS, MPB	Where Council is the relevant council
r 96(3)	Power of providing report and consent	DCOM, MBS, MPB	Where Council is the relevant council
r 97(2)	Power of providing report and consent	DCOM, MBS, MPB	Where Council is the relevant council
r 109(1)	Power of providing report and consent	DCOM, MBS, MPB	Where Council is the relevant council

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Building Regulations 2018			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 109(2)	Power of providing report and consent	DCOM, MBS, MPB	Where Council is the relevant council
r 116(4)	Power of providing report and consent	DCOM, MBS, MPB	Where Council is the relevant council
r 130(1)	Power of providing report and consent	DCOM, MBS, MPB	Where Council is the relevant service authority
r 132(1)	Power of providing report and consent	DCOM, MBS, MPB	Where Council is the relevant council
r 133(2)	Power of providing report	DCOM, MBS, MPB	Where Council is the relevant council
r 134(2)	Power of providing report and consent	DCOM, MBS, MPB	Where Council is the relevant council
r 147O(1)	Power to give notice	DCOM, MBS, MPB	Where Council is the relevant council
r 147R(5)	Power to specify date	DCOM, MBS, MPB	Where Council is the relevant council

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Building Regulations 2018			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 147W(1)	Power to exempt an owner from the requirement under r 147V(1) to lodge a certificate of pool and spa barrier compliance	DCOM, MBS, MPB	Where Council is the relevant council
r 147Z(1)	Power to extend the period for lodgement of a certificate of pool and spa barrier compliance if satisfied of the criteria in r 147Z(1)(a) – (e)	DCOM, MBS, MPB	Where Council is the relevant council
r 150	Power to designate areas within council's municipal district in which buildings are likely to be subject to attack by termites.	DCOM, MBS, MPB	
r 153(2)	Power of providing report and consent	DCOM, MBS, MPB	Where Council is the relevant council
r 153(5)	Power to specify, council's report, a level for the surface of the lowest floor of a building on the site	DCOM, MBS, MPB	Where Council is the relevant council
r 154(1)	Power of providing report and consent	DCOM, MBS, MPB	Where Council is the relevant council
r 154(2)	Power to include, in the report and consent Council provides, recommendations controlling the location and construction of retaining walls and fences in relation to designated land or designated work	DCOM, MBS, MPB	Where Council is the relevant council

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Building Regulations 2018			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 166B(c)(ii)	Power to approve floor area size greater than 60m ²	MBS	
r 187(2)	Power of providing report and consent	DCOM, MBS, MPB	Where Council is the relevant council Subject to r 187(3)
r 280(1)	Power to exempt a Class 10 building that is to be constructed on farm land and used for farming purposes, from all or any of the requirements of these Regulations	DCOM, MBS, MPB	Where Council is the relevant council

Dangerous Goods (Explosives) Regulations 2022			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 147(3)	Function of receiving written notice of intention to discharge firework, Chinese firecrackers or theatrical fireworks	DCOM, LLC, MPB	Does not apply if local law requires a person to give Council greater notice of an intention to discharge fireworks

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Dangerous Goods (Explosives) Regulations 2022			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 147(6)	Function of receiving written notice of intention to discharge fireworks or firecrackers in or near port waters	DCOM, LLC, MPB	Where Council administers the relevant area of water

Drugs, Poisons and Controlled Substances Regulations 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 7(1)	Power to have possession of 'Schedule 4 poisons' that are necessary for immunisation programs coordinated by Council in accordance with the Public Health and Wellbeing Act 2008	EHC, DCOM, MCH	

Electricity Safety (Electric Line Clearance) Regulations 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
sch 1 cl 20	Power to consult relating to safety of cutting or removal of trees close to an electric line	DINF, MO	
sch 1 cl 21(1)	Power to consult relating to assisting to determine an additional distance that allows for conductor sag and sway	DINF, MO, LLC, LLO1, LLO2	

