

# S7 INSTRUMENT OF SUB-DELEGATION

Chief Executive Officer to Members of Staff

# 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
ALL Staff	ALL
Duty Supervisor	ADS
Animal Attendant	AA
Animal Attendant Team Leader	AATL
Aquatic Facilities Coordinator	AFC
Aquatic Operations Team Leader	AOTL
Arboriculture Officer	AO
Arts & Culture Coordinator	ACC
Buildings Assets Officer	BAO
Building Coordinator	BC
Building Inspector	BI
Buildings Manager	BM
Building Officer	BO
Building Surveyor	BS
Business Development Team Leader	BDTL
Business Integration Manager	BIM
Administrative Support Officer – Office of the CEO	ASO - CEO
Centre Based Care Coordinator - Campaspe	CBCCC
Centre Based Care Coordinator – Rochester	CBCCR
Chief Executive Officer	CEO
CEO Executive Officer	EO - CEO
Centre Based Care Cook - Campaspe	CBCC
Centre Based Care Cook – Rochester	CBCR
Child Safe Advisor	CSA

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

Children's Services Coordinator – Care	-CSCC (works to title Children's Services Coordinator – Care)
Children's Services Coordinator – Health	- CSCH (works to title Children's Services Coordinator – Health)
Clinical Services Team Leader	CLSTL
Commercial Business Coordinator	COPM
Communications Officer	CO
Communities Executive Assistant	EA - COM
Community Development Coordinator	CDC
Community Development Officer	CDO
Community Services Support Officer	CSSO
Contracts & Procurement Lead	CPL
Contracts & Procurement Coordinator	CPC
Corporate Executive Assistant	EA - COR
Customer Experience Coordinator	CEC
Customer Service Officer	CSO
Customer Service Team Leader	CSTL
Development Engineer	DE
Director Communities	DCOM
Director Corporate	DCOR
Director Infrastructure	DINF
Director Sustainability	DS
ECE CoWorker	ECEC
Early Childhood Educator Room Leader – Campaspe	ECERL-C
Early Childhood Educator Room Leader – Rochester	ECERL-R
Economic Development Manager	EDM
Emergency Management Officer	EMO
Emergency Management Coordinator	EMC
Engineering Coordinator	EC
Environmental Health Coordinator	EHC
Environmental Health Officer	EHO
Environmental Projects Officer – Conservation	EPOC
Environmental Projects Officer – Education	EPOE
Festival & Events Coordinator	FEC
Flood Recovery Administration	FRA
Flood Recovery Officer	FRO
Flood Recovery Team Leader	FRTL

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

Fitness and Lifestyle Leader	FLL
Governance Coordinator	GC
Grants Officer	GO
People and Culture Services Coordinator	HRC
People and Culture Officer	HRO
Information Management Coordinator	IMC1
Information Technology Coordinator	ITC
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 Officer	LLO1
Parking/Local Laws Officer	LLPO
Local Laws Trainee	LLT
Manager Resilience, Recovery and Emergency Management	MRREM
Manager Economy and Business	MEB
Manager Strategic Assets	MSA
Manager Advocacy Communications and Engagement	MACE
Manager Community Partnerships	MCP
Manager Community Services	MCS
Manager Community Safety and Compliance	MCSC
Manager Engineering	ME
Manager Finance and Investment	MFI
Manager People and Culture	MPC
Manager Information Communication Technology	MICT
Manager Integrated Planning	MIP
Manager Operations	MO
Manager Governance and Risk	MGR
Manager Planning and Building	MPB
Manager Properties and Facilities	MPF
Manager Tourism, Arts and Culture	MTAC
Manager Major Projects	MMP
Manager Active Communities	MAC
Manager Waste and Environment	MWE

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

Maternal and Child Health Nurse	MCHN
Maternal & Child Health Support Officer	MCHSO
Municipal Building Surveyor	MBS
Not Delegated	ND
Nurse Immuniser	NO
Animal Services (Pound) Operations Manager	ASOM
Parks and Gardens Coordinator	PGC
Parks and Gardens Operations Team Leader	PGOTL
Parks and Gardens Team Leader	PGTL
Parks and Gardens Arboriculture Team Leader	PGATL
Planner	PL
Planning and Building Administration Officer	PBAO
Planning Coordinator	PC
Plant and Fleet Officer	PFO
Property Manager	PM
Property Officer	PO
Quarry Operations Manager	QOM
Rates and Revenue Officer	RRO
Rates and Revenue Team Leader	RRTL
Recreation Coordinator	RC
Recreation Officer	RO
Risk Advisor	RA
Saleyards Manager	SM
Senior Planner	SP
Store and Workshop Team Leader	SWTL
Supported Playgroup Facilitator	SPF
Sustainability Executive Assistant	EA – SUS
Tourism Development Manager	TDM
Talent and Performance Lead	TPL
Waste Services Coordinator	WSC
Works Manager	WM
Works Supervisor	WS
Workshop Senior Mechanic	WSM
Works Team Leader	WTL
Youth Community Development Officer	YCDO

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

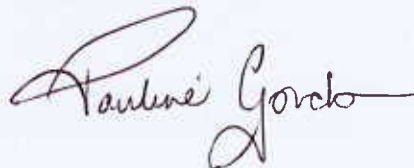
Position Group	Group Abbreviation	Position Abbreviations
Executive Leadership Team	ALL ELT	DCOR, DINF, DCOM, DS, ALL ELT
Managers	ALL MAN	MACE MCSC, MPC, MICT, MFI, MGR, MPF, ME, MO, MMP, MSA, MAC, MCO, MCS, MTAC, MPB, MWE, MIP, MEB MACE MPC, MCP, MRREM
Supervisors	ALL SUP	ACC, AFC, LSTL, BM, CBCCR, COPM, CSCQ, CSC, EO, EC, EHC, GC, FEC LLC, LSM, MBS, PGTL, PM, QOM, RRTL, SM, WSC, SMEC, BIM, IMC1, ITC, CSTL, CPL, CSCS, BS, AOTL, CBCCC, FLL, BDTL, RC, PGC, WSM, PGOTL, WS, CWC, CDC, EDM, AO, EOM, ATL2, ATL3, ACSC, ADS, IMC2, ASOM, PATL, RO, WM, FRTL, EMC, CDC, HRC, CPC, PC POM, SWTL, TDM

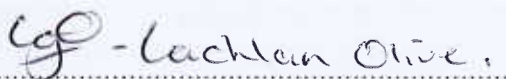
3. record that on the coming into force of this Instrument of Sub-Delegation each delegation under the Instrument of Sub-Delegation dated 26 September 2023 executed by the Chief Executive Officer are revoked;
4. declare that this Instrument of Sub-Delegation -
  - 4.1 comes into force immediately upon 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.

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

**This Instrument of Sub-Delegation** dated 23 December 2024 is made by the Chief Executive Officer under authority of an instrument of delegation authorised by Resolution of Council made on 23 April 2024.

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

) 



Witness

Date: 23 December 2024

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

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

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 <i>Aboriginal Heritage Act 2006</i>	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)

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

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	MFI, DCOR	
s 13(4)	Power to dispute the reasonableness of an amount to be paid	MFI, DCOR	
s 17(1)	Function of being consulted by the Auditor-General	MFI, ALL ELT	
s 18(1)	Function of receiving a final specification of a performance audit	MFI, DCOR	
s 18(4)(a)	Function of receiving an amended specification	MFI, DCOR	
s 18(4)(b)	Function of being consulted by the Auditor-General	MFI, ALL ELT	
s 23(1)	Power to enter into an agreement with the Auditor-General for the provision of other auditing services	DCOR	
s 44	Function of receiving a written notice and power to give consent to entry	DCOR	
s 45	Power to consent to earlier entry	DCOR	

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

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	MFI, DCOR	
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	MFI, DCOR	
s 48	Power to request that the Auditor-General or authorised person serve an information gathering notice	MFI, DCOR	
s 58(2)(a)(i) & (ii)	Function of receiving a copy of the report or part of the proposed report and the power to make comment	MFI, ALL ELT	
s 65(2)	Duty to give Council's officer or employee a reasonable opportunity to respond in relation to the adverse material	MFI, ALL ELT	
s 68(1)	Function of receiving information acquired by the Auditor-General	MFI, ALL ELT	Where Council is a specified entity

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

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, DS, MPB, BC	
s 25AD(1)	Function of receiving written notice of the occurrence of each prescribed event and the prescribed information relating to that event	MBS, MPB, BC	
s 25BE	Function of receiving the building permit number and the information given to the Victorian Building Authority ( <b>Authority</b> ) by the relevant building surveyor under s 18AA in relation to the application for the building permit number	MBS, MPB, BC BI, BS	
s 29A	Function of giving consent to building permit for demolition in its capacity as responsible authority under the <i>Planning and Environment Act 1987</i>	DS, MBS, MPB, BC, BS	
s 29B(1)	Duty to give notice where amendment of planning scheme sought in its capacity as responsible authority under the <i>Planning and Environment Act 1987</i>	DS, MPB	
s 29B(3)	Duty to give notice where request for amendment withdrawn, refused etc. in its capacity as responsible authority under the <i>Planning and Environment Act 1987</i>	DS, MPB	

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

BUILDING ACT 1993			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 30	Function of receiving copy permit, plans and other documents	MBS, MPB, BC, BI, BS	
s 30B	Function of receiving checklist confirming all relevant documents to be provided by building surveyor	MBS, BC, BS, BI, MPB	
s 31(1)	Duty to keep register of building permits	MBS, MPB, BC, BS, BI, BO, PBAO	
s 31(2)	Duty to make register available for inspection	MBS, MPB, BC, BI, BS, BO, PBAO	
s 32	Duty to keep documents	MBS, MPB, BC, BI, BS, PBAO, BO	
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, BC, BI	
s 66(b)(i)	Function of determining fees	ND	

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

BUILDING ACT 1993			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 73	Function of receiving copy permit, plans and other documents	MBS, BS, MPB, BI, BC, PBAO, BO	
s 74(1)	Duty to keep register of occupancy permits, temporary approvals and amendments	MBS, MPB, BC, BS, BI, BO, PBAO	
s 74(2)	Duty to make register available for inspection	MBS, MPB, PBAO, BC, BS, BI, BO	
s 75	Duty to keep documents	DS, MBS, MPB, PBAO, BS, BI, BO, BC	
s 80	Function of receiving notification of appointment	MBS, MPB, BC	
s 80A(3)(a)	Function of receiving written notice of designated building surveyor referred to in s 80A(2)	MBS, MPB, BC	
s 80A(4)(a)	Function of receiving notice of the new designated building surveyor	MBS, MPB, BC	
s 80C(4)(c)	Function of receiving a copy of the transfer form	MBS, MPB, BC	



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

BUILDING ACT 1993			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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, MPB, BC	
s 81(2)	Function of receiving notification for work terminated	MBS, MPB, BC	
s 83F	Function of receiving notice of appointment of manager for private building surveyor's business from the Authority	MBS, MPB, BC	
s 101(2)	Function of receiving copy documents	MBS, MPB, BC	
s 120(2)(a)	Function of receiving notification that an order is complied with	MBS, MPB, BC	
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, DS, MPB	
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, DS, MPB	
s 125(1)	Function of receiving copy notice or order	MBS, MPB, BC	

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

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, MPB, BC	
s 126(1)	Duty to keep register of emergency orders, building notices and building orders	MBS, MPB, BC, BS, BI, PBAO	
s 126(2)	Duty to make register available for inspection	MBS, MPB, BC, BS, BI, BO, PBAO	
s 138(5)	Power to appeal to the Building Appeals Board	MBS, MPB, DS, BC	Where Council is a prescribed reporting authority
s 160(3)(d)	Power to make application to the Building Appeals Board	MBS, MPB, DS, BC	
s 162(1)(a)(i)	Function of being consulted by the Building Appeals Board	MBS, MPB, DS, BC	
s 162(4)(b)	Function of entering into an agreement when directed by Building Appeals Board	MBS, MPB, DS, BC	
s 164(1)	Power to agree to terminate or vary agreement	MBS, MPB, DS	
s 164(2)	Power to terminate or vary agreement	MBS, MPB, DS	

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

BUILDING ACT 1993			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 164(4)	Power to apply for approval	MBS, MBP, DS	
s 165(1)(a)	Duty to lodge copy or give notice	MBS, MPB, BC	
s 165(1)(b)	Duty to apply to agreement made in the Register	MBS, MPB, BC	
s 192A(7)	Function of receiving a copy of the map prepared by the Minister	MBS, DS, MPB	
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, MPB, BC, BS, BO, BI, PBAO	
s 214(1)	Power to enter into agreement	ND	
s 215(1)	Power to enter into agreements with a private building surveyor	MBS, MPB, DS	
s 216A	Power to apply to the Minister for exemption	ND	
s 216C	Power to appoint a municipal building surveyor to carry out certain functions outside of the municipal district	ND	

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

<b>BUILDING ACT 1993</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 216D(2)	Duty to establish and maintain a register of swimming pools located in Council's municipal district	MBS, MPB, BI, BS, BC, BO, PBAO	
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, MPB, BC, BS, BI, BO, PBAO	
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, MPB, BC, BS, BI, BO, PBAO	
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, BC, MPB	
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, BC, MPB	
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, BC, MPB	

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

BUILDING ACT 1993			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 230(7)(c)	Duty to provide an extract under s 230(6), if requested	MBS, BC, MPB	
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 municipal building surveyor to act on behalf of the municipal building surveyor	DS, MPB	
s 234A	Duty to consider the complaint and give a written report to the complainant of the person's consideration of the complaint	DS, 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)	DS, MBS, MPB, BS, BC	
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	DS MBS, 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	DS, MPB	

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

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, DS, MPB	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	DS, DCOM, MBS, MPB	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, MPB, DS, BC	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, MPB, BI, DS, BC	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, BI, BS, DS, MPB	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, BI, BS, DS, MPB	Where Council is a building regulator
sch 2 cl 1(c)(i)	Function of determining fees	ND	

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

BUILDING ACT 1993			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
sch 2 cl 4(2)	Function of receiving copy application	MBS, MPB, PBAO	
sch 2 cl 4(3)	Function of receiving fees	MFI, DCOR	
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, BS, BI, DS MPB	Where Council is the reporting authority

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

<b>CATCHMENT AND LAND PROTECTION ACT 1994</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 22A(4)	Function of receiving a copy of the Minister's declaration	DS, MWE	
s 22B	Duty to prepare a roadside weed and pest animal management plan	MWE, MOEPOC	Where a declaration has been made in respect of Council's municipal district, under s 22A See also s 22C for the contents of the plan
s 22C(3)	Function of determining which additional information to include in a roadside weed and pest animal management plan	MWE, MO, ME	
s 22D	Duty to have regard to matters in s 22D(a) – (c) when preparing a roadside weed and pest animal management plan	MWE, MO, ME	
s 22E(1)	Duty to submit proposed roadside weed and pest animal management plan within 120 days of Minister's declaration	DS, MWE	
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	DS, MWE, MSC	
s 22F	Duty to comply with procedure described in s 22F before preparing roadside weed and pest animal management plan	MWE, DS	



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

<b>CATCHMENT AND LAND PROTECTION ACT 1994</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 22G	Duty to comply with request of Minister to provide a revised roadside weed and pest animal management plan	ALL ELT, DS, MWE	
s 22H	Function of receiving notice from the Minister of approval of roadside weed and pest animal management plan	ALL ELT, DS, MWE	
s 22I(1)	Duty to publish the approved roadside weed and pest animal management plan on Council's website as soon as practicable after plan is approved	MWE, MACE, EA - SUS	
s 22I(2)	Duty to ensure that copies of the approved roadside weed and pest animal management plan are available for inspection during normal office hours	MWE, EA – SUS	
s 22J	Duty to implement measures set out in approved roadside weed and pest animal management plan	MWE, MO	
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	DS, ALL ELT MWE	
s 22K(4)	Function of receiving notice of Minister's decision to approve or refuse to approve the request for a variation of roadside weed and pest animal management plan	DS, ALL ELT MWE	
s 22L	Function of receiving Minister's request to vary approved roadside weed and pest animal management plan	DS, ALL ELT MWE	

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

<b>CATCHMENT AND LAND PROTECTION ACT 1994</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 22M(1)	Duty to publish a consolidated version of its approved roadside weed and pest animal management plan on its website as soon as practicable after variation under ss 22K or 22L	MWE, EA – SUS, MACE	
s 22M(2)	Duty to ensure that a consolidated version of its approved roadside weed and pest animal management is available for inspection	MWE, EA – SUS	
s 22N(2)	Function of receiving notice of Minister's intention to suspend the approval of a roadside weed and pest animal management plan	DS, ALL ELT MWE	
s 22N(2)	Function of submitting to the Minister reasons why the approval of the roadside weed and pest animal management plan should not be suspended	DS, ALL ELT MWE	
s 22N(3)	Function of receiving notice of Minister's decision	DS, ALL ELT MWE	
s 22O(2)	Function of receiving notice of Minister's intention to revoke his or her approval of a roadside weed and pest animal management plan	DS, ALL ELT MWE	
s 22O(2)(b)	Function of submitting to the Minister reasons why the approval of the roadside weed and pest animal management plan should not be revoked	DS, ALL ELT MWE	

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

<b>CATCHMENT AND LAND PROTECTION ACT 1994</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 22O(3)	Function of receiving notice of Minister's decision to revoke his or her approval of a roadside weed and pest animal management plan	DS, ALL ELT MWE	
s 22P(1)	Function of receiving request to provide the Minister with specified information or documentation	DS, ALL ELT MWE	
s 22P(2)	Duty to provide Minister with requested information or documentation	DS, ALL ELT MWE	
s 22Q	Duty to provide Minister with a written report setting out the DEM outcomes of the measures set out in the plan within 30 days after the plan ceases to operate	DS, ALL ELT MWE	

<b>CHILD WELLBEING AND SAFETY ACT 2005</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
ss 19 & 23A	Duty to comply with the Child Safe Standards	ALL	Where Council is a Schedule 1 entity

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

CHILD WELLBEING AND SAFETY ACT 2005			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 25	Function of receiving education, information and advice from the Commission for Children and Young People regarding the Child Safe Standards	DCOM, MPC, MCS, CSA, CSCC, CSCH, CLSTL, MCHN, CBCCC, CBCCR, SPF	
s 29A(2)(a)	Function of receiving notice of inspection of the relevant premises by an authorised officer	DCOM, MCS, CSCC, CBCCC, CBCCR	
s 30	Duty to comply with notice to provide documents given under s 30(1A)	DCOM, MCS	
s 31	Duty to comply with notice to comply given under s 31(1)	DCOM, MCS, CSCC, CSCH, CLSTL, MCHN, CBCCC, CBCCR, SPF	
s 34C	Duty to comply with an adverse publicity order	DCOM, MCS, CSCC, CSCH, CLSTL, MCHN, CBCCC, CBCCR, SPF	

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

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	DCOM, CCCC, CBCCR, CSCQ, CSC, MCS, CBCCC  DCOM, MPC, MCS, CSA, CSCC, CSCH, CLSTL, MCHN, CBCCC, CBCCR, SPF	
s 36A	Function of receiving an official warning from the sector regulator	DCOM, MCS, CSCC, CSCH, CLSTL, MCHN, CBCCC, CBCCR	
s 36B	Function of receiving infringement notice	DCOM, MCS, CSCC, CSCH, CLSTL, MCHN, CBCCC, CBCCR	
s 36C(1)	Power to make an enforceable undertaking	DCOM, MCS, CSCC, CSCH, CLSTL, MCHN, CBCCC, CBCCR	