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Local Government (Long Service Leave) Regulations 2021			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 7(3)	Duty to pay the member one-tenth of 3 months ordinary pay for each year of completed recognised service	DCOR, MHR	
r 7(5)(a)	Duty to transfer long service leave entitlement to the other Council with the payment to be transferred under r 19(3)	DCOR, MHR	
r 7(5)(b)	Duty to pay the public body or special body (as the case requires) an amount equal to one-fortieth of one month's ordinary pay for each completed month of recognised of the member calculated in accordance with these Regulations	DCOR, MHR	
r 7(6)(b)	Duty to pay the member one-tenth of 3 months ordinary pay for each year of completed recognised service	DCOR, MHR	If, before the member's termination becomes effective, the member has not taken the whole of the long service leave to which the member is entitled or pay instead of that leave, or deferred the taking of the long service leave entitlement under subregulation (4)
r 8(2)	Power to receive notice in writing from member who ceases employment in any of the circumstances set out under subregulation (1) to elect to take pay instead of all or any part of the long service leave to which the member is entitled	DCOR, MHR	
r 8(3)	Duty to pay the member one-tenth of 3 months ordinary pay for each year of completed recognised service	DCOR, MHR	

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Local Government (Long Service Leave) Regulations 2021			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 8(4)(b)	Duty to pay member one-tenth of 3 months ordinary pay for each year of completed recognised service	DCOR, MHR	If a member who ceases employment in any of the circumstances set out under sub regulation (1) has not taken the whole of the long service leave to which the member is entitled or pay instead of that leave before their termination or retirement becomes effective
r 8(6)	Duty to pay the member referred to in sub regulation (5) one-tenth of 3 months ordinary pay for each year of completed recognised service	DCOR, MHR	
r 8(7)(b)(i)	Function of approving medical practitioner	DCOR, MHR	
r 9(2)	Duty to pay the legal personal representative of the member referred to in sub regulation (1) (as the case requires) (a) the pay which the member elected to take; and (b) pay instead of any long service leave to which the member was entitled and which the member had not taken, or for which the member has not paid	DCOR, MHR	
r 13(6)	Power to include, to the extent determined in each particular case by first Council, the whole or any portion of a period of service when the member was absent from duty with the prior or subsequent approval	DCOR, MHR	

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Local Government (Long Service Leave) Regulations 2021			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 14(1)(b)	Duty to grant the member a day off instead of a public holiday	ND	
r 14(2)	Power to agree on a mutually convenient time with the member	ALL EMG, DCOR, MHR	
r 15	Power to agree on a mutually convenient time with the member to take all or part of long service leave entitlement	ALL EMG	
r 16	Power to approve long service leave entitlement at half the salary for twice the period	ND	
r 17	Power to approve a member to engage in any employment for hire or reward while the member is on long service leave	ND	
r 18	Duty to provide another Council with any information in its possession which may be required by that other Council for the purposes of these Regulations	DCOR, MHR	
r 19(2)	Duty to, within 2 months of being informed of the employment, pay to the Council an amount equal to one-fortieth of one month's pay for each completed month of service of the member with Council	DCOR, MHR	Where Council is the member's former employer

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Local Government (Long Service Leave) Regulations 2021			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 19(3)	Duty to, within 2 months of being informed of the employment, pay to the Council an amount equal to one-fortieth of one month's pay for each completed month of service of the member with Council	DCOR, MHR	Where Council is the member's former employer
r 19(4)	Duty to refund a payment made to it under sub regulation (3)	DCOR, MHR	Where Council is the member's new employer
r 20	Power to enter into an agreement with an authority, person responsible for an office or Authority referred to in regulation 13(4) regarding transfer of entitlements	DCOR, MHR	

Occupational Health and Safety Regulations 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 376(c)	Function to receive a copy of the parts of the emergency plan relating to the off-site consequences of a major incident occurring	DEM, ED, MEM	
r 379(4)(b)	Function to review and, if necessary, revise the emergency management plan in relation to the off-site consequences of a major incident occurring	DEM, ED, MEM	

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Occupational Health and Safety Regulations 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 394(1)	Function to receive information about the safety of a major hazard facility	DEM, ED, MEM	
r 396	Function to be consulted on all matters that could affect the health and safety of members of the local community in the event of a major incident occurring	DEM, ED, MEM	
r 433(2)(b)(ii)	Function of assisting in the preparation of an emergency management plan for a prescribed mine	DEM, ED, MEM	
r 434(b)(ii)	Function to receive a copy of the emergency plan relating to the off-site consequences of a major incident occurring	DEM, ED, MEM	

Public Health and Wellbeing Regulations 2019			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 19(6)	Function of receiving a copy of a disease vector control notice	EHC, MCH	
r 59(4)	Function of being notified of test results	EHC, MCH	
r 59(7)	Function of receiving written notice	DCOM, MCH	

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Public Health and Wellbeing Regulations 2019			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 98	Function of being notified by the Secretary	DCOM, MCH	
r 112(1)	Power to request information	DCOM	