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

CHILD WELLBEING AND SAFETY ACT 2005			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 36C(3)	Power to withdraw or vary an enforceable undertaking	DCOM, MCS, CSCC, CSCH, CLSTL, MCHN, CBCCC, CBCCR	Must be in writing.
s 41I	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	
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 41M	Function of being given opportunity to comment on adverse comment or opinion to be included in annual report or further report	DCOM, MCS	
s 41V	Power to, on Council's own initiative, disclose confidential information, other than excluded information, to another information sharing entity	DCOM, MCS, CSCC, CSCH, CLSTL, MCHN, CBCCC, CBCCR	Where Council is an information sharing entity and a disclosing entity
s 41V	Function of receiving confidential information, other than excluded information	DCOM, MCS, CSCC, CSCH, CLSTL, MCHN, CBCCC, CBCCR	Where Council is an information sharing entity and a receiving entity

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

CHILD WELLBEING AND SAFETY ACT 2005			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 41W(1)	Power to request another information sharing entity to disclose confidential information, other than excluded information	DCOM, MCS, CSCC, CSCH, CLSTL, MCHN, CBCCC, CBCCR	Where Council is an information sharing entity and a requesting entity
s 41W(1)	Function of receiving confidential information, other than excluded information	DCOM	Where Council is an information sharing entity and a requesting entity
s 41W(1)	Function of receiving a request for confidential information, other than excluded information	DCOM	Where Council is an information sharing entity and a responding entity
s 41W(2)	Power to disclose to the responding entity any confidential information that may assist the responding entity	DCOM, MCS, CSCC, CSCH, CLSTL, MCHN, CBCCC, CBCCR	Where Council is an information sharing entity and a requesting entity
s 41W(2)	Function of receiving confidential information from an information sharing entity	DCOM, MCS	Where Council is an information sharing entity and a responding entity
s 41W(3)	Duty to comply with a request made under s 41W(1)	DCOM, MCS	Where Council is an information sharing entity and a responding entity
s 41W(4)	Duty to provide reasons, in writing, as to why Council cannot comply with a request made under s 41W(1)	DCOM, MCS	Where Council is an information sharing entity and a responding entity
s 41W(4)	Function of receiving reasons from a responding entity as to why it cannot comply with a request made under s 41W(1)	DCOM, MCS	Where Council is an information sharing entity and a requesting entity

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

CHILD WELLBEING AND SAFETY ACT 2005			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 41Y	Power to disclose confidential information, other than excluded information, to any person set out in s 41Y(1)(a) – (c)	DCOM, MCS, CSCC, CSCH, CLSTL, MCHN, CBCCC, CBCCR	Where Council is an information sharing entity
s 41Z	Power to collect and use any confidential information disclosed to Council under Part 6A	DCOM, MCS, CSCC, CSCH, CLSTL, MCHN, CBCCC, CBCCR	Where Council is an information sharing entity
s 41ZC	Duty to record prescribed information in respect of its collection, use and disclosure of confidential information	DCOM, MCS, CSCC, CSCH, CLSTL, MCHN, CBCCC, CBCCR	Where Council is an information sharing entity
s 41ZD(2)	Power to collect, use or disclose confidential information	DCOM, MCS, CSCC, CSCH, CLSTL, MCHN, CBCCC, CBCCR	Where Council is an information sharing entity within the meaning of Part 5A of the <i>Family Violence Protection Act 2008</i>
s 41ZF	Power to refuse to give an individual access to their confidential information under a relevant privacy law	DCOM, MCS	Where Council is an information sharing entity
s 43(1)(a)	Function of receiving notice of the birth of a child	MCHN, MCS, MCHSO, CLSTL, CSCH	Where the mother of the child usually resides in Council's municipal district



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

CHILD WELLBEING AND SAFETY ACT 2005			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 43(1)(b)	Function of receiving notice of the birth of a child	MCHN, MCS, MCHSO, CLSTL, CSCH	When the municipal district in which the mother usually resides is unknown and the birth occurs in Council's municipal district

CHILDREN YOUTH AND FAMILIES ACT 2005			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 23(1)	Function of being allocated money by the Secretary for the purposes of Part 3.1	DCOM, DCOR, MFI	
s 25	Power to use land or property for any purpose relating to the provision of services for children and families	DCOM, DINF,	Where authorised by the Secretary
s 26	Function of entering into an agreement with the Secretary	DCOM	
s 30	Function of having matters referred to it by the Secretary to provide advice, services and support to the child, family of the child or mother of the unborn child	DCOM, MCS	Where Council is not registered as a community service but is established to provide services to meet the needs of children requiring care, support, protection or accommodation and of families requiring support

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

CHILDREN YOUTH AND FAMILIES ACT 2005			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 192	Power to provide information to the Secretary	DCOM, MCS	
s 196	Function of receiving written direction from an authorised officer in relation to disclosure of information	DCOM, MCS	
s 197	Duty to comply with written direction from authorised officer	DCOM, MCS	

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

CHILDREN'S SERVICES ACT 1996			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 166(1)	Function of receiving, from the Regulatory Authority, information in respect of a children's service for a purpose listed in s 166(2)	DCOM	

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, MGR	
s 56	Power to enter into an agreement with the Head, Recycling Victoria	DS, MWE, WSC, MFI, DCOR	
s 57	Function of receiving advice and support from the Head, Recycling Victoria	DS, MWE, WSC, MFI, DCOR, CPL	
s 58	Duty to have regard to guidelines issued by the Head, Recycling Victoria	DS, MWE, WSC, CPL	
s 60	Duty to provide municipal residual waste and municipal recycling services	DS, MWE, WSC	

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

CLIMATE CHANGE ACT 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46	Power to make statement (a Council pledge) in respect of greenhouse gas emissions reductions	DS, MWE, WSC	Council must consider factors, and include details prescribed, in s 47
s 48	Duty to give copy of Council pledge to Minister as soon as practicable following preparation	DS, MWE, WSC	
s 49(3)	Duty to have regard to any directions of Minister regarding preparation of an emissions reduction pledge	DS, MWE, WSC	
s 82(1)	Function of receiving notice of proposed Carbon Sequestration Agreement	DS, MWE, WSC	Where Council is the public land manager

CONSERVATION, FORESTS AND LAND ACT 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 66(1)	Duty to submit plans to the Secretary to the Department of Environment, Land, Water and Planning of specified works prior to their commencement	DINF, MMP	Specified works are listed in sch 3 of the Act

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

s 67	Power to take action contrary to a Code of Practice if paragraphs (a) and (b) apply	DS	
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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	ALL ELT, MPF,	
s 41A	Power to recover costs of serving notice by fire prevention officer	DCOR, MFI, DCOM, MCSC, LLC, LLA, RRTL	
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	ALL ELT,	
s 42(2)	Duty to pay for work undertaken	ALL ELT, MFI	
s 43(1)	Duty to take all practicable steps to prevent occurrence of fires and minimise the danger of spread of fires	MWE, MBF, MO, MAC, ALL ELT, MPB	
s 43(2)	Power to acquire equipment, etc. for purposes of s 43(1) and pay for it out of municipal fund	ALL ELT, MO,	

# 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 50F(1)	Power to prepare Neighbourhood Safer Places Plan	ALL ELT, MRREM	
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	ALL ELT, MRREM, MACE	
s 50G(1)	Duty to identify and designate places as neighbourhood safer places	ALL ELT, MRREM	
s 50G(4)	Duty to ask the CFA to assess the neighbourhood safer place	ALL ELT, MRREM	
s 50H(1)	Duty to ensure that appropriate signage is provided at neighbourhood safer places	ALL ELT, MRREM	
s 50I	Duty to maintain all designated neighbourhood safer places	MRREM	
s 50J(1)	Duty to conduct an annual review of designated neighbourhood safer places by 31 August of each year	ALL ELT, MRREM	
s 50J(2)	Duty to ask the CFA to assess each neighbourhood safer place	ALL ELT, MRREM	
s 50J(5)	Power to decommission a neighbourhood safer place if paragraphs (a) or (b) apply	ALL ELT, MRREM	

# 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	
s96A(1)(b)	Power to appoint assistant fire prevention officers	ND	
s 109C	Function of receiving funds for penalties recovered under s 41E	DCOR, MFI	

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

CULTURAL AND RECREATIONAL LANDS ACT 1963			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 4	Function of receiving rates	DCOR, MFI	

DANGEROUS GOODS ACT 1985			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 29	Function of receiving statement from the Victorian WorkCover Authority about details of dangerous goods on licensed premises	DCOR, MPC	

DEVELOPMENT VICTORIA ACT 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 13(1)	Function of entering into agreement with Development Victoria concerning particular issues	ND	Function of 'public statutory body'



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

DEVELOPMENT VICTORIA ACT 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 39(2)	Duty to comply with order from Governor in Council issued under s 39(1) to surrender land in a project area	ALL ELT	Duty of 'public statutory body'
s 51I(3)(b)	Function of receiving notice of resolution levying a general charge from Development Victoria	DCOR, MFI	
s 51Q(3)(b)	Function of receiving notice of resolution levying an infrastructure recovery charge from Development Victoria	DCOR, MFI	
s 51ZA	Function of receiving written notice of charge from Development Victoria, where Council has submitted notice to Authority pursuant to s 21(2A) of the <i>Subdivision Act 1988</i>	DCOR, MFI	
s 56D(1)	Duty to give relevant Ministers and Treasurer statement allocating the property, rights and liabilities of Council in relation to designated project to Development Victoria	ND	Duty of 'nominated agency'
s 56D(4)	Function of complying with request from Treasurer and relevant Minister to amend statement under s 56D(1)	DCOR, DS	Function of 'nominated agency'
s 56E(1)	Function of issuing certificate certifying that property, rights or liabilities of Council have been allocated to Development Victoria	DCOR, DS	Function of 'nominated agency'

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

DEVELOPMENT VICTORIA ACT 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 56E(2)	Duty to revoke certificate given under s 56E(1) and replacing with a new certificate, if directed by Treasurer and relevant Minister	DCOR, DS, MGR	Duty of 'nominated agency'
s 56E(3)	Duty to keep register of certificates issued under s 56E, and make reasonably available for inspection	DCOR, DS, MGR	Duty of nominated agency

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

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	MACE, MCP, DCOM	
s 38(5)	Duty to report on the implementation of the Disability Action plan in Council's annual report	MACE, MCP, DCOM	If a plan is prepared under s 38(4) or is taken to be prepared under s 38(2)
s 38(5A)	Duty to ensure certain disability matters are addressed in the Council Plan	MACE, MCS, MCP, DCOM	If Council has not determined to prepare a plan under s 38(4) or are not taken to have prepared a plan under s 38(2)

DOMESTIC ANIMALS ACT 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 10	Function of receiving applications for registration of dogs or cats	DCOM, MCSC, LLC, ASOM, LLPO, AATL, AA, LLO1, LLT	

# 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 10A(4)	Duty to not register or renew the registration of a dangerous dog or a restricted breed dog unless the dog is (a) desexed or (b) a dangerous dog that is not a restricted breed dog and is exempt under s 10B(1)(c), 10B(1)(d) or 10B(1)(e) from the requirement to be desexed or (c) a restricted breed dog that is not a dangerous dog and is exempt under s 10B(1)(e) from the requirement to be desexed	, DCOM, MCSC, LLC, ASOM	
s 10C(1)	Duty to not register a dog or cat unless the dog or cat (a) has been implanted with prescribed permanent identification device or (b) is of a class of dogs exempt under a resolution made under s 10D(3), from the requirement to be implanted with such a device or (c) is otherwise exempted under the Act from the requirement to be implanted with such a device or (d) subject to s 10C(2), has previously been registered with Council at any time in the 12 month period immediately before the application for registration was lodged	DCOM, MCSC, LLC, LLO1, LLPO, LLT, ASOM, AATL, AA	
s 10C(5)	Duty to cause to be published a copy of the resolution	DCOM, MCSC, LLC, ASOM	
s 10C(6)	Duty to not register or renew registration of dangerous dog, menacing dog or restricted breed dog unless the dog has been implanted with permanent identification device	DCOM, MCSC, LLC, ASOM	

# 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 10D(6)	Duty to cause to be published a copy of the resolution	DCOM, MCSC, LLC, ASOM	
s 12(1)	Power to appoint an agent for Council in the registration of cats and dogs	DCOM, MCSC	
s 13	Function of receiving notification of sale by domestic animal business or foster carer (including where the animal was not registered)	DCOM, MCSC, LLC, LL01, LLPO,	
s 14(b)	Power to approve form of registration or renewal of registration of dogs and cats	DCOM, MCSC, LLC,	
s 15(2)	Power to permit pro-rata fees for dogs or cats registered for part of a year	DCOM, MCSC, LLC, MFI	
s 15(6)	Duty to waive 50% of a registration fee of dogs or cats if paragraphs (a) or (b) apply	DCOM, MCSC, LLC, MFI	
s 16	Duty to register or renew the registration of a dog or cat (other than a dangerous or restricted breed dog) in certain circumstances	DCOM, MCSCLLC	
s 17(1)	Power to register or renew the registration of a dangerous dog and impose conditions upon the registration	DCOM, MCSC, 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 17(1A)(a)	Power to register or renew the registration of a restricted breed dog	DCOM, MCSC, LLC,	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	DCOM, MCSC, LLC,	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(2)	Duty to notify owner and allow owner opportunity to make submissions, if Council proposes not to register or renew the registration of a dangerous dog or restricted breed dog	DCOM, MCSC, LLC,	
s 17(3)	Duty to consider submissions in relation to the registration or renewal of registrations of a dangerous dog before making decision	, DCOM, MCSC, LLC,	
s 17(4)	Duty to serve written notice of decision not to register or renew registration of dangerous dog or restricted breed dog	DCOM, MCSC, 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 18(1)	Duty to keep register and allow inspection of register of all registered dogs and cats	DCOM, MCSC, LLC	
s 18(2)(b)	Power to fix fee for inspection of registrations of dogs and cats in the municipality	ND	
s 18(3)	Power to fix fees for making of records or obtaining certificates	ND	
s 19(1)(a)	Duty to allocate a registration number to every dog and cat which is registered	DCOM, MCSC LLC, LLO1, LLPO, LLT	
s 19(1)(b)	Duty to give or send the owner a registration certificate	DCOM, MCSC LLC, LLO1, LLPO, LLT	
s 19(1)(c)	Duty to issue to the owner an identification marker	DCOM, MCSC LLC, LLO1, LLPO, LLT	
s 23(6)	Duty to give owner or occupier of the private property a copy of a notice served under s 23(3)	DCOM, MCSC LLC, LLO1, LLPO, LLT	
s 25(3)	Duty to cause to be published any orders made by Council under s 25	MACE, MCSC	

# 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 26(2A)	Duty to obtain agreement of owner or occupier of private property, where Council proposes to make, by resolution, an order under s 26(2)	DCOM, MCSC	
s 26(3)	Duty to cause to be published any orders made by Council under s 26	MACE, DCOM, MCSC	
s 33A(1)	Duty to accept any dog or cat kept surrendered to Council by the owner of the animal	DCOM, MCSC, LLC, LLO1, LLPO, LLT, ASOM, AATL, AA	
s 33A(3)	Duty to give Secretary certain information about a dog under its control if dog exhibits aggressive behaviour, may have been involved in a dog attack or may be a restricted breed dog	DCOM, MCSC, LLC	This information must be given to the Secretary in the time specified in s 33A(4)
s 33A(2)(b)	Duty to deal with surrendered dog or cat in accordance with the Act, the regulations and relevant Codes of Practice	DCOM, MCSC, LLC, LLO1, LLPO, LLT	
s 34(1)	Power to declare a dog dangerous	DCOM, MCSC, LLC, LLO1, LLPO, LLT	



# 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 34(2)	Duty not to declare a dog dangerous in certain circumstances	DCOM, MCSC, LLC, LLO1, LLPO, LLT	
s 35(2)	Duty to notify the owner and receive written and oral submissions from the owner if proposing a dog be declared dangerous	DCOM, MCSC, LLC, LLO1, LLPO, LLT	
s 35(3)	Duty to consider materials submitted before making a declaration	DCOM, MCSC, LLC, LLO1, LLPO, LLT	
s 36	Duty to give written notice of a declaration to owner	DCOM, MCSC, LLC, LLO1, LLPO, LLT	
s 37	Function of receiving notification from owners of certain dogs	DCOM, MCSC, LLC, LLO1, LLPO, LLT	
s 41B(1)	Duty to notify the owner and allow it the opportunity to make submissions to the Council	DCOM, MCSC, LLC, LLO1, LLPO, LLT	
s 41C	Duty to give notice of a menacing dog declaration to owner	DCOM, MCSC, LLC, LLO1, LLPO, LLT	

# 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 41D	Function of receiving notification in relation to menacing dog	DCOM, MCSC, LLC, LLO1, LLPO, LLT	
s 41F	Function of receiving notification from owners of restricted breed dogs	DCOM, MCSC, LLC, LLO1, LLPO, LLT	
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	DCOM, MCSC, LLC, LLO1, LLPO, LLT	
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	DCOM, MCSC, LLC, LLO1, LLT	
s 41J(3)	Power to fix fee for application for permit	ND	
s 44(1)	Power to require restraint of animals	DCOM, MCSC, LLC, LLO1, LLPO, LLT	If Council has made a relevant local law prohibiting the keeping of animals in a specified area
s 44(2)	Duty to give written notice of requirement in s 44(1)	DCOM, MCSC, LLC, LLT	

# 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	DCOM, MCSC, LLC, LLO1, LLPO, LLT	
s 44AE	Duty to provide details of dangerous, menacing or restricted breed dogs to Secretary	DCOM, MCSC, LLC	
s 44AEA	Duty to provide to the Secretary information relating to a dog destroyed under s 84TA, 84TB, 84TC	DCOM, MCSC, LLC	
s 44AF	Duty to provide to the Secretary information relating to dangerous, menacing or restricted breed dogs	DCOM, MCSC, LLC	
s 44AG	Duty to provide to the Secretary information about owners of dangerous, menacing or restricted breed dogs	DCOM, MCSC, LLC	
s 44AH	Duty to provide, when requested under s 44AH(1) a statement to Secretary confirming that information previously provided by Council is accurate	DCOM, MCSC, LLC	
s 46(1)	Function of receiving applications to register a premises	DCOM, MCSC, LLC, LLO1, LLPO, LLT	
s 46(2)	Power to approve form of registration of domestic animal businesses and information required	DCOM, MCSC, LLC, LLO1, LLPO, LLT	

# 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 46(3)	Function of requiring and receiving any further information relating to an application	DCOM, MCSC, LLC, LLO1, LLPO, LLT	
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	DCOM, MCSC, LLC, LLO1, LLPO, LLT	
s 48(2)	Power to approve form of renewal of registration	DCOM, MCSC, LLC, LLO1, LLPO, LLT	
s 48(3)	Power to approve form of renewal of registration and information required	DCOM, MCSC, LLC, LLO1, LLPO, LLT	
s 48(4)	Function of requiring and receiving any further information relating to the application Council	DCOM, MCSC, LLC, LLO1, LLPO, LLT	
s 49(1)	Power to fix fees for registration or renewal of registration of domestic animal premises	ND	
s 49(2)	Power to refund all or part of application fee	DCOM, MCSCMFI	

# 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 52(1)	Function of receiving an application for transfer of registration to a new premises	DCOM, MCSC, LLC, LLO1, LLPO, LLT	
s 52(2)(a)	Power to approve form of application to transfer registration	DCOM, MCSC, LLC, LLO1, LLPO, LLT	
s 52(2)(c)	Power to fix fee for transfer of registration and information required	ND	
s 52(3)	Function of requiring and receiving any further information relating to the transfer of registration	DCOM, MCSC, LLC, LLO1, LLPO, LLT	
s 52(4)	Power to register new (transferred) premises as a domestic animal business and impose any terms, conditions, limitations or restrictions on that registration	DCOM, MCSC, LLC, LLO1, LLPO, LLT	
s 54(1)	Power to refuse to register or renew the registration, refuse to transfer registration, suspend registration and revoke registration of premises	DCOM, MCSC, LLC, LLO1, LLPO, LLT	
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	DCOM, MCSC, LLC, LLO1, LLPO, LLT	