Public Health and Wellbeing (Prescribed Accommodation) Regulations 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 12(2)	Power to determine a building to be of cultural heritage significance if one of the circumstances in (2)(a) - (d) exist	ND	

Road Safety Road Rules 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 200(2)	Power to permit drivers of heavy and long vehicles to stop on roads in a built-up area for longer than 1 hour	DEM, ED, DINF	
r 289(1)(d)	Power to prohibit drivers riding bicycles or animals on the nature strip	DINF	

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Road Safety (General) Regulations 2019			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
79(1)(b)	Power to authorise staff member to file a charge	DINF	

Road Safety (Traffic Management) Regulations 2019			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 5	Power to appoint school crossing supervisor	DCOM, LLC, MPB	
r 10(2)	Power to disagree, in writing, with the proposal	DINF	
r 11(1)	Power to erect, display, place, remove or alter traffic control devices on roads or road related areas	DINF, MO, ME	Where Council is a responsible entity GMINF authorisation required for work instruction
r 11(2)(a)	Power to erect, display, place, remove or alter a minor traffic control device that is for the control of stopping or parking of vehicles in accordance with Part 12 of the Road Safety Road Rules 2017 (Vic)	DINF, MO, ME	On a road or road related area forming part of an arterial road within Council's municipal district
r 11(2)(b)	Power to erect, display, place, remove or alter a traffic control device that is associated with a children's crossing	DINF, MO, ME	

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Road Safety (Traffic Management) Regulations 2019			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 11(2)(c)	Power to erect, display, place, remove or alter a traffic control device installed in accordance with r 15	DINF, MO, ME	
r 11(2)(d)	Power to erect, display, place, remove or alter any other minor traffic control device or a major traffic control device	DINF, MO, ME	With the authorisation of the Head, Transport for Victoria Subject to r 11(3)
r 12(1)(d)	Power to authorise an authorised works manager, or a person acting on behalf of an authorised works manager, to erect, display, place, remove or alter any other minor traffic control device	DINF, MO, ME	Where Council is the coordinating road authority for that road or road related area Note: see r 23(b)
r 13(1)(f)	Power to authorise a person, to whom a coordinating road authority has issued a permit under section 99B of the Road Safety Act 1986 (Vic) to conduct a nonroad activity, to erect, display, place, remove or alter any other minor traffic control device	DINF, MO, ME	Where Council is the coordinating road authority for that road or road related area Note: see r 23(b)
r 18(1)(b)	Power to authorise a person to erect, display, place, remove or alter traffic control devices	DINF, MO, ME	Where Council is the coordinating road authority Note: see r 23(b)

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Road Safety (Traffic Management) Regulations 2019			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 27	Power to permit, in writing, a person to drive a vehicle on a road in an organised procession (other than a funeral procession) or a parade	DINF	Where Council is the coordinating road authority for that road
r 30(4)	Power to approve, in writing, a police-controlled rolling road closure	DINF, MO	Where Council is the coordinating road authority
r 32(2)(d)(ii)	Power to approve a highway collection being conducted	DINF, MO	
r 34(4)	Power to reduce, waive or refund the fee for a permit	DINF	Where Council is a coordinating road authority If there are special circumstances that justify the reduction, waiver or refund of the fee

Road Safety (Vehicles) Regulations 2021			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 122(3)	Power to enter into an agreement with Secretary to provide extracts for fees	DINF	

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Subdivision (Fees) Regulations 2016			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 9	Power to fix a fee for considering an engineering plan submitted under s 15 of the Subdivision Act 1988	DCOM	
r 12	Power to waive or rebate the payment of a fee payable under the Subdivision Act 1988	DCOM	

Subdivision (Procedures) Regulations 2021			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 11	Duty to give the applicant the street address and lot location of each plot on the plan	PL, DEM, ED, DCOM, MPB, SP, PTL	
r 14(a)	Duty to provide the referral authority with a copy of the application and certain details	PL, DEM, ED, DCOM, MPB, SP, PBA1, PTL	
r 14(b)	Duty to provide the applicant with a copy of the application and certain details	PL, DEM, ED, DCOM, MPB, SP, PBA1, PTL	

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Subdivision (Procedures) Regulations 2021			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 19(1)	Duty to send the referral authority notice of revised time for consideration of the plan, when sending a copy of altered plan under s 10(5) of Subdivision Act 1988	PL, DEM, ED, DCOM, MPB, SP, PBA1, PTL	
r 19(3)	Duty to send the applicant notice of revised time for consideration of the plan when altered plan is sent to a referral authority under s 10(5) of Subdivision Act 1988	PL, DEM, ED, DCOM, MPB, SP, PBA1, PTL	
r 23(a)	Duty to provide the referral authority with a copy of the plan and certain details, when referring an application to amend a certified plan under s 11(2) of Subdivision Act 1988	PL, DEM, ED, DCOM, MPB, SP, PBA1, PTL	
r 23(b)	Duty to provide the applicant with a copy of the application and certain details, when referring an application to amend a certified plan under s 11(2) of Subdivision Act 1988	PL, DEM, ED, DCOM, MPB, SP, PBA1, PTL	
r 29	Duty to provide the applicant with the amended street address and lot location of each lot on amended plan or new plan	PL, DEM, ED, DCOM, MPB, SP, PTL	In circumstances described in r 29
r 33(1)	Duty to maintain a register of applications	PL, DEM, ED, DCOM, MPB, SP, PBA1, PTL	May be kept in conjunction with register of permit applications kept under s 49(1) of the Planning and Environment Act 1987

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Subdivision (Procedures) Regulations 2021			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 33(4)	Duty to make the register available for inspection	PL, DEM, ED, DCOM, MPB, SP, PBA1, PTL	
r 36(4)	Duty to send notice of refusal where Council refuses to issue a statement of compliance under s 21 of Subdivision Act 1988	PL, DEM, ED, DCOM, MPB, SP, PTL	

Miscellaneous and Administrative Powers			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Section A - Finance Issues	Power to sign and issue Council order forms for purchase of goods, services and works and to enter into contracts for provision of goods, services and works to the Council	VTC, CBC, BMO, SWTL, PFO, PO, ECERL-C, DE, ALL EMG, ALL MAN, ALL SUP, GO1, EA - COM, EA - COR, EA - DEV, EA - INF, PBA1, BDTL, GC, LLA, CPO	Subject to designated levels of financial delegation.

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Miscellaneous and Administrative Powers				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	
Section A - Finance Issues	Power to authorise payment of wages, salaries, related payments.	DCOR, MF, MHR		
Section A - Finance Issues	Power to authorise payment of Councillor and Mayoral allowances	DCOR, MF	<p>Within the amount of allowance as determined by Council the Victorian Independent Remuneration Tribunal in accordance with s 7439 of the Local Government Act 1989 2020</p> <p>In accordance with s 39(6) of the Local Government Act 2020, s 74 of the Local Government Act 1989 continues to apply in respect of allowances payable to Mayors, Deputy Mayors and Councillors until the first Determination made by the Victorian Independent Remuneration Tribunal in accordance with s 39(6) of the Local Government Act 2020</p>	
Section A - Finance Issues	Power to open bank accounts in Council's name	MF		
Section A - Finance Issues	Power to approve invoices and accounts for payment. Budget items - e.g. super.	PC, MACC, ALL EMG, ALL MAN, ALL SUP		Subject to designated levels of financial delegation.

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Miscellaneous and Administrative Powers				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	
Section A - Finance Issues	Power to authorise enforcement of overdue debts	MF, RRTL		
Section A - Finance Issues	Power to appoint collection agency	MF		
Section A - Finance Issues	Power to approve contract variations	ALL EMG, ALL MAN	Subject to designated levels of financial delegation. Variation must be in accordance with the terms of an approved and executed contract variation and within contract budget.	
Section A - Finance Issues	Power to amend or vary agreements	ALL EMG	Subject to designated levels of financial delegation.	
Section A - Finance Issues	Power to sign cheques	ALL EMG, MF	Individual employees must also be registered as Council authorised bank signatories.	

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Miscellaneous and Administrative Powers			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Section A - Finance Issues	Power to authorise Petty Cash	ALL EMG, ALL MAN, ALL SUP	Subject to designated levels of financial delegation.
Section A - Finance Issues	Power to issue credit cards to staff	ALL EMG, MF	EMG are authorised to approve credit cards for employees within their area of management.
Section A - Finance Issues	Power to authorise calling of invitations for expressions of interest or tenders for works, services and equipment.	ALL EMG	
Section A - Finance Issues	Power to authorise to sign contracts of sale and vendor statements for land approved for sale.	ND	
Section A - Finance Issues	Power to sign contracts of sale for the approved acquisition of Real Estate (see 2A).	ND	
Section A - Finance Issues	Power to authorise the order, release, refund, or return of securities, bank guarantees and bonds, relating to property transactions only.	MF	