# 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(3)	Duty to refuse to register or renew the registration of a premises in relation to a breeding domestic animal business in certain circumstances	DCOM, MCSC, LLC, ASOM	
s 54(3A)	Duty to refuse to register, renew the registration of, or transfer the registration of a premises on which a domestic animal business is, or is proposed to be conducted, that is an animal shelter, a pet shop or a pound in certain circumstances	DCOM, MCSC, LLC	
s 54(3B)	Duty to refuse to register, renew the registration of, or transfer the registration of a premises on which a domestic animal business is, or is proposed to be conducted, that is a breeding domestic animal business in certain circumstances	DCOM, MCSC, LLC	
s 54A(1)	Duty to refuse to register the premises in respect of which the application is made if s 54A(a), (b) or (c) applies	DCOM, MCSC, LLC, LLO1, LLPO, LLT	
s 54A(2)	Duty to refuse to register the premises in respect of which the application is made if a breeding domestic animal business or a pet shop is being conducted, or is proposed to be conducted, on the rateable property on which the premises is located	DCOM, MCSC, LLC, LLO1, LLPO, LLT	

# 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 54A(3)	Duty to refuse to register the premises in respect of which the application is made if a breeding domestic animal business or an animal shelter is being conducted, or is proposed to be conducted, on the rateable property on which the premises is located	DCOM, MCSC, LLC	
s 54B	Duty to refuse to register the premises on which a breeding domestic animal business is proposed to be conducted	DCOM, MCSC, LLC	
s 54C	Duty to refuse to transfer the registration of premises on which a breeding domestic animal business is being conducted to another premises	DCOM, MCSC, LLC	
s 54D	Duty to refuse to renew the registration of a premises on which a breeding domestic animal business is being conducted	DCOM, MCSC, LLC,	
s 55	Duty to give notice if it is proposed that the powers under ss 54, 54A, 54B, 54C or 54D will be exercised	DCOM, MCSC, LLC, LLO1, LLPO, LLT	
s 56	Duty to receive both oral and written submissions and take into account any submissions	DCOM, MCSC, LLC, LLO1, LLPO, LLT	

# 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 57(1) & (2)	Duty to serve notice of decision and give reasons for decision	, DCOM, MCSC, LLC, LLO1, LLPO, LLT	
s 58AD(1)(a)	Function of receiving a request from the chief veterinary officer for a report on the premises on which the domestic animal business is conducted	DCOM, MCSC, LLC,	
s 58AD(2)	Duty to include a copy of any report from an entry and search of the premises under Part 7 carried out in the 5 years preceding the application for grant or renewal of approval	DCOM, MCSC, LLC,	
s 58AI(1)(a)	Power to cancel or not renew a commercial dog breeder approval	DCOM, MCSC, LLC	Where Council is the relevant Council
s 58AI(1)(b)	Power to suspend a commercial dog breeder approval	DCOM, MCSC, LLC	Where Council is the relevant Council
s 58AI(2)	Duty to give the Minister notice of any suspension, cancellation or refusal to renew	DCOM, MCSC, LLC	
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	DCOM, MCSC, LLC	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	, DCOM, MCSC, LLC, LLO1, LLPO, LLT	
s 58C(3)	Duty to comply with the terms, conditions, limitations and restrictions on registration of premises under s 58C	DCOM, MCSC, LLC, LLO1, LLPO, LLT	
s 58D(2)	Power to apply to Minister for renewal of registration of premises	DCOM, MCSC, LLC	
s 58E	Duty to pay fee with application for registration or renewal of registration of premises	DCOM, MCSC, LLC	
s 58F	Power to surrender registration of premises on which domestic animal business conducted by notice to Minister	DCOM, MCSC, LLC	
s 58G	Duty to notify the Minister of transfer of registration	DCOM, MCSC, LLC	
s 58J	Power to make submissions to the Minister regarding Minister's exercise of power under s 58H	DCOM, DCOM, MCSC, LLC	
s 58K	Function of receiving notice of Minister's decision	DCOM, DCOM, MCSC, 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 58P	Function of receiving, from the Minister, a copy of the permit (including any conditions imposed on the permit)	DCOM, DCOM, MCSC, LLC	Where Council is the relevant Council
s 58Q(3)	Function of receiving, from an authorised officer who has given a direction under s 58Q(1), notification of the closure of the sale	DCOM, MCSC	Where Council is the relevant Council
s 58R(3)	Function of receiving, from the Minister, a copy of a report under s 58R as soon as practicable after receiving the report.	DCOM, MCSC	
s 68A(1)	Duty to, in consultation with Secretary, prepare a domestic animal management plan	DCOM, MCSC, LLC, ASOM	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	MCSC	
s 68A(3)(a)	Duty to review domestic animal management plan annually and, if appropriate, amend the plan	DCOM, MCSC, LLC, ASOM	
s 68A(3)(b)	Duty to provide the Secretary with a copy of the plan and any amendments to the plan	DCOM, MCSC, LLC, ASOM	
s 68A(3)(c)	Duty to prepare an evaluation of its implementation of the plan for publication in Council's annual report	DCOM, MCSC, LLC, ASOM	

# 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	DCOM, MCSC, LLC, ASOM	
s 68C	Function of receiving an application for foster carer registration	DCOM, MCSC, LLC, ASOM	
s 68D(1)	Power to renew registration	DCOM, MCSC, LLC, ASOM	
s 68D(2)	Function of receiving an application for foster carer registration renewal	DCOM, MCSC, LLC, ASOM	
s 68E	Duty to have regard to the matters set out in s 68E(a) – (e) when deciding whether or not to grant or renew a foster carer registration	DCOM, MCSC, LLC, ASOM	
s 68G(a)	Power to approve form of applications under s 68C or 68D(2)	DCOM, MCSC, LLC, ASOM	
s 68G(b)	Power to require information in applications under s 68C or 68D(2)	DCOM, MCSC, LLC, ASOM	
s 68G(c)	Power to fix fee for applications under s 68C or 68D(2)	ND	

# 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 68H(2)	Power to permit a pro rata fee to be paid where a foster carer registration only applies for part of a year	DCOM, MCSC, MFI	
s 68I(1)(b)	Power to impose conditions on a foster carer registration	DCOM, MCSC, LLC, ASOM	
s 68J(1)	Power to suspend or cancel a foster carer registration where the criteria in s 68J(1)(a) or (b) apply	DCOM, MCSC, LLC, ASOM	
s 68J(2)	Duty to notify the registered foster carer of a suspension or cancellation under s 68J(1)	MCSC, LLC, ASOM	
s 68K(1)	Duty to notify the holder of a foster carer, in writing, if the Council proposes to suspend, cancel or not renew a foster carer registration	DCOM, MCSC, LLC, ASOM	
s 68K(2)	Function of receiving written submissions from the holder of the registration	DCOM, MCSC, LLC, ASOM	
s 68K(3)	Duty to consider any submission may under s 68K(2) before deciding to suspend, cancel or not renew the registration	DCOM, MCSC, LLC, ASOM	
s 68N(1)	Duty to give to the Secretary the information set out in s 68Q(1) and (2) relating to each registration of a premises by the Council under Part 4	DCOM, MCSC,	

# 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 68O(1)	Duty to give to the Secretary the information set out in s 68Q(1)(a), (c)(ii) and (iii), (d)(ii), (h), (i) and (j), relating to each registration of a foster carer by the Council under Part 5B	DCOM, MCSC	
s 68R(1)(a)(i)	Duty to give the information set out in s 68R(2) to the Secretary within 7 days after making a decision under Part 4 to refuse to grant, renew or transfer a registration under that Part	DCOM, MCSC	
s 68R(1)(a)(ii)	Duty to give the information set out in s 68R(2) to the Secretary within 7 days after making a decision under Part 4 to suspend or revoke a registration under that Part	DCOM, MCSC	
s 68R(1)(b)(i)	Duty to give the information set out in s 68R(3) to the Secretary within 7 days of making a decision under Part 5B not to grant or renew a registration under that Part	DCOM, MCSC	
s 68R(1)(b)(ii)	Duty to give the information set out in s 68R(3) to the Secretary within 7 days of making a decision under Part 5B to suspend or cancel a registration under that Part	DCOM, MCSC	
s 68Y(3)	Function of receiving, from the Secretary, the source number issued under s 68Y	DCOM, MCSC	
s 68Z(3)	Function of receiving, from the Secretary, the source number issued under s 68Z	DCOM, MCSC	

# 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 69(1)	Duty to make payment to the Treasurer of specified amounts in respect of registration of cats, dogs or registered animal business	DCOM, MCSC, LLC	
s 69(1A)	Duty to make payment to the Treasurer in respect of each registration fee collected by the Council for the registration or renewal of registration of a dog or cat in each financial year	DCOM, MCSC, LLC	
s 72	Power to appoint, by instrument, employees to be authorised officers	ND	
s 72A(1)	Power to appoint person who is not employee of Council as authorised officer	ND	Person appointed must have qualifications and experience prescribed by Secretary
s 73(1)	Duty to issue identity card to authorised officers	MGR, GC	
s 84DD(2)	Function of receiving report	DCOM, MCSC, LLC	
s 84J	Power to retain custody of dog or cat until animal recovered under Division 5 or disposed of under Division 6	DCOM, MCSC, LLC	
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	DCOM, MCSC, 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 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	DCOM, MCSC, LLC,	
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	DCOM, MCSC, LLC, ASOM	
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	DCOM, MCSC, LLC, ASOM	
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 recovery	DCOM, MCSC, LLC, ASOM	
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	DCOM, MCSC, LLC, LLO1, LLPO, LLT, ASOM	To be done by Veterinarian
s 84O(2)	Duty to destroy dangerous dog or restricted breed dog as soon as possible where owner is entitled to recover dog under Division 5 but does not recover dog in accordance with the time period in that division	DCOM, MCSC, LLC, LLO1, LLPO, LLT, ASOM	To be done by Veterinarian

# 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 84O(3)	Duty to sell or destroy cat or dog (other than dangerous or restricted breed dog) as soon as possible where owner is entitled to recover dog under division 5 but does not recover dog in accordance with the time period in that division	DCOM, MCSC, LLC, LLO1, LLPO, LLT ASOM	To be done by Veterinarian in accordance with any relevant business code of practice or greyhound code of practice
s 84P	Power to destroy dog seized under Part 7A in certain circumstances listed in paragraphs (a), (c), (d), (e) and (f)	DCOM, MCSC, LLC	To be done by Veterinarian
s 84Q(1)	Duty to commence prosecution of a person as soon as possible after seizure under Part 7A, if authorised officer reasonably suspects that the person has committed an offence listed in s 84Q(2) with respect to a dog or a cat seized under that part, and power to retain custody of animal seized under s 84B and in any other case, Duty to retain custody until the outcome of the prosecution in s 84Q is known	DCOM, MCSC, LLC, LLO1, LLOP, LLT	
s 84Q(2A)(a)	Duty to commence prosecution of the owner of the dog or cat as soon as possible after the seizure and after sufficient information is available to enable the commencement of the prosecution	, DCOM, MCSC, LLC, LLO1, LLPO, LLT	



# 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 84Q(2A)(b)	Duty to retain custody of the dog or cat and any offspring of the dog or cat until the outcome of the prosecution is known	DCOM, MCSC, LLC, LLO1, LLPO, LLT	
s 84Q(3)(a)	Duty to serve declaration on owner	DCOM, MCSC, LLC LLO1, LLPO, LLT	
s 84R	Power to require owner to provide his or her current address to Council in certain circumstances	DCOM, MCSC, LLC, LL01, LLPO, LLT	
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 s 84Q(2) and cannot be identified,	DCOM, MCSC, LLC, LLO1, LLPO, LLT	To be done by veterinarian
s 84T(1)	Duty to destroy dog seized under s 80 within 8 days after seizure if owner cannot be identified and authorised officer reasonably believes dog is restricted breed dog	DCOM, MCSC, LLC, LLO1, LLPO, LLT	To be done by veterinarian
s 84T(2)	Duty to notify the Secretary of certain information after destroying a dog under s 84T(1)	DCOM, MCSC, LLC	Notice must comply with requirements of s 84T(3)

# 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 84TA(1)	Power to destroy a dog seized under Part 7A in circumstances listed (a) – (c)	DCOM, MCSC, LLC, LLO1, LLPO, LLT ASOM	84TA (4) & (5) Council must make decision within 48 hours and record the time and date of decision. To be done by veterinarian
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	DCOM, MCSC, LLC, LLO1, LLT ASOM	84TC (4) & (5) Council must make decision within 48 hours and record the time and date of decision. To be done by veterinarian
s 84U	Duty to ensure seized animal is desexed before selling it	DCOM, MCSC, LLC, LLO1, LLPO, LLT ASOM	To be done by veterinarian
s 84V(2)	Power to give animal to an approved person or body	DCOM, MCSC, LLC, LLO1, LLPO, LLT ASOM	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	DCOM, MCSC, LLC, LLO1, LLPO, ASOM	
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	, DCOM, MCSC, LLC, LLO1, LLPO, LLT ASOM	

# 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 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	DCOM, MCSC, LLC, ASOM, AATL,	
s 95	Function of receiving payment of fines	DCOM, MCSC, LLC, LLO1, LLPO, LLT, CSTL, CSO, RRTL, RRO	
s 98(1A)	Power to apply to VCAT for review of a decision by Minister in relation to registration of domestic animal business	DCOM, MCSC, LLC	
s 100A	Duty to notify Secretary where VCAT or Supreme Court sets aside a decision to declare a dog to be a dangerous dog, menacing dog or restricted breed dog	DCOM, MCSC, LLC	Notice must comply with requirements of s 100A(2) & (3)
s 100C	Function of receiving disclosed information from a person who is or was engaged in the administration of Part 5B or 5C	DCOM, MCSC, LLC, LLO1, LLPO, LLT	
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	DCOM, MCSC, 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
	Functions under Part 4 or Part 4AA or regulations under those Parts by that person		

DOMESTIC BUILDING CONTRACTS ACT 1995			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 48R	Function of receiving details of alleged contraventions of building legislation	MPB	

# 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(1)	Function of receiving information from National Authority in respect of education and care services	DCOM, MCS, CSCC,	
s 271(2)	Function of receiving information from Regulatory Authority in respect of education and care services	DCOM, MCS, CSCC	
s 271(3)	Power to disclose information to authorities or government departments in respect of education and care services	DCOM, MCS, CSCC,	

EDUCATION AND TRAINING REFORM ACT 2006			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 2.3.13	Power to enter into and carry out a contract with the school Council	DCOM, MCS, DINF, MO	To the value indicated by financial delegations
s 2.6.21B(1)	Function of receiving information from the Victorian Institute of Teaching in respect of a registered teacher or former registered teacher, or a provider of a program, unit or course of study, for a purpose specified in subsection (4)	DCOM, MCS	

# 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 2.6.21B(2)	Power to provide information to the Victorian Institute of Teaching in respect of a registered teacher or former registered teacher or a provider of a program, unit or course of study for a purpose specified in subsection (4)	DCOM, MCS,	
s 4.9.4(1AAA)	Function of responding to requests by Victorian Registration and Qualifications Authority for information under s 4.9.4	DCOM, MCS,	
s 4.2.2(1)(g)	Function of receiving education, information and advice on Child Safe Standards	DCOM, MCS, MPF	
s 5.8.24	Function of receiving official warning from the Victorian Registration and Qualifications Authority	DCOM, MCS, MPF	
s 5.8.30	Duty to comply with an adverse publicity order	MCOR, MGR, DCOM, MCS	

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

ELECTRICITY SAFETY ACT 1998			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 84C	Duty to keep trees clear of electrical lines on public land managed by Council	DINF, MPF, MO, AO, PGC	Applies to public land, managed by Council, which has been declared under s 81 of the <i>Electricity Safety Act 1998</i> for the purposes of Part 8 of the Act
s 86B	Duty to specify certain matters in municipal emergency management plan	ALL ELT, DINF MPF, MO, MRREM	

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

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, MFI, RRTL	

EMERGENCY MANAGEMENT ACT 2013			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 59	Duty to establish a Municipal Emergency Management Planning Committee	ALL ELT	
s 59B(1)	Duty to nominate a chairperson of the Municipal Emergency Management Planning Committee	ALL ELT	Delegates cannot nominate themselves
s 59B(1)(b)	Power to nominate a member of Council staff to be the chairperson of the Municipal Emergency Management Planning Committee	ALL ELT	
s 59F(b)	Function of, in collaboration with other agencies and by the establishment of a Municipal Emergency Management Planning Committee, enabling community participation in emergency preparedness, including mitigation, response and recovery activities	MRREM	



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

EMERGENCY MANAGEMENT ACT 2013			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 59G(1)	Duty to appoint one or more municipal emergency management officers	ALL ELT	
s 59H(1)	Duty to appoint one or more municipal recovery managers	ALL ELT	
s 60AI(1)(ab)	Function of receiving a copy of the plan in a form suitable for publication on the municipal council's Internet site on behalf of the relevant Municipal Emergency Management Planning Committee	ALL ELT, MACE, MRREM	
s 69	Duty to comply with an information gathering notice issued by the Inspector-General for Emergency Management	ALL ELT	
s 70	Function of receiving draft review or report and providing comment or response to Inspector-General for Emergency Management	ALL ELT, MRREM, EMC	
s 70A(2)	Power to consent to entry of vessel, premises or vehicle	ALL ELT, DINF, DCOM, MRREM, MO, MPF	
s 70A(3)	Duty to provide the Inspector-General with a written response to a request for consent under s 70A(2)	ALL ELT, DINF, DCOM	
s 70B	Function of giving reasonable assistance to the Inspector-General for Emergency Management	ALL ELT, MRREM, EMC	

# 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(1)(ii)	Function of receiving application for permission	DCOM, MCSC, EHO, EHC	
s 50(2)	Duty of advising applicant that application does not comply with s 50	DCOM, MCSC, EHO, EHC	
s 50A(1)	Power to require an applicant to pay a fee	DCOM, MCSC, EHC	
s 50A(3)	Duty to give notice	DCOM, MCSC, EHC	
s 51A	Power to require an applicant to provide information	DCOM, MCSC, EHC	
s 54(1)	Power to issue a permission subject to conditions specified in the permission	DCOM, MCSC, EHO, EHC	
s 56(2)(b)	Function of receiving an application for the transfer of permit issued by Council	DCOM, MCSC, EHO, EHC	
s 56(4)	Duty to either refuse or transfer the permit subject any conditions within 20 business days after receiving application	DCOM, MCSC, EHO, EHC	

# 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 56(5)	Duty to refuse to transfer permit if Council if the applicant is not a fit and proper person to hold a permit	DCOM, MCSC, EHO, EHC	Consider s 66
s 56(6)	Duty to, as soon as practicable after making a decision, give applicant and holder of permit written notice	DCOM, MCSC, EHO, EHC	
s 57(2)(b)	Function of receiving application for amendment of permit	DCOM, MCSC, EHO, EHC	
s 57(4)	Duty to either refuse or amend permit subject to any conditions	DCOM, MCSC, EHO, EHC	
s 57(8)	Duty to, as soon as practicable after making a decision, give holder of permit written notice	DCOM, MCSC, EHO, EHC	
s 58(1)	Power to amend a permission issued on own initiative	DCOM, MCSC, EHO, EHC	
s 58(3)	Duty to, as soon as practicable after making a decision, give the permission holder written notice	DCOM, MCSC, EHO, EHC	
s 59(2)(b)	Function of receiving application to surrender or revoke a permit	DCOM, MCSC, EHO, EHC	