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Miscellaneous and Administrative Powers			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Section A - Finance Issues	Power to authorise progress payments.	ALL EMG, ALL MAN	Subject to designated levels of financial delegation.
Section A - Finance Issues	Power to authorise payment of contract variations.	ALL EMG, MPF, MA	Subject to designated levels of financial delegation.
Section A - Finance Issues	Power to determine fees and charges.	ND	Fees are determined in the Council's annual budget process
Section A - Finance Issues	Power to authorise the sale or disposal of assets other than land.	ALL EMG	Subject to approval at EMG meeting.
Section A - Finance Issues	Power to write off bad debts	MF	limit of \$5,000
Section A - Finance Issues	Power to approve electronic payments and transfers	MF, MACC, FACC, RRTL, PC	

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Miscellaneous and Administrative Powers			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Section B - Building Issues	Power to determine fees required under cl 1(c)(i) of sch 2, ss 18, 42 and 54 of the Building Act 1993 for building permit; application for an occupancy permit (building work), application for an occupancy permit (places of public entertainment) and under rr 147P(3), 147X and 147ZJ of the Building Regulations 2018 in relation to swimming pool or spa barriers.	ND	Fees are determined in the Council's annual budget process.
Section B - Building Issues	Power to determine fees payable, person responsible for payment of fees and method of payment and recovery of fees for any application, approval, permit, consent, referral, request, information, inspection, consultation, advice, report, the keeping of documents and records or other function, service or work performed or provided under the Building Act 1993, Building Regulations 2018 or for the purposes of any other building control or related function of the Council by the Council or its delegate or any member of staff of the Council.	ND	Fees are determined in the Council's annual budget process.
Section C - Miscellaneous Issues	Power to appoint agent, and enter into agency agreement, for the purposes of s108 of the Local Government Act 2020	ND	

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Miscellaneous and Administrative Powers			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Section C - Miscellaneous Issues	Power to obtain legal opinions and instruct external legal providers	ALL EMG, ALL MAN, EHC, GC, LLC, PM	Legal advice sought must be within delegates area of responsibility.
Section C - Miscellaneous Issues	Power to approve legal costs	ALL EMG, ALL MAN, EHC, GC, LLC, PM	Subject to designated levels of financial delegation and within area of responsibility.
Section C - Miscellaneous Issues	Power to make "ex gratia" settlement of insurance claims.	MGS, GC	up to \$20,000 per claim.
Section C - Miscellaneous Issues	Power to manage processing of insurance claims.	MGS, GC	
Section C - Miscellaneous Issues	Power to execute funding and service agreements with other levels of government.	ND	
Section C - Miscellaneous Issues	Power to execute applications for government grants.	ND	

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Miscellaneous and Administrative Powers			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Section C - Miscellaneous Issues	Power to determine suitability and value of "in kind" local contributions toward \$ for \$ capital works.	DINF, MPF, MO, ME	
Section C - Miscellaneous Issues	Power to grant approval for storage or sale of liquor on Council premises.	ND	
Section C - Miscellaneous Issues	Power to make seasonal and casual allocation of sporting grounds.	DCOM, LLC, LLO1, LLO2	
Section C - Miscellaneous Issues	Power to enter into agreements for voluntary or not-for-profit organisation to use Council facilities	ND	
Section C - Miscellaneous Issues	Power to make statements to the press	ND	
Section C - Miscellaneous Issues	Power to make a decision relating to the conduct of a proceeding before the Victorian Civil and Administrative Tribunal, including a decision to settle the proceeding	ND	Where Council is a party to a proceeding at the Victorian Civil and Administrative Tribunal

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Miscellaneous and Administrative Powers					
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
Section C - Miscellaneous Issues	Power to give authority to make statements to the press	ND			
Section C - Miscellaneous Issues	Power to authorise the issue of media releases	ND			
Section C - Miscellaneous Issues	Power to authorise access to Council files and documents	ND			
Section C - Miscellaneous Issues	Power to sign correspondence	ALL EMG, ALL MAN, ALL SUP, GO1, GO2, GGO			
Section C - Miscellaneous Issues	Power to enter into a licence for the occupation or use of property	ND			
Section C - Miscellaneous Issues	Power to make a decision relating to the conduct of a proceeding before Court, including a decision to settle the proceeding	ND			