# 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 59(4)	Duty to either consent to the surrender application subject to any conditions or refuse to consent to the surrender within 20 business days after receiving an application	DCOM, MCSC, EHO, EHC	
s 59(7)	Duty to, as soon as practicable after making a decision, give the permit holder a written notice	DCOM, MCSC, EHO, EHC	
s 59(9) & (10)	Duty to revoke the permissions if request received in writing and give the permit holder written notice	DCOM, MCSC, EHO, EHC	
s 60(1)	Power to suspend a permission	DCOM, MCSC, EHO, EHC	
s 60(2)	Duty to give permit holder written notice if proposing to suspend a permission	DCOM, MCSC, EHO, EHC	
s 60(3)	Duty to consider submissions	DCOM, MCSC, EHO, EHC	
s 60(4)	Duty to, as soon as practicable after making a decision, give the permit holder with written notice	DCOM, MCSC, EHO, EHC	
s 60(6)	Power to remove period of suspension	DCOM, MCSC, EHO, EHC	

# 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 60(7)	Power to extend period of suspension	DCOM, MCSC, EHO, EHC	
s 60(8)	Duty to give permit holder written notice of decision to extend period of suspension	DCOM, MCSC, EHO, EHC	
s 61(1) & (2)	Power to revoke permission on own initiative	DCOM, MCSC, EHO, EHC	
s 61(3)	Duty to give permit holder written notice if proposing to revoke a permission	DCOM, MCSC, EHO, EHC	
s 61(4)	Duty to consider submissions	DCOM, MCSC, EHO, EHC	
s 61(5) & (6)	Duty to, as soon as practicable, give permission holder written notice	DCOM, MCSC, EHO, EHC	
s 81(1)	Duty to issue a permit subject to any conditions or refuse to issue a permit upon receiving an application under s 50	DCOM, MCSC, EHO, EHC	
s 81(4)	Duty to refuse to issue a permit in circumstances specified	DCOM, MCSC, EHO, EHC	
s 83(1)	Function of receiving application for exemption	DCOM, MCSC, EHO, EHC	

# 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 83(3)	Duty to grant the exemption subject to any conditions or refuse to grant the exemption within 10 business days upon receiving application	DCOM, MCSC, EHO, EHC	
s 84(1)(b)	Function of receiving renewal application	DCOM, MCSC, EHO, EHC	
s 84(4)	Duty to renew or refuse to renew the permit	DCOM, MCSC, EHO, EHC	
s 84(8)	Power to renew permit for (a) a period of not more than 5 years or (b) any shorter period prescribed	DCOM, MCSC, EHO, EHC	
s 84(9)	Power to renew a permit more than once	DCOM, MCSC, EHO, EHC	
s 114(2)	Power to appoint litter enforcement officer	ND	Where Council is a litter authority
s 118(1)(b)	Function of receiving a written statement	DS, MWE, DCOM, MCSC, WSC, EHO, EHC, LLC, LL01, LLPO	Where Council is a litter authority
s 121(1)	Power to issue a waste abatement notice	DS, DCOM, MCSC, MWE, WSC, EHO, EHC, LLC, LL01, LLPO	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 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	DS, DCOM, MCSC, MWE, WSC, EHO, EHC, LLC, LL01, LLPO	Where Council is a litter authority
s 121(8)	Power to vary or revoke a waste abatement notice	DS, DCOM, MCSC, MWE, WSC, EHO, EHC, LLC, LL01, LLPO	Where Council is a litter authority
s 122(1)	Power to remove or dispose of waste or object or thing	DS, DCOM, MCSC, MWE, WSC, EHO, EHC, LLC, LL01, LLPO	Where Council is a litter authority
s 122(2)	Power to recover any reasonable costs incurred in taking action under this section	DS, DCOM, MCSC, MWE, DCOR, MFI	Where Council is a litter authority
s 131(1)	Function of receiving signed written report	DS, DCOM, MCSC, MWE, DCOR, MGR, LLC, LLO1, LLPO, LLT	
s 131(2)	Power to take further action	DCOM, MCSC, MWE, DCOR,	

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

ENVIRONMENT PROTECTION ACT 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		MGR, LLC, LLO1, LLOP, LLT	
s 156(1)	Duty to comply with Order of the Governor in Council	MCSC, MWE, MMP, MO, MPB, ALL ELT EHC	
s 171(1)	Power to appoint a residential noise enforcement officer	DCOM, MCSC	
s 172(1)	Power to issue a residential noise improvement notice	DCOM, MCSC, EHC, EHO	
s 172(5)(a)	Power to extend time to comply with residential noise improvement notice	DCOM, MCSC, EHC, EHO	
s 172(5)(b)	Power to revoke or amend any requirement specified in a residential noise improvement notice	DCOM, MCSC, EHC, EHO	
s 174(1)	Power to apply for injunctions relating to residential noise	DCOM, MCSC, EHC, EHO	
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	DCOM, DCOR, MPC, MCSC, EHC	



# 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(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	DCOM, DCOR, MPC, MCSC, EHC	
s 242(2B)	Duty to prepare and give to the Authority a written report	DCOM, DCOR, MPC, MCSC, EHC	
s 347(3)	Power to take proceedings for an offence against a provision relating to permits under the <i>Environment Protection Regulations 2021</i>	DCOM, MCSC, EHC	
s 347(4)	Power to take proceedings for an offence against a provision of Part 6.3	DS, MWE, DCOM, MCSC, DCOR, MGR	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	DCOM, DCOR, MCSC, MGR, EHC	

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

Estate Agents Act 1980			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 70E(3)	Duty to comply with request of Director or Inspector under s 70E(1) to provide answers or supply information	DCOR, MFI	

FAMILY VIOLENCE PROTECTION ACT 2008			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 144D(3)	Duty to only share confidential information to the extent permitted by Part 5A, or the Regulations	DCOM, MCS	Where Council is an information sharing entity
s 144KA	Power to disclose confidential information to a risk assessment entity for a family violence assessment purpose	DCOM, MCS, MCS, MCHN, CBCCC, CSCQ, CSCS, SPF	Where Council is an information sharing entity
s 144KB(1)	Function of receiving a request from a risk assessment entity for confidential information for a family violence assessment purpose	DCOM, MCS, CSCH CSCC	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, MCS, CSCH, CSCC	Where Council is an information sharing entity and a responding 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(3)	Duty to provide to the risk assessment entity written reasons for its failure to comply with the request	DCOM MCS CSCH CSCC	Where Council is an information sharing entity and a responding entity
s 144KC(1)	Duty to disclose confidential information to a risk assessment entity that has requested the information for a family violence assessment purpose	DCOM, MCS, MCS, MCHN, CBCCC, CSCQ, CSCS, SPF	Where Council is an information sharing entity
s 144LA	Power to disclose confidential information to another information sharing entity for a family violence protection purpose	DCOM, MCS, MCS, MCHN, CBCCC, CSCQ, CSCS, 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	DCOM, MCS, MCS, MCHN, CBCCC, CSCQ, CSCS, SPF	Where Council is an information sharing entity and a requesting entity
s 144LB(1)	Function of receiving a request for confidential information from another information sharing entity for a family violence protection purpose	DCOM MCS CSCH CSCC	Where Council is an information sharing entity and a responding 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	DCOM, MCS, MCS, MCHN, CBCCC, CSCQ, CSCS, SPF	Where Council is an information sharing entity and a requesting 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 144LB(2)	Function of receiving confidential information from the requesting entity to assist with identifying the confidential information relevant to the request or determining whether to disclose the confidential information	DCOM, MCS, MCS, MCHN, CBCCC, CSCQ, CSCS, SPF	Where Council is an information sharing entity and a responding entity
s 144LB(3)	Duty to provide to the requesting entity written reasons for Council's failure to comply with the request	DCOM MCS CSCH CSCC	Where Council is an information sharing entity and a responding entity
s 144LB(3)	Function of receiving from the responding entity written reasons for failure to comply with the request	DCOM MCS CSCH CSCC	Where Council is an information sharing entity and a requesting entity
s 144LC(1)	Duty to disclose confidential information to another information sharing entity that has requested the confidential information for a family violence protection purpose	DCOM MCS CSCH CSCC	Where Council is an information sharing entity and a responding entity
s 144LC(1)	Function of receiving a request for confidential information from another information sharing entity where the information is for a family violence protection purpose	DCOM MCS CSCH CSCC	Where Council is an information sharing entity and a responding entity
s 144LD	Power to collect or use any confidential information disclosed to it for a family violence protection purpose	DCOM, MCS, MCSC, MCHN, CBCCC, CSCQ, CSCS, SPF, LLC, LLA	Where Council is an information sharing entity

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

<b>FAMILY VIOLENCE PROTECTION ACT 2008</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
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	DCOM, MCS, MCSC, MCHN, CBCCC, CSCQ, CSCS, 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	DCOM, MCS, MCSC, MCHN, CBCCC, CSCQ, CSCS, SPF	Where Council is an information sharing entity
s 144N	Power to collect, use and disclose confidential information about a relevant person without consent	DCOM, MCS, MCSC, MCHN, CBCCC, CSCQ, CSCS, SPF	Where Council is an information sharing entity
s 144NA	Duty not to collect, use or disclose confidential information about a primary person who is an adult unless s 144NA(a) or (b) applies	DCOM, MCS, MCSC, MCHN, CBCCC, CSCQ, CSCS, SPF	Where Council is an information sharing entity
s 144NB	Duty not to collect, use or disclose confidential information about a linked person unless s 144NB(a) or (b) applies	DCOM, MCS, MCSC, MCHN, CBCCC, CSCQ, CSCS, SPF	Where Council is an information sharing entity

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

<b>FAMILY VIOLENCE PROTECTION ACT 2008</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
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	DCOM, MCS, MCSC, MCHN, CBCCC, CSCQ, CSCS, SPF	Where Council is an information sharing entity
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)	DCOM, MCS, MCSC, MCHN, CBCCC, CSCQ, CSCS, SPF, LLC, LLA	Where Council is an information sharing entity
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	DCOM, MCS, MCSC, MCHN, CBCCC, CSCQ, CSCS, SPF, LLC, LLA	Where Council is an information sharing entity
s 144P(5)	Duty to comply with any guidelines issued under s 144P when handling confidential information in accordance with Part 5A	DCOM, MCS, MCSC, MCH, MCHN, CBCCC, CSCQ, CSCS, SPF, LLC, LLA	Where Council is an information sharing entity
s 144PB	Duty to record the prescribed information in respect of the information sharing entity's collection, use and disclosure of confidential information in accordance with Part 5A, and the Regulations	DCOM, MCS, MCSC, MCH, MCHN, CBCCC,	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
		CSCQ, CSCS, SPF, LLC, LLA	
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	DCOM, MCS, MCSC, MCH, MCHN, CBCCC, CSCQ, CSCS, SPF,	Where Council is an information sharing entity
s 190	Duty to ensure that Council's relevant policies, procedures, practice guidance and tools align with the Framework	DCOM, MCS, MCSC, MCH, MCHN, CBCCC, CSCQ, CSCS, SPF, LLC, LLA	Where Council is a framework organisation that provides services relevant to family violence risk assessment and family violence risk management

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

FENCES ACT 1968			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 14(2)	Function of providing certain information to assist an owner of land to give a fencing notice	DCOR	
s 16(1)	Power to agree with adjoining owner of land on a fence line other than common boundary	DINF, DCOR	With respect to land owned by or under the control of Council

FILMING APPROVAL ACT 2014			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
sch 1 Principle 1	Duty to not unreasonably withhold the approval of an application for a film permit, subject to this Act and any other Act		
	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	ALL ELT	



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

FILMING APPROVAL ACT 2014			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
sch 1 Principle 2	Duty to approve or refuse an application for a film permit in a timely manner and to take reasonable steps to respond to an applicant within 5 business days	FEC, MTAC	
sch 1 Principle 3	Duty to give reasons for refusal of a film permit application.	FEC, MTAC	
sch 1 Principle 4	Duty to take reasonable steps to provide a single point of contact to deal with commercial filming on public land	FEC, MTAC	
sch 1 Principle 5	Duty to ensure that any application forms and other documents required to consider an application for a film permit are consistent with any standard forms or documents issued by Film Victoria	FEC, MTAC	
sch 1 Principle 6	Duty for fees charged for applications for film permits and issuing film permits not exceed cost recovery	DINF, ALL ELT, MFI	
sch 1 Principle 7	Duty to publish information about how a person may apply for a film permit on its website or on a website approved by Film Victoria	MACE	
sch 1 Principle 8	Duty to take reasonable steps to ensure that staff responsible for considering and issuing film permits are given appropriate information regarding the film industry	MPC MTAC	

# 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 10F(4)	Function of receiving notice from Director regarding where infringement notice waived	DCOM, MCSC, LLA, LLC	
s 10S(1)	Function of receiving a direction to suspend any enforcement action	DCOM, MCSC, LLA, LLC, LLO1, LLPO, LLT	
s 10S(4)	Function of receiving notice of family violence scheme (FVS) applications	DCOM, MCSC, MEB, LLA, LLC, LLO1, LLPO, LLT	
s 10U(1)(c)	Function of receiving a direction to withdraw an infringement notice and take no further action in relation to the relevant offence	DCOM, MCSCLLA, LLC	
s 10U(2)(a)	Duty to withdraw an infringement notice	DCOM, MCSC, LLA, LLC	If directed by the Director of Fines Victoria and within 28 days of the direction  By issuing a withdrawal notice that complies with s 19(a) and (b)(iii) of the <i>Infringements Act 2006</i>
s 10U(2)(b)	Duty to notify the Director and the FVS eligible person of the withdrawal of the infringement notice	DCOM, MCSC, LLA, LLC	
s 10V(4)	Function of receiving a direction to, and a duty to, take no enforcement action during the enforcement suspension period	DCOM, MCSC, LLA, LLC	

# 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 10V(6)	Power to take any action referred to in s 38(1)(a) with respect to the FVS eligible offence	DCOM, MCSC, LLA, LLC	if an effective known user statement is cancelled under s 84BF of the <i>Road Safety Act 1986</i> , and the FVS eligible offence is referred to Council
s 10V(7)(c)	Function of receiving a direction to withdraw an infringement notice and take no further action in relation to the relevant offence	DCOM, MCSC, LLA, LLC	
s 10V(9)(a)	Duty to withdraw an infringement notice	DCOM, MCSC, LLA, LLC	If directed by the Director of Fines Victoria and within 28 days of the direction  By issuing a withdrawal notice that complies with s 19(a) and (b)(iii) of the <i>Infringements Act 2006</i>
s 10V(9)(b)	Duty to notify the Director and the FVS eligible person of the withdrawal of the infringement notice	DCOM, MCSC, LLA, LLC	
s 10W(1)	Function of receiving a written notice of the Director of Fines Victoria's determination	DCOM, MCSC, LLA, LLC	If the Director of Fines Victoria determines that an FVS applicant is not an FVS eligible person in respect of an FVS eligible offence
s 10W(4)	Power to, 21 days after the Director has notified the FVS applicant of their ineligibility, resume enforcement action	DCOM, MCSC, LLA, LLC	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 10X(2)	Function of receiving referred matters from the Director of Fines Victoria	DCOM, MCSC, LLA, LLC	
s 10Y(1)(a)	Power to withdraw an infringement notice and take no further action or issue an official warning	DCOM, MCSC, LLA, LLC	Where the Director of Fines Victoria refers an infringement offence under s 10X(2) by issuing a withdrawal notice under s 19 of the <i>Infringements Act 2006</i>
s 10Y(1)(b)	Power to file a charge-sheet charging the offence	DCOM, MCSC, LLA, LLC, LLO1, LLPO	
s 16	Function of registering infringement fines with Director of Fines Victoria and paying the prescribed fee	DCOM, MCSC, LLA, LLC	
s 20(4)	Function of being advised by Director of Fines Victoria of determination	DCOM, MCSC, LLA, LLC,	
s 21(1)	Power to withdraw infringement notice, issue official warning or file a charge-sheet upon receipt of notice under s 20	DCOM, MCSC, LLA, LLC,	
s 21A	Duty to notify Director of Fines Victoria of commencement of proceeding by filing a charge-sheet under s 21(1)(c) in writing	DCOM, MCSC, LLA, LLC	

# 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 22	Power to request Director of Fines Victoria not to issue or serve notice of final demand	DCOM, MCSC, LLA, LLC,	
s 37(2)	Function of receiving written notice of enforcement cancellation from Director of Fines Victoria	DCOM, MCSC, LLA, LLC	
s 38	Duty, once served notice of an enforcement cancellation notice, to withdraw notice, withdraw notice and issue a written warning or withdraw notice and commence proceeding	DCOM, MCSC, LLA, LLC,	
s 38A	Duty to notify Director of Fines of commencement of proceeding by filing a charge-sheet under s 38(1)(a)(iii) in writing	DCOM, MCSC, LLA, LLC,	
s 43	Power to refer infringement fine to Director of Fines Victoria for management by payment arrangement upon request	DCOM, MCSC, LLA, LLC	
s 44	Function of receiving notice of notification of refusal of application under s 43	DCOM, MCSC, LLA, LLC	
s 48(2)	Duty to request Director of Fines Victoria to remove infringement fine if infringement notice withdrawn	DCOM, MCSC, LLC, LLA	
s 54(1)	Duty to provide Director of Fines Victoria with most up-to-date contact details of persons where referring infringement fine	DCOM, MCSC, LLC, LLA	

# 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 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, MCSC, LLA, LLC	
s 174	Function of receiving request from the Director of Fines Victoria or the sheriff	DCOM, MCSC, LLA, LLC,	Where Council is a 'specified body'
s 175	Duty to comply with a request from the Director of Fines Victoria or the Sheriff for the supply of information for the purpose of enforcing registered fines	DCOM, MCSC, LLA, LLC	Where Council is a 'specified body' Unless the CEO of the Council certifies in writing that exceptional circumstances apply

# 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	DCOR, MFI	for 2 or more parcels of land which have a combined valuation and are owned separately
s 9A(1)	Function of receiving application for single farm enterprise exemption	DCOR, MFI	
s 9A(2)(b)	Power to specify form and timeframe for making applications under s 9A(1)	DCOR, MFI	
s 9A(3)	Power to require further particulars or for applicant to verify particulars regarding application	DCOR, MFI	
s 9A(4)	Function of receiving notice of changes in circumstances	DCOR, MFI	
s 19 and 20	Duty to pay levy amount in respect of leviable land owned by Council	DCOR, MFI, RRTL	Note: Council is only liable to pay the relevant fixed charge in respect of land described in s 20(1)
s 21(3)(a)	Function of assessing the amount of levy payable	DCOR, MFI, RRTL	
s 21(3)(b)	Function of collecting the levy payable	DCOR, MFI, RRTL	

# 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 21(4)(a)	Function of assessing the amount of levy payable	DCOR, MFI, RRTL	If Council has been directed to be a collection agency in respect of non-rateable leviable land not located within its municipal district boundaries
s 21(4)(b)	Function of collecting the levy payable	DCOR, MFI, RRTL	If Council has been directed to be a collection agency in respect of non-rateable leviable land not located within its municipal district boundaries
s 22	Power to exercise powers and functions under s 121 of the <i>Local Government Act 2020</i> (land information certificates) and s 313 of the <i>Local Government Act 2020</i> (institute proceedings)	DCOR, MFI, RRTL	
s 24	Duty to keep levy records in accordance with s 24	DCOR, MFI, RRTL	
s 25(1)	Duty to give a written notice to the owner of leviable land or to another specified person if requested by owner	DCOR, MFI, RRTL	
s 25(6)	Duty to transfer the amount of levy collected to the Commissioner	DCOR, MFI, RRTL	
s 27(1)	Power to defer payment of levy in respect of rateable leviable land where applicant shows hardship	DCOR, MFI, RRTL	s 170 of the <i>Local Government Act 1989</i> applies, subject to modifications set out in s 27.



# 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
			Note: may only defer levy if have deferred rates or charges under s 170 of the <i>Local Government Act 1989</i> for that land
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	DCOR, MFI	s 170 of the <i>Local Government Act 1989</i> applies, subject to modifications set out in s 27
s 27(1)	Power to waive levy in respect of rateable leviable land	DCOR, MFI	s 171 of the <i>Local Government Act 1989</i> 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 <i>Local Government Act 1989</i> for that land
s 27(1)	Duty to waive levy upon receipt of an application which complies with s 171(4) of the <i>Local Government Act 1989</i> , in respect of rateable leviable land	DCOR, MFI	s 171 of the <i>Local Government Act 1989</i> 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 <i>Local Government Act 1989</i> 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 <i>Local Government Act 1989</i>	DCOR, MFI	s 171 of the <i>Local Government Act 1989</i> 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 <i>Local Government Act 1989</i> 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)	Function of receiving application for waiver of levy in respect of rateable leviable land	DCOR, MFI	s 171A of the <i>Local Government Act 1989</i> 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 <i>Local Government Act 1989</i> for that land
s 27(1)	Power to require information or verification in respect of rateable leviable land	DCOR, MFI	s 171A of the <i>Local Government Act 1989</i> 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 <i>Local Government Act 1989</i> for that land
s 27(1)	Power to waive levy or levy interest in respect of rateable leviable land	DCOR, MFI	s 171A of the <i>Local Government Act 1989</i> 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 <i>Local Government Act 1989</i> for that land
s 28(1)	Power to defer payment of levy in respect of non-rateable leviable land where applicant shows hardship	DCOR, MFI	s 170 of the <i>Local Government Act 1989</i> 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	DCOR, MFI	s 170 of the <i>Local Government Act 1989</i> 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	DCOR, MFI	s 171 of the <i>Local Government Act 1989</i> applies, subject to modifications set out in s 28(4)
s 28(1)	Duty to waive levy upon receipt of an application which complies with s 171(4) of the <i>Local Government Act 1989</i> , in respect of non-rateable leviable land	DCOR, MFI	s 171 of the <i>Local Government Act 1989</i> 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 <i>Local Government Act 1989</i>	DCOR, MFI	s 171 of the <i>Local Government Act 1989</i> applies, subject to modifications set out in s 28(4)
s 28(1)	Function of receiving application for waiver of levy in respect of non- rateable leviable land	DCOR, MFI	s 171A of the <i>Local Government Act 1989</i> 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	DCOR, MFI	s 171A of the <i>Local Government Act 1989</i> 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	DCOR, MFI	s 171A of the <i>Local Government Act 1989</i> applies, subject to modifications set out in s 28(4)
s 29(1)	Duty to give concession	DCOR, MFI	
s 30(1)	Duty to require a person to pay levy interest	DCOR, MFI	

# 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(3)	Power to obtain court order requiring payment of levy	DCOR, MFI	
s 30(4)	Power to waive levy interest where court order obtained under s 30(3)	DCOR, MFI	
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)	DCOR, MFI	
s 30(6)	Power to recover levy interest due in the same way as Council recovers the levy amount	DCOR, MFI	
s 31(1)	Power to recover the whole of the levy from either all, any or one persons jointly liable to pay levy	DCOR, MFI	Where 2 or more persons jointly liable to pay levy
s 31A(2)(a)	Duty to refund amount of levy proportionate to the part of levy year remaining where land ceases to be leviable land and levy payment has already been made	DCOR, MFI	
s 31A(2)(b)	Duty to only require proportionate amount of levy to be paid where land ceases to be leviable land and levy payment has not already been made	DCOR, MFI	
s 32(7)	Power to recover amount in arrears, in accordance with s 32(7)	DCOR, MFI, RRTL	

# 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 33(1)	Power to send notice where levy due and unpaid	DCOR, MFI, RRT DCOR, MFI, RRTL	
s 33(5)	Power to recover unpaid amount due	DCOR, MFI, RRTL	
s 34	Duty to make adjustment and apply or refund overpayment in accordance with s 34 and give a revised assessment notice to the owner or specified person	DCOR, MFI	Where an objection, review or appeal results in the alteration of a valuation or a decision to attribute a different AVPCC
s 35(1)	Power to recover unpaid levy amount	DCOR, MFI, 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	DCOR, MFI, RRTL	
s 36(1)	Function of receiving application for refund of amounts overpaid	DCOR, MFI	
s 36(4)	Duty to refund overpayment, if determined that the payment was in excess of amount owed	DCOR, MFI	
s 36(5)	Power to refund overpayment, if determined that the payment was in excess of amount owed	DCOR, MFI	

# 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 37(1)	Duty to separately account for levy amounts and levy interest collected	DCOR, MFI	
s 37(3)	Power to retain any interest earned on levy amounts and levy interest	DCOR, MFI	
s 37(5)	Duty to refund over payment	DCOR, MFI	
s 38(1)	Power to cancel assessment of person's liability to pay levy if satisfied that an assessment has been made in error	DCOR, MFI	
s 38(2)	Duty to comply with requirements in s 38(2) where Council has made an assessment in error	DCOR, MFI	
s 39(2)	Duty to conduct another assessment of the levy amount and, if applicable, give the owner or specified person a revised assessment notice, in accordance with s 39(2)	DCOR, MFI	
s 39(3)	Duty to refund payment in excess of amount owed and any interest accrued	DCOR, MFI	
s 40	Duty to submit a return to the Commissioner	DCOR, MFI	In a form approved by the Commissioner and in accordance with any directions issued by the Minister

# 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 41(1)	Duty to pay all levy amounts and levy interest received to the Commissioner in 4 instalments	DCOR, MFI	
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	DCOR, MFI	
s 71(1)	Function of receiving application for alteration of levy records	DCOR, MFI	
s 71(2)	Power to specify the manner and form of applications under s 71(1)	DCOR, MFI	
s 72	Duty to comply with any Ministerial directions issued under s 72	DCOR, MFI	

FLORA AND FAUNA GUARANTEE ACT 1988			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 4C(1)	Function of receiving a request for information from the Minister	ALL ELTMWE	Where Council is a public authority

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

FLORA AND FAUNA GUARANTEE ACT 1988			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 4C(2)	Duty to comply with a Minister's request for information under s 4C(1)	ALL ELT, MWE	Where Council is a public authority
s 7(2)	Function of consulting with the Secretary either before the action starts or, if the action has already started, within 15 days of the request being made	DS, MWE	Where Council is a public authority If the Secretary is of the opinion that an action taken or to be taken by Council is likely to threaten the survival of a listed taxon or community of flora or fauna or a critical habitat
s 20B(1)(a)	Function of receiving written notice from the Secretary	DS, MWE	Where Council is a landholder of any land that is within the area of the proposed determination
s 20B(1)(b)	Function of receiving written notice from the Secretary	DS, MWE	Where Council is a public authority that performs a function or exercises a power in the area of the proposed determination
s 20B(5)	Power to request that the information set out in s 20B(3) be withheld	DS, MWE	Where Council is a landholder
s 25(1)	Function of being party to an agreement for management of flora and fauna	DS, MWE, WSC, EPOC	
s 29(1)(a)	Function of receiving notice of the making of a habitat conservation order from the Minister in relation to land within the critical habitat	DS, MWE, WSC, EPOC	Where Council is a landholder



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

FLORA AND FAUNA GUARANTEE ACT 1988			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 29(1)(b)	Function of receiving notice of the making of a habitat conservation order from the Minister	DS, MWE, WSC, EPOC	Where Council is a public authority that performs a function or exercises a power in the critical habitat
s 57(2)(h)	Function of giving, to an authorised officer, samples of any thing in respect of which the authorised officer suspects that there has been a contravention of the <i>Flora and Fauna Guarantee Act 1988</i> (Vic) or an instrument referred to in s 57(1) that is found at the land, building or vehicle	DS, MWE, WSC, EPOC	Where Council is the landholder of the land or is apparently in charge of the building or vehicle (as the case requires)
s 57(2)(k)	Function of receiving notice from an authorised officer	DS, MWE, WSC, EPOC	Where Council is the landholder of the land

FOOD ACT 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 7D(3)	Duty to comply with a declaration made by the Secretary under s 7D(1)	DCOM, MCSC, EHC, EHO	
s 7E(6)	Duty to publish a copy of a direction given by the Minister under s 7E(1) in the annual report	DCOM, MCSC, EHC	

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

FOOD ACT 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 19(4)(b)	Duty to notify the Department of the making of the order	DCOM, MCSC, EHC, EHO	If s 19(1) applies
s 19(4)(c)	Duty to notify the registration authority of the making of the order and any appeal and the outcome of the appeal	DCOM, MCSC, EHC, EHO	If s 19(1) applies and if Council is not the registration authority
s 19A(4)(b)	Function of receiving notice from authorised officer	DCOM, MCSC, EHC, EHO,	Where Council is the registration authority
s 19BA(3)	Duty to give notice of the variation or revocation of the order to the general public in the same manner as the original notice	DCOM, MCSC, EHC, EHO	Must be done by the same person as gave the original notice
s 19EA(3)	Function of receiving a copy of any significant revision made to the food safety program	DCOM, MCSC, EHC, EHO	Where Council is the registration authority
s 19H(5)(a) & (5)(b)	Duty to take into account (a) the food safety performance of the food business; and (b) any guidelines issued by the Secretary in determining the frequency and intervals of the assessments and audits	DCOM, MCSC, EHC, EHO	Where Council is the registration authority
s 19I	Duty to conduct a food safety assessment as required under s 19H	DCOM, MCSC, EHC, EHO	Subject to s 19J Where Council is the registration authority

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

FOOD ACT 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 19IA(2)	Duty to give written notice to proprietor if food safety requirements or s 19DC(2) have not been complied with unless s 19IA(3) applies	DCOM, MCSC, EHC, EHO	Where Council is the registration authority
s 19N	Function of receiving information from a food safety auditor	DCOM, MCSC, EHC, EHO	Where Council is the registration authority
s 19U(4)	Duty to ensure that information relating to costs of a food safety audit are available for inspection by the public	DCOM, MCSC, EHC, EHO	
s 19UA(4)	Duty to consider proprietor's history of compliance in deciding whether to charge the fee	, DCOM, MCSC, EHC, EHOMFI	
s 19UA(5)	Duty to ensure that the method of determining a fee under s 19UA(3)(a) and the considerations that apply under s 19UA(4) are available for inspection by the public	, DCOM, MCSC, EHC, EHO, MFI	
s 20(1C)	Duty to ensure authorised officers are suitably qualified or trained	DCOM, MCSC, MPC, EHC	
s 20(2)	Power to limit or impose conditions on the authority granted to an authorised officer	DCOM, MCSC, MPC, EHC	
s 26(5)	Duty to destroy or dispose of article	MCSC, EHC, EHO	

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

FOOD ACT 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 32(1)	Duty to submit samples of food for analysis	DCOM, MCSC, EHC, EHO,	
s 32(3)	Function of receiving report by analyst	DCOM, MCSC, EHC, EHO	
s 35A(2)	Function of receiving notice of operation from the proprietor of a food premises	DCOM, MCSC, EHC, EHO	Where Council is the registration authority
s 37	Function of receiving application, information and documents required under s 36 from the proprietor of a food business	DCOM, MCSC, EHC, EHO,	
s 38(3)	Duty to consult with the Secretary about the proposed exemption under s 38(2)	DCOM, MCSC, EHC	
s 38AA(2)	Function of being notified of operation	DCOM, MCSC, EHC, EHO,	Where Council is the registration authority
s 38AA(4)	Duty to determine whether the food premises are exempt from the requirement of registration	DCOM, MCSC, EHC, EHO,	Where Council is the registration authority
s 38A(5) & (6)	Function of receiving a food safety audit certificate from a proprietor	DCOM, MCSC, EHC, EHO	Where Council is the registration authority
s 38B(1)(c)	Duty to inspect premises	EHC, EHO,	Where Council is the registration authority

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

FOOD ACT 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 38E(1)(c)	Function of assessing the requirement for a food safety program	DCOM, MCSC, EHC, EHO,	Where Council is the registration authority
s 38E(3)(a)	Function of receiving certificates	DCOM, MCSC, EHC, EHO,	Where Council is the registration authority
s 38F(3)(a)	Duty to note the change to the classification of the food premises on the certificate of registration	DCOM, MCSC, EHC, EHO,	Where Council is the registration authority
s 39(2)	Duty to inspect within 12 months before renewal of registration	DCOM, MCSC, EHC, EHO,	Where Council is the registration authority
s 39(3)	Duty to inspect within 3 months before renewal of registration if circumstances in s 39(3)(a)-(d) apply	DCOM, MCSC, EHC, EHO,	Where Council is the registration authority
s 39A(6)	Duty to comply with direction of Secretary.	DCOM, MCSC, MCSC,	
s 40(1)	Duty to issue a certificate of registration in the prescribed form	DCOM, MCSC, EHC, EHO,	Where Council is the registration authority
s 40D(2)	Duty to specify how long a suspension is to last under s 40D(1)	DCOM, MCSC, EHC, EHO,	Where Council is the registration authority
s 40E(4)	Duty to comply with direction of Secretary	DCOM, MCSC	

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

FOOD ACT 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 43(1) and (2)	Duty to maintain records of the prescribed particulars and orders in force under Part III	DCOM, MCSC, EHC, EHO	Where Council is the registration authority
s 43(3)	Duty to make available information held in records, free of charge, on request	DCOM, MCSC, EHC, EHO,	Where Council is the registration authority
s 43I	Function of receiving a statement of trade of a proprietor of a food business	DCOM, MCSC, EHC, EHO,	
s45AA	Power to act in proceedings against the Crown	DCOM, MCSC, EHC	Power of the responsible agency
s 45AC	Power to bring proceedings for an offence under the Act	DCOM, MCSC, EHC	
s 53G(1)	Duty to provide information in s 53G(1) to the Secretary as soon as practicable after a person is convicted by a court for an offence under this Act	DCOM, MCSC, EHC, EHO	Where Council is the 'relevant Council' under s 53G(6)
s 53G(2)	Duty to advise the Secretary that a person has not appealed a conviction within the time allowed	DCOM, MCSC, EHC, EHO	Where Council is the relevant Council under s 53G(6)
s 53G(3)	Duty to inform the Secretary of the fact that an appeal or application for leave is lodged against the conviction and of other matters in this subs	DCOM, MCSC, EHC, EHO	Where Council is the relevant Council under s 53G(6)

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

FOOD ACT 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 53G(4)	Duty to inform the Secretary of the outcome of the appeal or application	DCOM, MCSC, EHC, EHO	Where Council is the relevant Council under s 53G(6)
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 <i>Liquor Control Reform Act 1998</i> is in force	DCOM, MCSC, EHC, EHO,	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 <i>Liquor Control Reform Act 1998</i> is found guilty or pleads guilty and in respect of which no conviction is recorded	DCOM, MCSC, EHC, EHO	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	DCOM, MCSC, 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	DCOM, MCSC, EHC, EHO	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	DCOM, MCSC, EHC, EHO	
s 59C(7)(b)	Power to recover costs incurred under s 59C(2) or (3)	DCOM, MCSC, EHC, EHO, RRTL	

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

FOOD ACT 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 71(a)	Power to revoke or suspend the registration of the food premises under Part IIIB or s 40D in certain circumstances	DCOM, MCSC, EHC	

FREEDOM OF INFORMATION ACT 1982			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 7	Duty to publish information	GC, MGR	
s 49D(3)	Power to request a copy of the application from the Information Commissioner	GC, MGR	
s 49G(3)	Function of receiving notice from the Information Commissioner	GC, MGR	
s 49I	Duty to assist the Information Commissioner to undertake a review	GC, MGR	
s 49K	Function of consulting with the Information Commissioner	GC, MGR	



# 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 49KA(2)(a)	Function of processing or identifying a reasonable sample of the documents upon notice from the Information Commissioner	GC, MGR	If the Information Commissioner reasonably believes that an agency or Minister has failed to undertake an adequate search for documents that relate to a decision that is the subject of a review under Division 1
s 49KA(2)(b)	Function to undertake a further search, or to cause a further search to be undertaken, for documents in the possession, custody or control of the agency or Minister, upon notice from the Information Commissioner	GC, MGR	If the Information Commissioner reasonably believes that an agency or Minister has failed to undertake an adequate search for documents that relate to a decision that is the subject of a review under Division 1
s 49KA(3)	Duty to comply with requests under s 49KA(2) within the reasonable time stated in the Information Commissioner's notice, being not less than 10 business days	GC, MGR	If the Information Commissioner reasonably believes that an agency or Minister has failed to undertake an adequate search for documents that relate to a decision that is the subject of a review under Division 1
s 49KA(4)	Power to apply for extension	GC, MGR	
s 49KA(7)	Duty to notify the Information Commissioner within 3 business days after the end of the period referred to in s 49KA(2) or (3) of the information contained in s 49KA(7)(a)-(b)	GC, MGR	If the Information Commissioner reasonably believes that an agency or Minister has failed to undertake an adequate search for documents that relate to a decision that is the subject of a review under Division 1

# 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 49KA(8)	Function to have the matter referred from the Information Commissioner in accordance with s 49L	GC, MGR	If the Information Commissioner reasonably believes that an agency or Minister has failed to undertake an adequate search for documents that relate to a decision that is the subject of a review under Division 1
s 49L(1A)	Duty to make a fresh decision where a matter is referred back to Council by the Information Commissioner	GC, MGR	Decision must be made within 28 days of referral, unless other time period agreed under s 49L(2)
s 49L(2)	Power to agree with the Information Commissioner to another time period for making the fresh decision under s 49L(1)	GC, MGR	
s 49L(4)	Duty to notify the Information Commissioner that a fresh decision has been made or has not been made	GC, MGR	
s 49L(5)	Duty to revoke the earlier decision where a fresh decision has been made and to inform the applicant of the requirements of s 49L(6) and the effect of s 49(7)	GC, MGR	
s 49M(1)	Power to exercise a choice to reconsider the subject matter of an application for review and make a fresh decision	GC, MGR	<p>Must advise the Information Commissioner and the applicant in writing</p> <p>Decision must be made within 28 days of referral, unless other time period agreed under s 49M(2)</p> <p>May make a fresh decision only once during a review under this part s 49M(8)</p>

# 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 49M(2)	Power to agree with Information Commissioner to another time period for making a fresh decision	GC, MGR	
s 49M(4)	Duty to notify the Information Commissioner in writing of a whether a fresh decision has or has not been made	GC, MGR	
s 49M(5)	Duty to revoke the earlier decision where a fresh decision has been made and to inform the applicant of the requirements of s 49M(6) and the effect of s 49M(7)	GC, MGR	
s 49N	Function of entering into an agreement in relation to a decision that is the subject of a review	GC, MGR	
s 50(3D)	Power to apply to the Tribunal for review of a decision of the Information Commissioner under s 49P	GC, MGR	
s 50(3F)	Duty to notify the Information Commissioner of an application for review under s 50(3D)	GC, MGR	
s 50(3FA)	Duty to notify the Information Commissioner of an application for review under s 50(1) (b), (c), (d) or (g)	GC, MGR	
s 53(6)	Power to make an application to the Tribunal for an extension of time	GC, MGR	

# 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 53A(1)	Duty to, if practicable, give written notice in accordance with s 53A(2)	GC, MGR	
s 61E	Duty to co-operate with Information Commissioner where a complaint relates to the agency	GC, MGR	
s 61G	Function of consulting with the Information Commissioner	GC, MGR	
s 61GA(1)(a)	Function of processing or identifying a reasonable sample of the documents upon notice from the Information Commissioner	GC, MGR	Where the Information Commissioner believes that an agency, principal officer or Minister has failed to undertake an adequate search for documents that relate to a decision that is the subject of the complaint under s 25A(1) or s 25A(5)
s 61GA(1)(b)	Function to undertake a further search, or to cause a further search to be undertaken, for documents in the possession, custody or control of the agency or Minister, upon notice from the Information Commissioner	GC, MGR	Where the Information Commissioner believes that an agency, principal officer or Minister has failed to undertake an adequate search for documents that relate to a decision
s 61GA(2)	Duty to comply with requests under s 61GA(1) within the reasonable time stated in Information Commissioner's notice, being not less than 10 business days	GC, MGR	
s 61GA(3)	Power to apply for extension	GC, MGR	
s 61H	Power to reach an agreement with a complainant	GC, MGR	