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Miscellaneous and Administrative Powers			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Section C - Miscellaneous Issues	Power to approve litigation settlement amounts	ND	
Section C - Miscellaneous Issues	Power to appeal a decision of the Victorian Civil and Administrative Tribunal or Court	ND	
Section C - Miscellaneous Issues	Duty to administer a competition and consumer protection compliance program	ND	
Section C - Miscellaneous Issues	Duty to administer a privacy compliance program	ND	
Section C - Miscellaneous Issues	Power to authorise entertainment expenses	ALL EMG	
Section C - Miscellaneous Issues	Power to authorise publication on the internet	ALL EMG, GC, MC, MHR, MGS	

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Miscellaneous and Administrative Powers				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	
Section C - Miscellaneous Issues	Power to authorise publication on the Intranet	ASO, CO, ITO, HRC, HRO, DEM, ALL EMG, ALL MAN, ALL SUP, EO, EA - COM, EA - COR, EA - DEV, EA - INF	Authorisation to publish is limited to areas of access and oversight of the responsible officer.	
Section C - Miscellaneous Issues	Power to make or authorise the making of submissions to external bodies	ALL EMG		
Section C - Miscellaneous Issues	Power to approve arrangements having important public relations aspect (e.g. opening ceremony for new facilities)	ND		
Section C - Miscellaneous Issues	Power to authorise expenditure on advertising and media	ALL EMG, GC, MC, MHR, MGS		
Section C - Miscellaneous Issues	Power to give permission to publish any document or publication	ALL EMG, GC, MC, MGS	except during Council election period	

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Miscellaneous and Administrative Powers			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Section C - Miscellaneous Issues	Power to authorise allocation or changeover of garbage bins	DINF, MO, ME	
Section C - Miscellaneous Issues	Power to serve statements under the Land Acquisition and Compensation Act 1986	DINF, MPF	
Section C - Miscellaneous Issues	Power to sign transfer-related documentation under the Duties Act 2000	DINF, MPF, PM	
Section C - Miscellaneous Issues	Power to authorise the release of deposit moneys under the Sale of Land Act 1962	DINF, MPF	
Section C - Miscellaneous Issues	Power to serve statutory notices in relation to land owned or managed by Council	DINF, MPF	
Section C - Miscellaneous Issues	Power to request a Minister or Secretary to appoint a Council officer to be an authorised officer or authorised for a particular purpose under an Act	ND	

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Miscellaneous and Administrative Powers			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Section C - Miscellaneous Issues	Function of lodging claims for Natural Disaster Financial Assistance and liaising with the Department of Treasury and Finance regarding claims	ND	

Miscellaneous and Administrative Powers Designated Levels of Financial Delegation			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Section A - Finance Issues	Designated level of Financial Delegation - \$500.00	WTL	
Section A - Finance Issues	Designated level of Financial Delegation - \$2,500.00	CPO	
Section A - Finance Issues	Designated level of Financial Delegation - \$5,000.00	CBCCR, CSC, GO1, EA - COM, EA - CSR, EA - DEV, EA - INF, LLA, PGTL, RRTL, SM, PBA1, CPM, CSCS,	

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Miscellaneous and Administrative Powers Designated Levels of Financial Delegation			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		AOTL, CBCCC, BDTL, PGOTL, CPC, OMAS, PATL, VTC, CBC, BMO, PFO, PO, ECERL-C, FRTL, FRA, OHSA	
Section A - Financial Issues	Designated level of Financial Delegation - \$10,000.00	AFC, BM, CSCQ, EA - COR, EHC, GC, IDC, LLC, LSM, MBS, PM, QOM, SAC, , SMEC, BIM, ITC, RC, PGC, WS, CWC, PMC, EDM, SWTL, DE, FRTL, RRC, EMC	
Section A - Financial Issues	Designated level of Financial Delegation - \$25,000.00	EO, WM, WSC	

Instrument of Sub-Delegation Chief Executive Officer to Members of Staff

Miscellaneous and Administrative Powers			
Designated Levels of Financial Delegation			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Section A - Financial Issues	Designated level of Financial Delegation - \$50,000.00	MC, ME, MF, MHR, MIT, MPB, MR, MO, MA, MCD, MCH, MGS, MEM, MWE, MIP, MEB	
Section A - Financial Issues	Designated level of Financial Delegation - \$100,000.00	MPF	
Section A - Financial Issues	Designated level of Financial Delegation - \$250,000.00	DCOR, DINF, DCOM, DS, DEM	Contract variations can only be approved where: * the variation is within budget; and * the cumulative variations do not exceed more than 20% of the total contract or \$50,000 (whichever is the lesser); and * the total contract value, inclusive of variations, is below the maximum financial delegation.