# 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 61I(2)	Power to make submissions to the Information Commissioner in relation to a complaint	GC, MGR	
s 61L(5)	Power to comment on, and respond to, a draft recommendation	GC, MGR	
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	MGR	
s 64B	Duty to provide the Information Commissioner any information referred to in s 64(2)	GC, MGR	
s 65AB	Duty to notify the responsible Minister if Council seeks leave to appeal	GC, MGR	

# 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 3.3.5	Function of receiving a copy of proposed applications	DCOM, MCSC	-
s 3.3.5AA	Function of receiving notification from the Commission	DS	
s 3.3.5AB(2)	Function of receiving a copy of the amended application	DS	
s 3.3.5B	Duty to notify the Commission in writing as to whether it intends to make a submission under s 3.3.6	DS	
s 3.3.6	Power to make submission to Commission on application for approval of premises	D	
s 3.3.8(4)	Function of receiving notification from the Commission of its decision	DS	
s 3.3.14	Power to apply to Tribunal for review of Commission's decision granting approval of premises	DS, DCOR, MGR	
s 3.4.18(2)	Function of receiving a copy of proposed request	DS	
s 3.4.18A	Function of receiving notification from the Commission that it has received a request	DS	
s 3.4.18B(2)	Function of receiving amended copies of proposed request	DS	

# 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 3.4.18C	Duty to notify Commission as to whether it intends to make a submission under s 3.4.19	DS	
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	DS	
s 3.4.21(2)	Power to apply to Tribunal for review of Commission's decision relating to amendment increasing number of gaming machines	DS, DCOR, MGR	
s 8.5.3(2)	Function of receiving a copy of application for bingo centre	DS	
s 8.5.5	Power to submit report to Commission on application received under s 8.5.3(3)(a)	DS	

# 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 7(a)	Duty to consider and promote gender equality	DCOR, MPC	Where Council is a 'defined entity'
s 7(b)	Duty to take necessary and proportionate action towards achieving gender equality	DCOR, MPC	Where Council is a 'defined entity'
s 9(1)	Duty to undertake a gender impact assessment	DCOR, MPC	Where Council is a 'defined entity'
s 10(1)	Duty to prepare a Gender Equality Action Plan	DCOR, MPC	Where Council is a 'defined entity'
s 10(2)(a)	Duty to take into account the gender equality principles in preparing a Gender Equality Action Plan	DCOR, MPC	Where Council is a 'defined entity'
s 10(2)(b)	Duty to consult in preparing a Gender Equality Action Plan	DCOR, MPC	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, MPC	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 11(1)	Duty to undertake a workplace gender audit before developing a Gender Equality Action Plan	DCOR, MPC	Where Council is a 'defined entity'
s 11(2)(d)	Power to determine any other matters that are relevant	DCOR, MPC	Where Council is a 'defined entity'
s 12(1)	Duty to submit a Gender Equality Action Plan to the Commissioner	DCOR, MPC	Where Council is a 'defined entity'
s 12(2)	Power to request an extension of time to submit the Gender Equality Action Plan	DCOR, MPC	Where Council is a 'defined entity'
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, MPC, MACE	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, MPC	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, MPC	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 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, MPC	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, MPC	Where Council is a 'defined entity'
s 15(2)(a)	Duty to submit the amended Gender Equality Action Plan to the Commissioner	DCOR, MPC	Where Council is a 'defined entity'
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, MPC	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, MPC	Where Council is a 'defined entity'
s 18(1)	Duty to make reasonable and material progress towards meeting gender equality targets prescribed	DCOR, MPC	Where Council is a 'defined entity'
s 18(2)	Duty to make reasonable and material progress towards meeting gender equality quotas prescribed	DCOR, MPC	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(1)	Duty to submit a progress report to the Commissioner	DCOR, MPC	Where Council is a 'defined entity'
s 19(2)	Power to request an extension of time to submit a progress report	DCOR, MPC	Where Council is a 'defined entity'
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, MPC	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, MPC	Where Council is a 'defined entity'
s 22(1)	Function of being issued with a compliance notice from the Commissioner	DCOR, MPC	Where Council is a 'defined entity'
s 22(2)	Duty to comply with the compliance notice	DCOR, MPC	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, MPC	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 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, MPC, MGR	Where Council is a 'defined entity'
s 26(a)	Power to provide the Commissioner with a written undertaking	DCOR, MPC	Where Council is a 'defined entity'
s 27(2)	Power to, with the consent of the Commissioner, withdraw or vary the undertaking	DCOR, MPC	Where Council is a 'defined entity'
s 47(2)	Duty to have regard to any guidelines issued under s 47(1)	DCOR, MPC	Where Council is a 'defined entity'
s 48(2)	Duty to have regard to the guidelines	DCOR, MPC	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, MPC	Where Council is a 'defined entity' and subject to guidelines issued under s 49(1)
s 51(1)	Duty to, before publication, remove any personal information from a Gender Equality Action Plan and progress report	DCOR, MPC	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 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	DCOR, MPC	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, MPF, ALL ELT, MCSC, LLC, LLO1, LLPO, LLT	
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, MPF, ALL ELT, MCSC, LLC, LLO1, LLPO, LLT	
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, MPF, ALL ELT, MCSC, LLC, LLO1, LLPO, LLT	

# 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)(a)	Duty to serve notice regarding proposal to remove or obliterate graffiti at least 10 days before it is proposed to take action to remove or obliterate graffiti (where entry to private premises not necessary)	MPF, ALL ELT, MCSC, LLC, LLO1, LLPO, LLT	
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, MPF, ALL ELT, MCSC, LLC, LLO1, LLPO, LLT	
s 18(3A)	Power to take further action to remove or obliterate graffiti	DINF, DCOM, MPF, ALL ELT, MCSC, LLC, LLO1, LLPO, LLT	Within 3 months after Council has taken action under subsection (3)
s 18(8)(a)	Duty to take reasonable steps to consult with owner or occupier in relation to manner of taking action to remove or obliterate graffiti	DINF, DCOM, MPF, ALL ELT, MCSC, LLC, LLO1, LLPO, LLT	
s 18(8)(b)	Duty to ensure that work is done by an authorised person, where entry to the property is necessary under s 18(1)	DINF, DCOM, MPF, ALL ELT, MCSC, LLC, LLO1, LLPO, LLT	

# 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(8)(c)	Duty to ensure that work is carried out expeditiously and to avoid unnecessary inconvenience and disruption and with reasonable care and to reasonable standards	DINF, DCOM, MPF, ALL ELT, MCSC, LLC, LLO1, LLPO, LLT	
s 19(1)	Power to authorise a person to carry out Council's functions under s 18.	DINF, DCOM, MPF, ALL ELT, MCSC, MPC	
s 19(2)(c)	Power to determine performance criteria for authorised persons	DINF, DCOM, MPF, ALL ELT, MCSC, MPC	
s 20(1)	Duty to issue an identity card to an authorised person	DCOR, MPC	

# 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 48	Function of receiving notice of complaint from the Health Complaints Commissioner	DCOR, MGR, DCOM	
s 51(1)	Function of receiving notice that Health Complaints Commissioner has declined to entertain a complaint	DCOR, MGR, DCOM	
s 51(3)	Function of receiving notice that Health Complaints Commissioner referred complaint	DCOR, MGR, DCOM	
s 52(2)	Function of receiving notice that Health Complaints Commissioner referred complaint to registration board	DCOR, MGR, DCOM	
s 53(2)	Function of receiving notice that Health Complaints Commissioner has dismissed a stale complaint	DCOR, MGR, DCOM	
s 56(3)	Power to indicate wishes with respect to whether conciliation appropriate	DCOR, MGR, DCOM	
s 56(4)	Function of receiving notice of Health Complaints Commissioner's decision under s 56(1)	DCOR, MGR, DCOM	
s 57(4)	Function of receiving notice that Health Complaints Commissioner has dismissed the complaint after deciding conciliation is inappropriate	DCOR, MGR, DCOM	



# 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(1)(b)	Power to sign the record of a conciliation agreement	DCOR, MGR, DCOM	
s 61(2)	Power to lodge a copy of the record with the Tribunal	DCOR, MGR, DCOM	
s 63(1)	Function of receiving notice that conciliation has failed	DCOR, MGR, DCOM	
s 63(8)	Function of receiving notice that Health Complaints Commissioner has dismissed the complaint following a failed conciliation	DCOR, MGR, DCOM	
s 63(10)	Function of receiving notice that Health Complaints Commissioner is to conduct an investigation of the complaint	DCOR, MGR, DCOM	
s 64(2)	Function of receiving notice of Health Complaints Commissioner's ruling	DCOR, MGR, DCOM	
s 64(7)	Duty to report on action taken following notice of a ruling requiring specified action	DCOR, MGR, DCOM	
s 65(1)	Power to require the Health Complaints Commissioner to refer the complaint to the Tribunal	DCOR, MGR, DCOM	

# 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 72	Power to apply to the Tribunal for review of a decision to serve a compliance notice	DCOR, MGR, DCOM	
s 73(1)	Power to apply to the Tribunal for an interim order	DCOR, MGR, DCOM	

HEAVY VEHICLE NATIONAL LAW 2012			
(Applies in Victoria, pursuant to Heavy Vehicle National Law Application Act 2013 (Vic))			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 118(1)(b)	Duty to give or not give consent to the grant of a mass or dimension exemption notice for a category of heavy vehicles	DINF, ME, EC	Where Council is the relevant road manager Must comply with requirements of s 156
s 124(1)(b)	Duty to give or not give consent to the grant of a mass or dimension exemption permit for a heavy vehicle	DINF, ME, EC	Where Council is the relevant road manager Must comply with requirements of s 156
s 139(1)(b)	Duty to give or not give consent to the grant of a class 2 heavy vehicle authorisation notice	DINF, ME, EC	Where Council is the relevant road manager

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

<b>HEAVY VEHICLE NATIONAL LAW 2012</b> (Applies in Victoria, pursuant to Heavy Vehicle National Law Application Act 2013 (Vic))			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 145(1)(b)	Duty to give or not give consent to the grant of a class 2 heavy vehicle permit	DINF, ME, EC	Where Council is the relevant road manager
s 156(1)	Duty to give or not give consent	DINF, ME, EC	Where Council is the relevant road manager
s 156(2)	Power to request a longer period to decide to give or not give consent under s 156(1)	DINF, ME, EC	Where Council is the relevant road manager
s 156(3)	Function of giving Regulator a written statement explaining its decision not to give consent	DINF, ME, EC	Where Council is the relevant road manager Statement must comply with s 172
s 157(2)	Function of receiving notice from the Regulator that an applicant has been notified of the third party consultation requirement	DINF, ME, EC	Where Council is the relevant road manager
s 158(2)	Duty to, as far as practicable, deal with the request for consent, where consultation with other entity is not yet completed	DINF, ME, EC	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, EC	Where Council is the relevant road manager
s 159	Power to notify the Regulator that a route assessment is required and the fee payable for the route assessment	DINF, ME, EC	Where Council is the relevant road manager

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

<p align="center"><b>HEAVY VEHICLE NATIONAL LAW 2012</b></p> <p align="center">(Applies in Victoria, pursuant to Heavy Vehicle National Law Application Act 2013 (Vic))</p>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 159(4)	Power to stop considering whether to give or not to give consent until route assessment fee is paid	DINF, ME, EC	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, EC	Where Council is the relevant road manager
s 160(2)	Duty to give the Regulator a written statement explaining the decision to consent subject to conditions	DINF, ME, EC	Where Council is the relevant road manager Statement must comply with s 172
s 161(1)	Power to consent to the grant of a mass or dimension authority subject to a travel condition	DINF, ME, EC	Where Council is the relevant road manager
s 161(2)	Duty to give the Regulator a written statement explaining the decision to consent subject to travel conditions	DINF, ME, EC	Where Council is the relevant road manager Statement must comply with s 172
s 162(1)	Power to request the Regulator to impose a stated vehicle condition on the authority	DINF, ME, EC	Where Council is the relevant road manager
s 162(2)(b)	Function of being notified of the decision under s 162(2)(a)	DINF, ME, EC	Where Council is the relevant road manager
s 163(3)	Duty to give or not give consent within 3 months or longer as agreed with Regulator	DINF, ME, EC	Where Council is the relevant road manager

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

<p style="text-align: center;"><b>HEAVY VEHICLE NATIONAL LAW 2012</b></p> <p style="text-align: center;">(Applies in Victoria, pursuant to Heavy Vehicle National Law Application Act 2013 (Vic))</p>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
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, EC	Where Council is the relevant road manager
s 167(2)(c)	Function of receiving notice that the Regulator withdraws the proposed replacement authority from the expedited procedure	DINF, ME, EC	Where Council is the relevant road manager
s 167(3)	Power to give written notice of consent or refusal	DINF, ME, EC	Where Council is the relevant road manager
s 169	Power to give consent to the grant of a mass or dimension authority for a trial period	DINF, ME, EC	Where Council is the relevant road manager
s 170(1)	Function of being notified by the Regulator of renewal of mass or dimension authority for trial period	DINF, ME, EC	Where Council is the relevant road manager
s 170(3)	Power to give written objection	DINF, ME, EC	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, EC	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, EC	Where Council is the relevant road manager
s 174(4)(c)	Function of receiving notice from the Regulator that the road authority must not comply with the request	DINF, ME, EC	Where Council is the relevant road manager

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

<p align="center"><b>HEAVY VEHICLE NATIONAL LAW 2012</b></p> <p align="center">(Applies in Victoria, pursuant to Heavy Vehicle National Law Application Act 2013 (Vic))</p>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 176	Duty to give or not give consent to an amendment of a mass or dimension authority	DINF, ME, EC	Where Council is the relevant road manager The provisions relating to a request for consent under Division 2 of the Act apply to the request for consent under s 176
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, EC	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, EC	Where Council is the relevant road manager
s 178(4)(c)	Function of receiving notice from the Regulator that the road authority must not comply with the request	DINF, ME, EC	Where Council is the relevant road manager
s 180(2)	Function of receiving notice from the Regulator	DINF, ME, EC	Where Council is the relevant road manager
s 611(2)	Power to apply for a compensation order	DINF, ME, EC	
s 612	Function of preparing certificate	DINF, ME, EC	
s 613(1)	Duty to give a copy of a certificate referred to in s 612 to the defendant at least 28 days before hearing	DINF, ME, EC	

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

HEAVY VEHICLE NATIONAL LAW 2012			
(Applies in Victoria, pursuant to Heavy Vehicle National Law Application Act 2013 (Vic))			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 613(3)	Function of receiving notice that defendant intends to challenge the matter	DINF, ME, EC	
s 643(2)	Function of receiving referral of review application	DINF, ME, EC	
s 644	Duty to conduct internal review of reviewable decision and give applicant a reasonable opportunity to make written or oral representations	DINF, ME, EC	Where Council is the relevant road manager
s 645(1)	Duty to either confirm or amend decision or substitute another decision for the reviewable decision	DINF, ME, EC	Where Council is the relevant road manager
s 645(5)	Duty to, as soon as practicable, give the Regulator notice of the review	DINF, ME, EC	Where Council is the relevant road manager

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

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

HERITAGE ACT 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 29(4)	Function of receiving statement refusing a nomination from Executive-Director	DS, MPB	
s 30(9)	Function of receiving written notice from Heritage Council of outcome of application for review	DS, MPB	
s 34(1)	Function of receiving notice of acceptance of nomination from Executive Director	DS, MPB	
s 40(1)	Function of receiving statement from Executive Director of recommendation not to include place or object in Heritage Register	DS, MPB	
s 53(6)	Function of receiving notice of amendment to heritage register from Executive Director	DS, MPB	
s 63(2)	Function of receiving notice of expedited amendment of Heritage Register	DS, MPB	
s 96(5)	Function of receiving copy of amended permit application	DS, MPB	
s 100(1)	Function of receiving copy of permit application from Executive Director	DS, 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 100(2)	Power to make written submission to Executive Director in relation to application received under s 100(1)	DS, MPB	
s 105(4)	Function of receiving notice of receipt of application to amend a permit from Executive Director	DS, MPB	
s 106(5)	Function of receiving notice of application for review for permit to carry out works from Heritage Council	DS, 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	DS, MPB	
s 108(5)	Power to appear and be heard or represented at a hearing into review of Executive Director's determination	DS, MPB	
s 108(9)	Function of receiving written notice from Executive Director of Heritage Council's determination of review	DS, MPB	
s 110	Function of receiving notice from Minister of referral of a matter to VCAT under s 109(2)(b)	DS, MPB	
s 112	Function of receiving notice from Executive Director of decision by VCAT under s 111	DS, 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 114(2)	Function of receiving notice from Executive Director of decision by Minister in relation to application for review	DS, MPB	
s 120	Function of receiving written notice of removal of site from Heritage Inventory	DS, MPB	
s 131(1)	Function of receiving notice of recommendations made under s 130 by Executive Director	DS, MPB	
s 133(3)	Function of receiving written notice from Heritage Council of approval of recommendation for a site of archaeological value	DS, MPB	
s 179	Function of receiving notice of approval of World Heritage Strategy Plan	DS, MPB	

HOUSING ACT 1983			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 15(1)(d)	Function of consenting to any development, control, etc. of any land	DS, 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 34(1)	Function of entering into arrangements with Homes Victoria whereby Council carries out works	DS, MPB, DINF,	
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	DS, MPB	
s 67(1)(b)	Power to demolish house (where case so requires)	DS, MPB	
s 67(2)	Power to recover expenses	DS, MPB, MFI	
s 67(3)	Power to sell or dispose of material	DS, MPB, DCOR	
s 68(1)	Power to order that house (a) be and remain unoccupied; or (b) be vacated by the occupier	DS, MPB	
s 68A	Power to revoke declaration	DS, MPB	
s 71(1)	Power to authorise person for purposes of s 71	ND	
sch 2 cl 3(1)	Power to sell or give to Homes Victoria any land vested in it, other than Crown land	ND	

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

HOUSING ACT 1983			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
sch 2 cl 3(2)	Power to lease land, enter into agreements with Homes Victoria concerning land, or apply funds for carrying out such agreement	DINF, MPF	
sch 6 cl 1	Duty to lodge signed certificate	DS	
sch 6 cl 1	Power to authorise staff member to sign certificate	DS	
sch 6 cl 2	Power to request recording in Register	DS	
sch 6 cl 6	Duty to lodge notice with the Registrar of Titles that the declaration has ceased to operate	DS, MPB	
sch 6 cl 7(1)	Power to require occupier to pay to Council any money owing	DS, MPB	
sch 6 cl 7(2)	Duty to forward a copy of any notice under cl 7(1) to the owner of the house concerned	DS, MPB	
sch 6 cl 7(5)	Duty to notify occupier if Council receives any payment	DS, MPB, MFI	

# 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 9(3)	Function of receiving notice from owner or occupier of whereabouts of livestock	DCOM, MCSC, LLC, LLPO, LLO1, LLT	
s 10	Power to give written permission to owner or occupier of land to impound livestock on their land for longer than 4 days	DCOM, MCSC, LLC, LLPO, LLO1, LLT	
s 14	Duty to keep record of impounded livestock	DCOM, MCSC, LLC, LLPO, LLO1, LLT	
s 15	Duty to ascertain owner of livestock and serve a notice of seizure on the owner as soon as possible	DCOM, MCSC, LLC, LLPO, LLO1, LLT	
s 16	Duty to release livestock	DCOM, MCSC, LLC, LLPO, LLO1, LLT	
s 16A(3)	Power to approve form of notice to be served under s 16A(1)	DCOM, MCSC, LLC, LLPO, LLO1, LLT	
s 16B(3)	Power to approve form of notice to be served under s 16B(1)	DCOM, MCSC, LLC, LLPO, LLO1, LLT	

# 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 17	Duty to hold livestock for seven days, or 3 days after time within which measures must be taken under notice served, prior to disposal	DCOM, MCSC, LLC, LLPO, LLO1, LLT	
s 17A	Duty to hold livestock for 14 days prior to disposal in accordance with Part 2	DCOM, MCSC, LLC, LLPO, LLO1, LLT	Where authorised officer of Council has impounded livestock under s 5A of the Act
s 18	Power to offer uncollected livestock for sale	DCOM, MCSC, LLC,	
s 19	Duty to give public notice of intention to sell livestock	DCOM, MCSC, LLC, LLPO, LLO1, LLT	
s 20	Duty to apply the proceeds of the sale of livestock in the order set out in s 20(1)	MFI	
s 21	Power to dispose of livestock including destroying or re-housing	DCOM, MCSC, LLC	
s 22	Function of posting written notice of the impounding of livestock at the pound where they are held	DCOM, MCSC, LLC, LLPO, LLO1, LLT	

# 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 27	Function of receiving notice of proceedings	DCOM, MCSC, LLC, LLPO, LLO1, LLT	
s 28(1)	Duty to not sell or dispose of impounded livestock until (a) the time limit in s 27(2) has expired or (b) the proceedings have been determined or withdrawn, where Council receives notification of proceeding under s 27(1)	DCOM, MCSCLLC, LLPO, LLO1, LLT	
s 28(3)	Power to release impounded livestock pending determination of proceedings	DCOM, MCSC, LLC, LLPO, LLO1, LLT	
s 29(2)	Duty to release impounded livestock and convey it to the owner at Council's expense where Magistrates' Court determines impounding was in contravention of this Act	DCOM, MCSC, LLC, LLPO, LLO1, LLT	
s 30	Power to recover outstanding amount as a debt	DCOM, MCSC, LLC, MFI, RRTL	
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

INDEPENDENT BROAD BASED ANTI-CORRUPTION COMMISSION ACT 2011			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 15(6)	Function of consulting with and receiving information from the Independent Broad-based Anti-Corruption Commission (IBAC)	DCOR, MGR	
s 35(2)	Power to enter into agreements or arrangements for use of services with the Independent Broad-based Anti-Corruption Commission (IBAC)	DCOR, MGR	
s 56	Function of providing information to the Independent Broad-based Anti-Corruption Commission (IBAC)	DCOR, MGR	

INFRINGEMENTS ACT 2006			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 3	Power to appoint an issuing officer	ND	
s 6	Duty to provide Attorney-General with prescribed information	DCOM, MCSC, LLC, LLA	



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

INFRINGEMENTS ACT 2006			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 9	Power to make and publish guidelines and policies in respect of the use of official warnings for infringement offences	DCOM, MACE, MCSC, EHC, LLC	
s 11	Duty to withdraw an official warning in certain circumstances	DCOM, MCSC	
s 15	Power to accept late payment of infringement penalty	DCOM, MCSC, EHC, LLC,	
s 17(1)	Power to refer certain matters to the Court	DCOM, MCSC, EHC, LLC,	
s 17(3)	Power to withdraw infringement notice and file a charge and summons in the Children's Court in some circumstances	DCOM, MCSC, LLC	
s 18(1) & (2)	Power to withdraw an infringement notice in some circumstances	DCOM, MCSC, EHC, LLA, LLC	
s 22	Function of receiving application for review of decision to serve infringement notice	DCOM, MCSC, EHC, LLA, LLC	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	DCOM, MCSC, EHC, LLA, LLC	

# 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(2)	Duty to suspend review where request made under s 23(1)	DCOM, MCSC, EHC, LLA, LLC	
s 23(4)	Power to refuse or grant request for extension of time made under s 23(3)(b)	DCOM, MCSC, EHC, LLA, LLC	
s 23(5)	Duty, if extension of time granted under s 23(4)(b), to inform applicant in writing of the period of the extension	DCOM, MCSC, EHC, LLA, LLC	
s 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	DCOM, MCSC, EHC, LLA, LLC	
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	DCOM, MCSC, EHC, LLA, LLC	
s 24(1)(a) & (b)	Duty, if application for review under s 22(1)(a), (b) or (c) is received, to review decision to serve infringement notice and suspend procedures used for enforcement of infringement penalty until review complete and applicant is sent advice of outcome	DCOM, MCSC, EHC, LLA, LLC	

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

INFRINGEMENTS ACT 2006			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 24(1A)	Duty to review whether person unlikely to have been aware of infringement notice, and suspend procedures until review complete and applicant is sent advice of outcome	DCOM, MCSC, EHC, LLA, LLC	
s 24(2)	Duty to ensure that a review is conducted by a person who was not involved in making the decision to serve the infringement notice	DCOM, MCSC, EHC, LLA, LLC	
s 24(3)(a)	Duty to review decision within prescribed time or, if additional information is requested under s 23, within prescribed period plus 35 days	DCOM, MCSC, EHC, LLA, LLC	
s 24(3)(b)	Duty to serve on the applicant written notice of outcome of review within 21 days of decision	DCOM, MCSC, EHC, LLA, LLC	
s 25(1)	Power, after reviewing a decision, to take the following actions (or any combination of those actions): (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)	DCOM, MCSC, EHC, LLA, LLC	

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

INFRINGEMENTS ACT 2006			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	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.		
s 25(2)	Power, in the case of application made under s 22(1)(b), to: (a) confirm the decision; (b) withdraw the notice and serve an official warning; or (c) withdraw the notice.	DCOM, MCSC, EHC, LLA, LLC	
s 25(2A)	Power made under s 22(1)(d), to grant or refuse application	DCOM, MCSC, EHC, LLA, LLC	
s 25(3)	Function of receiving application for payment plan for infringement notices confirmed under s 25(2)(a)	DCOM, MCSC, EHC, LLA, LLC	
s 25(4)	Duty to serve application with written notice of decision made under s 25(2A)(a)	DCOM, MCSC, EHC, LLA, LLC	
s 25(6)	Duty to serve application with written notice of outcome of review under s 25(2A)(b), and advise that payment is required within 14 days	DCOM, MCSC, EHC, LLA, LLC	
s 29(1) & (2)	Power to serve a penalty reminder notice	DCOM, MCSC, EHC, LLA, LLC	

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

INFRINGEMENTS ACT 2006			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 40(1)(a)	Duty to lodge prescribed information with the Court, if person elects an infringement offence matter to be heard by the Court or if matter referred to Court	DCOM, MCSC, EHC, LLA, LLC	
s 40(1)(d)	Duty to serve details on person who was served with infringement notice, at least 14 days prior to hearing date	DCOM, MCSC, EHC, LLA, LLC	
s 46(1)	Function of receiving application for payment plan	DCOM, MCSC, EHC, LLA, LLC	
s 46(1A)	Function of receiving application for payment plan from body corporate	DCOM, MCSC, EHC, LLA, LLC	
s 46(3)	Duty to offer payment plan in certain circumstances	DCOM, MCSC, EHC, LLA, LLC, MFI	
s 46(4)	Power to offer payment plan in certain circumstances	DCOM, MCSC, EHC, LLA, LLC, MFI	
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	DCOM, MCSC, EHC, LLA, LLC, MFI	
s 46(5)(b)	Power to offer a payment plan by referring the infringement penalty and penalty reminder notice fee to the Secretary for	DCOM, MCSC, EHC, LLC, MFI	

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

INFRINGEMENTS ACT 2006			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	management by payment arrangement under the <i>Fines Reform Act 2014</i>		
s 46(6)	Duty, if Council determines not to offer payment plan to a person who has applied, to serve written notice on person with relevant details	DCOM, MCSC, EHC, LLA, LLC, MFI	
s 46(7)	Duty to cease action taken to collect infringement penalty upon receipt of application under s 46(1) or (1A)	DCOM, MCSC, EHC, LLA, LLC	
s 47(1)	Power to arrange a payment plan	DCOM, MCSC, EHC, LLA, LLC, MFI	
s 49(3)	Duty, if infringement notice withdrawn, to withdraw infringement penalty and penalty reminder notice fee from payment plan	DCOM, MCSC, EHC, LLA, LLC	
s 49A(2)	Power to vary terms of a payment arrangement	DCOM, MCSC, EHC, LLA, LLC, MFI	
s 49A(4)	Duty to give written notification to applicant of decision regarding payment plan variation	DCOM, MCSC, EHC, LLA, LLC	
s 50(1)	Duty to allocate money received under payment plan in order of priority	DCOM, MCSC, LLA, LLC, MFI	

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

INFRINGEMENTS ACT 2006			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 50(3)	Duty to advise person to whom payment plan applies of overpayment	DCOM, MCSC, EHC, LLA, LLC	
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	DCOM, MCSC, EHC, LLA, LLC, MFI	
s 50(3)(b)	Power to refund amount of overpayment by appropriating Consolidated Fund or refunding from another fund or account	DCOR, MFI	
s 52(2)	Duty to send written notice advising of default on payment plan	DCOM, MCSC, EHC, LLA, LLC	
s 53A(2)	Function of consulting with Secretary	DCOM, MCSC,	
s 53B(2)	Duty to comply with request by Secretary under s 53B(1)	DCOM, MCSC, EHC, LLA, LLC	
s 53C(2)	Duty to respond give report to Secretary in response to any recommendations made under s 53C(1)	DCOM, MCSC, EHC, LLA, LLC	

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

LAND ACT 1958			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 22D(1)	Duty to execute an instrument of transfer and surrender	DINF	Where the Attorney-General has authorised Council to surrender land
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 140A(3)(c)	Duty to provide report to Minister for grant of licences for jetty landing stages on 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	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 349	Power to agree to closure of road on land vested in the Crown	DINF, ME	



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

LAND ACT 1958			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 400	Power to give notice to Secretary that road is an unused road	DINF, ME	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
s 407(1)	Power to inform Minister it is desirable to re-open licensed closed road or water frontage	DINF, ME	
s 407(3)(b)	Power to cause any building/hedge/ditch etc to be taken down/filled up/removed etc	DINF, ME, MPF	Where a licence under Division 8 of Part I has been cancelled under s 407(1)
s 411	Function of receiving particulars of licence from the land manager	DINF	Where the licence is granted in relation to an unused road or water frontage in Council's municipal district

# 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
			Certain provisions in this Act apply only to councils in their capacity as acquiring authorities or to councils in their capacity as responsible authority
s 6	Duty of the authority to serve notice of intention to acquire on persons with an interest in the land	DINF DS	
s 7(1)(b)	Power to serve statement on person interested in the land in accordance with s 7(1)(b)	DINF DS	
s 9(1)	Duty of the authority to serve copy of notice on certain responsible authorities	DINF DS	
s 9(2)	Duty of the responsible authority to provide information in writing when required to do so by an authority	DINF DS	Prescribed information listed under rr 11 and 12 of the Land, Acquisition and Compensation Regulations 2021
s 9(3)	Duty of the responsible authority to forward a copy of application for planning permit/building approval to an authority	DINFDS	
s 10(1)	Duty of the authority to lodge notice and prescribed fee with the Registrar of Titles or Registrar-General	DINF, DS, MFI	
s 10(4)	Duty of the authority to give notice of cancellation/lapse in writing	DINF DS	

# 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 10(7)	Duty of the authority to pay fees where an owner applies for a new s 32(2) certificate	DINF DS	
s 14(1)	Power of an authority to amend notice upon agreement with persons on whom it was served	DINF DS	
s 15(1)	Power of an authority not to proceed with the acquisition	DINF DS	
s 15(2)	Duty of the authority to serve a statement cancelling the notice of intention to acquire	DINF DS	
s 17	Power of the authority to agree with owner to extend operation of notice	DINF DS	
s 18(1)	Power of the authority to acquire interest in land by agreement	DINF DS	
s 19	Function of the authority publishing a notice declaring the interest to be acquired	DINF DS	
s 22	Duty of the authority to serve copy notice of acquisition and a statement to persons interested in that land	DINF DS	
s 23	Duty of the authority to publish copy notice of acquisition in local newspaper	DINF DS	

# 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(1)	Duty of the authority to endeavour to obtain agreement with the owner / occupier	DINF DS	
s 26(5)	Power of the authority to enter into possession of the land	DINF DS	
s 26(11)	Duty of the authority to serve copy certificate under s 26(4)(a) on occupier	DINF DS	
s 27	Power of the authority to recover any rent due	DINF, DS, MFI	
s 28(1)	Power of the authority to issue a warrant where refusal to give up possession	DINF DS	
s 31(1) and supporting provisions	Power of the authority to make an offer, including the power to determine amount of the offer	DINF DS	
s 31(5)	Duty of the authority to have regard to a valuation of the land in making an offer under s 31	DINF DS	
s 31(7)	Power of the authority to reduce the offer by an amount equal to outstanding interest, rates, taxes, etc.	DINF DS	
s 32(1)	Duty of the authority to set out total amount of compensation where Minister directs information required to be set out by s 31 is inappropriate	DINF, DS, MFI	

# 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 32(2)	Duty of the authority to pay the total amount of compensation offered in court	DINF, DS, MFI	
s 32(4)	Duty of the authority to apply to the court or the Tribunal for determination of the amount payable	DINF, DS, DCOR, MGR	
s 33(1)	Function of the authority of receiving notice of acceptance or notice of claim	DINF DS	
s 36(1)	Duty of the authority to serve a reply to the notice of claim	DINF DS	
s 36(2)	Power of the authority to admit/vary/reject the claim under s 36	DINF DS	
s 36(3)	Duty of the authority to provide claimant with method and basis of its valuation	DINF DS	
s 37(4)	Duty of the authority to serve reply to notice of claim on claimant, where no offer was made	DINF DS	
s 43(2)	Power of the authority to give notice of intention	DINF DS	
s 43(3)	Duty of the authority to do action specified in notice under s 43(2)	DINF DS	
s 45(1)	Power of the authority to grant a loan to claimant	DINF DS	

# 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 48(2)	Duty of the authority to serve reply to notice of claim within 3 months on claimant	DINF DS	
s 51(8)	Power of the authority to advance compensation to assist a person purchasing another interest in land	DINF DS	
s 63(1)	Duty of the authority to prepare all instruments of conveyance	DINF DS	
s 65(a)	Function of the authority to receive interest in land despite any restrictions under other laws	DINF DS	
s 65(b)	Function of the authority to recover compensation where authority acquires an interest under s 65(a)	DINF DS	
s 67(1)	Function of the authority to negotiate with agents	DINF DS	
s 68(1)	Power of the authority to purchase or redeem interest in mortgage	DINF DS	
s 68(4)	Power of the authority to direct where to convey release of mortgagee's interest upon payment under s 68(3)	DINF DS	
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 DS	

# 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(6)	Power of the authority to direct where to convey release of mortgagee interest upon payment under s 68(5)	DINF DS	
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, DS DCOR, MGR	
s 69(2)	Power of the authority to execute a deed poll	DINF DS	
s 69(3)	Duty to register the deed poll in the office of the Registrar-General	DINF DS	
s 70(1)	Function of the authority to negotiate with the mortgagee/person entitled to redemption of the value of interest and compensation where sum payable exceeds value of land	DINFDS	
s 70(4)	Power of the authority to direct where to convey release of mortgagee interest upon payment under s 70(3)	DINF DS	
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, DS, MFI	
s 71(3)	Power of the authority to execute and register a deed poll	DINF DS	

# 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 72(1)	Function of the authority to settle an agreement with mortgagee/person entitled to redemption of interest payable where part of the land is taken	DINF DS	
s 72(4)	Power of the authority to direct where to convey release of mortgagee's interest	DINF DS	
s 72(6)	Function of the authority to furnish copy memorandum under s 72(5)	DINF DS	
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, DS, MFI	
s 73(3)	Power of the authority to execute and register a deed poll	DINF DS	
s 74(1)	Power of the authority to enter land	DINF DS	
s 74(2)	Duty of the authority to serve notice of intention to enter and a statement on occupier and owner	DINF DS	
s 75(1)	Power of the authority occupy land as long as is necessary for the purposes of the <i>Local Government Act 1989</i>	DINF DS	
s 75(2)(a)	Power of the authority or authorised person to dig and take from land any clay, soil, etc.	DINF DS	



# 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)(b)	Power of the authority to deposit any material on land	DINF, DS	
s 75(2)(c)	Power of the authority to make cuttings or excavations on land	DINF, DS	
s 75(2)(d)	Power of the authority to take timber from the land	DINF, DS	
s 75(2)(e)	Power of the authority to make and use roads on land	DINF, DS	
s 75(2)(f)	Power of the authority to manufacture on the land any materials required	DINF, DS	
s 75(2)(g)	Power of the authority to erect workshops, sheds, etc on land	DINF, DS	
s 75(3)	Duty of the authority to serve notice in writing on owner/occupier and Soil Conservation Authority if intends to enter land	DINF, DS	
s 75(5)	Duty of the authority to give notice in writing of nature and quantity of material taken	DINF, DS	
s 76	Duty of the authority to comply with obligations under s 76(a)-(e)	DINF, DS	

# 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 79(1)	Duty of the authority to fence land when so required by the owner	DINF, DS	
s 80	Power of the authority to refer a claim to the Court/Tribunal for determination	DINF, DS, DCOR, MGR	
s 83	Duty of the authority to serve a copy of the referral notice on other parties	DINF DS	
s 87	Power of the authority in a compulsory conference to increase the amount of an offer	DINF DS	
s 91(4)	Power of the authority to set-off costs of determinations against any compensation award/costs payable to claimant	DINF, DS, MFI	
s 96(1)	Function of the authority to make application to the court for a valuer	DINF, DS, DCOR, MGR	
s 103(1)	Power of the authority to inspect documents by notice in writing	DINF, DS	
s 104(3)	Power of the authority/authorise a person to accept service on its behalf	DINF, DS	
s 106(1)(c)	Power of the authority to extend/abridge time limits under the Act by agreement with concerned party	DINF, DS	

# 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 109(1)	Power of the authority to sell, lease or deal with an interest in land	DINF, DS	
s 109(2)	Duty of the authority to offer the land for sale to the former owner if within 18 months of acquisition under the Act	DINF, DS	

LIVESTOCK DISEASE CONTROL ACT 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 107B(4)(a)	Function of receiving records maintained by the Secretary under ss 107B(1)(c), (d), (e) or (g)	DS, MEB, MCSC	Only applies to a member of Council staff responsible for the conduct or facilitation of livestock sales at a saleyard operated or managed by the Council
s 121A	Function of receiving a request from the Secretary for information relating to land in the municipal district	DINF	In connection with the administration of, or in carrying out of the Secretary's functions under, the Act or the regulations

# 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 27(1)	Power to apply to the Commission for a licence or BYO permit	DS, DINF	
s 33	Function of receiving copy of application	DS, MPB	
s 40(1)	Power to object to grant, variation or relocation of a licence	DS, MPB	
s 40(1A)	Power to object to grant, variation or relocation of packaged liquor licence or late night (packaged liquor) licence	DS, MPB	
s 91	Power to request the Commission to conduct an inquiry into whether there are grounds to take disciplinary action	DS, MPB	
s 94	Power to request the Commission to conduct an inquiry into amenity or disuse	DS, MPB	

# 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 11(8)	Duty to keep a public register of delegations under section 11 of this Act	DCOR, MGR	
s 16(12)	Duty to pay an account received of the reasonable expenses incurred by a person engaged by the Minister to support a review by an electoral representative advisory panel	DCOR, MFI	
s 17(6)	Duty to pay an account received of the reasonable expenses incurred by the Victorian Electoral Commission as a consequence of conducting a ward boundary review	DCOR, MFI	
s 40(1)	Duty to reimburse a Councillor or a member of a delegated committee for out-of-pocket expenses in accordance with this section	DCOR, MFI	
s 40(2)	Duty to provide details of all reimbursements of out-of-pocket expenses of Councillors and members of a delegated committee to the Audit and Risk Committee	DCOR, MFI	
s 42	Duty to make available to the Mayor and the Councillors the resources and facilities reasonably necessary to enable them to effectively perform their role	DCOR, MFI, MPC	
s 50	Duty to implement appropriate long service leave arrangements for members of Council staff in accordance with the regulations	DCOR, MPC	

# 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 73(4)	Duty to publish a notice regarding a proposed local law in accordance with subsection 73(3)(a) to (d)	ALL ELT, MCSC,	
s 73(5)	Duty to ensure that a copy of the proposed local law is available for inspection	DCOR, DCOM, MGR, MCSC	
s 74(1)	Duty to obtain a certificate from a qualified person	ALL ELT, MCSC	
s 74(5)	Duty to publish a notice after a local law is made in accordance with subsection 74(4)(a) to (d)	ALL ELT, MCSC,	
s 75	Duty to ensure that a copy of a local law made under section 74 is available for inspection	ALL ELT, MCSC,	
s 76(3)	Duty to publish a notice of an amendment to a document, code, standard, rule, specification or method which contains matter applied, adopted or incorporated by a local law	ALL ELT, MCSC,	
s 76(4)	Duty to ensure that a copy of any document, code, standard, rule, specification or method which contains any matter incorporated in a local law is available for inspection	ALL ELT, MCSC,	
s 82	Function of receiving any penalty recovered for an offence against a local law	ALL ELT, MCSC, MFI	
s 98	Duty to prepare an annual report in respect of each financial year	DCOR, MFI, MGR	Subject to section 99

# 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 99(1)	Duty to prepare, as soon as practicable after the end of the financial year, the performance statement and financial statements of the Council for the financial year	DCOR, MFI	
s 103	Power to invest any money in accordance with subsections (a) to (f)	DCOR, MFI	
s 106	Duty to plan and deliver services to the municipal community in accordance with the service performance principles	ALL	
s 109(1)	Duty to comply with Council's Procurement Policy before entering into a contract for the purchase of goods or services or carrying out of works	ALL	
s 112(1)	Power to purchase or compulsorily acquire any land which is or may be required by the Council for or in connection with, or as incidental to, the performance of its functions or the exercise of its powers.	DINF	Must be undertaken in accordance with the Council's community engagement policy and any other relevant legislation.
s 114(2)(a)	Duty to give notice before selling or exchanging land	DINF MPF	
s 114(2)(b)	Duty to undertake a community engagement process in accordance with Council's Community Engagement Policy before selling or exchanging land	DINF, MCP MPF	
s 114(2)(c)	Duty to obtain valuation before selling or exchanging land not more than 6 months prior to the sale or exchange	DINF MPF, PM	
s 115(1)	Power to lease land	DINF, MPF	

# 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 115(3)	Duty to include proposal to lease in the budget	DCOR DINF, MPF, MFI	
s 115(4)	Duty to undertake a community engagement process in accordance with Council's Community Engagement Policy before leasing land	ALL ELT DINF, MPF, MCP	
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)	ALL ELT DINF, MO	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)	ALL ELT DINF, MO	Delegation extends only to area of functional responsibility of delegate
s 117(3)	Power to recover costs of carrying out work	DINF, MFI	
s 119	Power to require payment of all or part of money from present owner or occupier	MFI	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, MFI	



# 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	Function of receiving application for land information certificate	DCOR, MFI, RRTL	See prescribed information under r 5 of the <i>Local Government (Land Information) Regulations 2021</i>
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, MFI, RRTL	
s 152	Duty to pay the fees for a Councillor Conduct Panel to the Principal Council Conduct Registrar	DCOR, MFI	
s 162	Duty to provide all reasonable assistance to the Councillor Conduct Panel which is necessary to enable the Councillor Conduct Panel to conduct the hearing and make a determination	DCOR, MGR	
s 167(8)	Duty to pay any necessary expenses incurred by Councillors in attending mediation, training or counselling directed by a Councillor Conduct Panel	DCOR, MFI	
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, MGR	Subject to subsection (2)
s 179(3)	Duty to pay a Municipal Monitor the amounts entitled to be paid and the terms of the appointment	MFI, MGR	

# 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 268(2)	Duty to pay for reasonable expenses of the Victorian Electoral Commission as specified in an account sent to the Council under subsection (1)	MFI, MGR	
s 313(1)	Power to institute proceedings in the corporate name of the Council	DCOR, MGR	Subject to subsection (a) – (d)
s 313(1)	Power to authorise a person to institute proceedings in the corporate name of the Council	DCOR, MGR	Subject to subsection (a) – (d)

# 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 154	Power to determine that land is not rateable land in accordance with s 154	DINF, DCOR, MFI	
s 157(2)	Duty to publish notice of change in valuation system	MACE	
s 158(3)	Power to levy rates by sending notice to person liable	MFI, RRTL	
s 158(3A)	Power to send rate notice to a person specified upon request	MFI, RRTL	
s 159(5)	Power to determine form & time period	MFI, RRTL	
s 159(6)	Power to require applicant to give further particulars or verify particulars	MFI, RRTL	
s 161(3)	Duty to make available for inspection certain information	MACE, DCOR, MFI	
s 163(1C)	Duty to send a copy of the public notice to each person who will be liable to pay the special rate or special charge	DCOR, MFI	
s 163(4)	Power to levy special rate/charge by sending notice to person liable	MFI, RRTL	
s 164(2)	Duty to notify of decision under s 164(1) to persons liable to pay special rate/charge	MFI, RRTL	Limited to Director or Executive Manager responsible for works or project

# 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 165	Duty to refund excess money	MFI	
s 166(2)	Duty to notify persons liable that special rate/charge varied	MFI, RRTL	
s 169(2)	Duty to send notice to person who was granted a rebate or concession and not complied with terms	MFI, RRTL	
s 170(1)	Power to defer payment where applicant shows hardship	MFI, RRTL	
s 170(3)(a)	Power to require payment where no longer hardship/in occupation	MFI, RRTL	
s 171(1)	Power to waive rate/charge to eligible recipient or in accordance with Council determination	MFI, RRTL	
s 171(4)(e)	Duty to waive amount which is in accordance with concession order upon receipt of application	MFI	
s 171(4)(f)	Power to decide to treat person to whom waiver granted as having made continuing application or waiver	MFI	Requires the approval of the Minister administering the <i>State Concessions Act 2004</i>
s 171(5A)	Power to waive rate/charge where person has right to recover it from another (upon application of the eligible recipient)	MFI	
s 171A(1)	Function of receiving application for waiver	MFI	
s 171A(2)	Power to require information or verification	MFI	

# 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	DCOR, MFI, RRTL	
s 171B(1)	Power to enter into a payment plan with a person for the payment of a rate or charge (including interest charged under s 172)	DCOR, MFI, RRTL	
s 171B(3)	Power to determine terms of the payment plan under subsections (a) to (d)	MFI, RRTL	
s 171B(7)	Power to cancel a payment plan	MFI, RRTL	
s 172(1)	Power to raise interest and require payment from person liable	MFI, RRTL	
s 172(3)	Power to exempt a person from paying interest	MFI	
s 172(4)	Power to recover interest due	MFI	
s 173(2)(a)	Duty to refund rates/charges where land ceases to be rateable and payment was made	MFI	
s 173(2)(b)	Duty to require pro rata payment where land ceases to be rateable	MFI	
s 175(2)	Power to require current rates, arrears from person acquiring land	MFI, RRTL	
s 177(1)	Power to require occupier to pay rent upon notice	DINF, MPF, MFI	

# 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 177(4)	Power to recover unpaid rent as a debt due	DINF, MPF, MFI	
s 180(1)	Power to recover unpaid rate/charge as a debt due	DINF, MPF, MFI	
s 180A	Duty to provide notification prior to commencing proceedings for recovery of unpaid debt in certain circumstances	DINF, MPF, MFI	
s 181(2)	Power to dispose of land where rate/charge unpaid	DINF, MPF	
s 181(5)	Power to serve and to give notices before Council sells the land	DINF, MPF	
s 181(7)	Power to deduct expenses incurred in connection with sale	MFI	
s 181AA	Duty to comply with Ministerial Guidelines	MFI	
s 181C(2)	Power to send notice to person liable to pay environmental upgrade charge	MFI	
s 181E(1)	Duty to use best endeavours to recover environmental upgrade charge	MFI	
s 181F	Duty to adjust environmental upgrade charge to reflect lower amount advanced to owner and advise any person liable to pay charge in writing of the adjustment	MFI	Council must refund any excess amounts paid to owner or occupier as a result of an adjustment being made to an upgrade charge under 181F(1)
s 185F(1)	Duty to comply with any direction of the Minister under s 185D	MFI	

# 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 181H	Power to enter into an environmental upgrade agreement on behalf of Council and declare and levy an environmental upgrade charge	DS, MWE, DCOR MFI	
s 185I	Power to enter into a cladding rectification agreement in respect of rateable land with an existing building on it	DS, DINF	Subject to ss 185I(4), 185J(4) and 185J(5)
s 185J(1)	Function of receiving details in writing of the information set out in s 185J(1)(a)	DS, DINF	
s 185J(2)	Duty to give written notice to each owner or, in the case of rateable land managed by an owners corporation, each owner of a lot on the rateable land	DS, DINF, MFI, RRTL	
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	DS, DINF	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	DS, DINF	If Council is not satisfied of the matters set out in s 185J(5)
s 185K(1)(b)	Function of receiving information from the owners corporation	DS, DINF	
s 185N(1)	Duty to use Council's best endeavours to recover a cladding rectification charge in accordance with any requirements imposed on it by the <i>Building Act 1993</i> and the cladding rectification agreement	MFI	Subject to s 185N(2) and (3)

# 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 199	Duty to give notice of proposed drainage works to persons affected	DINF, ME, MO	
s 200(1)	Power to give persons notice that must carry out drainage works	DINF, ME, MO	
s 200(2)	Power to carry out works itself where non-compliance with notice	DINF, ME, MO	
s 201(1)	Duty to construct, manage, etc works under schemes approved under <i>Water Act 1989</i>	DINF, ME, MO, MMP	
s 201(2)	Power to carry out any power under the Act for purpose of 201(1)	DINF, ME, MO	
s 203(1)	Power to develop and implement a transport plan	DINF, ME	
s 203(2)	Power to prepare a transport plan jointly with one or more other councils	DINF, ME	
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, ME, MACE	
s 207D(2)	Duty to notify Registrar of Titles of an action under s 207D(1)(b) or a transfer of land in the form described in (a) – (c)	DINF, MPF	Delegation only extends to matters within the functional responsibility of delegate



# 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 223(1)(a)	Duty to publish a public notice	DCOR, MFI	
s 223(1)(b)(iii)	Administrative duty to give reasonable notice of day, time and place of the meeting to each person who made a request to appear in person, or be represented in the submission	DCOR MFI	
s 223(1)(d)(ii)	Duty to notify submitters after made decision	DCOR MFI	
s 223(3)	Power to authorise members of Council staff to carry out administrative procedures	ALL ELT, ALL MAN, ALL SUP	
s 224(1)	Power to appoint authorised officer	ALL ELT, MPC	
s 224(1A)	Duty to maintain register of authorised officers	DCOR, MPC, MGR	
s 224(2)	Duty to supply authorised officers with identity cards	DCOR, MPC, MGR	Authorisation only to be made in respect of areas of responsibility of delegate
s 224(3)	Power to authorise a person to sign identity cards of authorised officers	DCOR, MPC, MGR	
s 224A(2)	Power to publish a notice in the Government Gazette which authorises police officers to enforce provisions of local law	ALL ELT, MCSC	

# 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 237A	Duty to make available to the Secretary to the Department any information requested in accordance with s 121A of the <i>Livestock Disease Control Act 1994</i>	ALL ELT, MEB MCSC	
sch 10 cl 1(a)	Power to make, maintain and repair roads	DINF, ME, MO; MMP	
sch 10 cl 2	Administrative functions necessary to give effect to power to deviate roads	DINF, ME	
sch 10 cl 3	Administrative functions necessary to give effect to power to discontinue roads	DINF, ME	
sch 10 cl 4	Power to enter and take any materials necessary from certain land	DINF	
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 <i>Geographic Place Names Act 1998</i>
sch 10 cl 5(1)(b)	Power to erect signs on a road	DINF, 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, MO, DCOR, RRTL	
sch 10 cl 5(1)(d)	Power to require people to number their premises and to renew those numbers	DINF, MO, DCOR; RRTL	
sch 10 cl 6	Power to cause standard survey marks to be established in roads	DINF, ME	

# 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 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, MO	
sch 10 cl 8(3)	Duty to publish notice in Government Gazette before starting work	MACE, DINF, ME	
sch 10 cl 9	Power to provide for temporary roads	DINF, ME, 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, MO	
sch 10 cl 11(a)	Power to require/cause the filling up of holes or excavations	DINF, ME, MO	
sch 10 cl 11(b)	Power to require/cause the removal of a cause of danger/damage	DINF, ME, 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, MO, MMP	
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	DINF, ME, ALL ELT, LLC	

# 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 2	Power to issue special parking permits to disabled persons	DCOM, MCSC; ALL ELT, LLC	
sch 11 cl 3	Power to remove abandoned/unregistered vehicles	DCOM, MCSC, LLC, LLO1, LLPO, LLT	
sch 11 cl 4	Power to tow away and impound vehicles which are causing an unlawful obstruction etc and to charge a fee	DCOM, MCSC, LLC, LLO1, LLPO, LLT	
sch 11 cl 5	Power to require or cause the removal of any encroachment or obstruction	DINF, ME	
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, ME	
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 9	Administrative functions necessary to give effect to power to block or restrict the passage or access of vehicles on a road by placing a permanent barrier or obstruction on a road	DINF, ME	Only to be exercised where report from Head, Transport for Victoria has been considered; and if the road is a freeway or arterial road, consent of Head, Transport for Victoria is required

# 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 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, MO, MMP	If the road is a freeway or arterial road, consent of Head, Transport for Victoria is required
sch 11 cl 11	Administrative functions necessary to give effect to power to declare a road or part of a road a shopping mall and prohibit or restrict the entry of vehicles	DINF, ME	
sch 11 cl 12(1)	Administrative functions necessary to give effect to power to prohibit the use of a road by a vehicle over a certain size or weight	DINF, ME	
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	
sch 11 cl 14	Power to prohibit or restrict traffic on a road if unsafe	DINF, ME	

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

<b>MAGISTRATES' COURT ACT 1989</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
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	DCOR, MGR	

<b>MARINE AND COASTAL ACT 2018</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 25(3)	Function of being consulted by the Minister when preparing a Marine and Coastal Policy if Council's interests may be affected by the policy	DINF, ME, MPF, MEB	
s 32(3)	Function of being consulted by the Minister when preparing a Marine and Coastal Strategy if Council's interests may be affected by the strategy	DINF, ME, MPF, MEB	
s 46(3)	Function of being consulted by the parties of a regional and strategic partnership when preparing a product if Council's interests may be affected by the product	DINF, ME, MPF, MEB	
s 51(3)	Function of being consulted by the Minister when preparing an environmental management plan if Council's interests may be affected by the plan	DINF, ME, MPF, MEB	

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

s 59(3)	Function of being consulted by the Crown land manager when preparing a costal and marine management plan where Council's interests may be affected by the plan	DINF, ME DS, MWE, MPF, MEB	
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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 Provision inserted under <i>Suburban Rail Loop Act 2021</i>
s 134(4)	Duty to comply with requirement to surrender public land under subs(1)(a)	DINF	
s 134(5)	Duty to give written notice to the Project Minister and project authority of any lease, licence or other interest in land	DINF	
s 134(6)	Function of receiving written notice from the Project Minister	DINF	
s 146(2)	Power to claim compensation for pecuniary loss or expense incurred	DINF, MFI	
s 147	Function of agreeing to transfer of building or structure	DINF	
s 167	Function of receiving written notice from the project authority	DINF	For land owned or vested in Council Provision inserted under <i>Suburban Rail Loop Act 2021</i>

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

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 <i>Suburban Rail Loop Act 2021</i>
s 189(5)	Function of receiving written consent	DINF, MPF	

MINERAL RESOURCES (SUSTAINABLE DEVELOPMENT) ACT 1990			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46(1)	Function of consulting with Minister	DINF, MO	
s 77HB(2)	Function of consulting with Department Head before Department Head approves variation of work plan	DS MPB	
s 77M(3)	Power to consult with Minister regarding variation, suspension or revocation	DS, MPB	
s 77R(1)(c)	Power to act, if specified by the Minister, as a referral authority	DS, MPB	
s 80(2)(a)	Power to consult with Minister regarding amount of rehabilitation bond or further rehabilitation bond if the land is private land	DS, MPB	
s 80(2A)	Power to consult with Minister regarding amount of rehabilitation bond in respect to an extractive industry work authority if the land is private land	DS, MPB	



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

s 82(2)	Power to consult with Minister before Minister returns bond if rehabilitation is satisfactory and if the land is private land	DS, MPB	
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NATIONAL PARKS ACT 1975			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 19C(1)	Power to enter into agreement with Minister for management of land vested in or controlled or managed by Council	DINF, MO	
s 27(1)	Power to exercise powers in relation to a park with Parks Victoria's consent subject to any conditions it directs	DINF, MO	

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, DS	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, ME, MO	Where Council is the 'relevant authority'
s 103	Power to decide construction of the pipeline in relation to electrical apparatus or other pipelines is satisfactory	DINF, ME, MO	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 104	Function of being reimbursed by licensee for expense incurred due to the existence of a pipeline	DINF, ME, MO. MFI	
s 105(1)	Power to refer a dispute under Division 2 Part 7 of the Act to the Governor in Council for determination	DINF, ME, MO	
s 105(2)	Duty to comply with Governor in Council's determination under s 105(1)	DINF, ME, MO	
s 116	Function of receiving notice from licensee of incident	DINF, ME, MO	Where Council is the 'relevant authority'

PRIVACY AND DATA PROTECTION ACT 2014			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 20(1)	Duty to comply with Information Privacy Principles	MGR, GC	
s 20(2)	Duty to comply with Information Privacy Principles when administering a public register	MGR, GC, MICT, MACE	
s 22(1)	Power to seek approval of a code of practice or an amendment to a code of practice	MGR, GC	

# 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 22(4)	Function of being consulted by the Information Commissioner in relation to a code of practice	MGR, GC	
s 23(1)(b)	Function of giving written notice to the Information Commissioner that Council intends to be bound by the approved code of practice	MGR, GC	
s 23(6)	Function of giving written notice to the Information Commissioner that Council no longer intends to be bound by the approved code of practice	MGR, GC	
s 26(4)	Function of being consulted by the Information Commissioner in relation to a code of practice	MGR, GC	
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	MGR, GC	
s 29(1)	Power to apply to the Information Commissioner for a public interest determination	MGR, GC	
s 29(5)	Function of receiving draft determination	MGR, GC	
s 29(6)	Function of attending a conference with the Information Commissioner	MGR, GC	
s 30(1)	Power to request that application be for a temporary public interest determination	MGR, GC	

# 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	MGR, GC	
s 34(2)	Function of receiving draft determination and attending a conference with the Information Commissioner and Power to make a submission	MGR, GC	
s 35(2)	Function of receiving written notice from the Information Commissioner regarding revocation of a public interest determination	MGR, GC	
s 36(1)	Duty to report to the Information Commissioner on an annual basis, or at any other agreed time	MGR, GC	
s 38(1)	Power to apply to the Information Commissioner for a temporary public interest determination and power to make a submission	MGR, GC	
s 41(2)	Function of receiving written notice from the Information Commissioner regarding revocation of temporary public interest determination	MGR, GC	
s 47(1)	Power to apply for approval of an information usage arrangement	MGR, GC	Where Council is a lead party to an information usage arrangement
s 47(2)	Duty to consult where required	MGR, GC	Where Council is a party to an information usage arrangement

# 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 49(6)	Function of receiving notice of a refusal under s 49(4) or (5) from the Information Commissioner	MGR, GC	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	MGR, GC	Where Council is a lead party to an information usage arrangement
s 52(2)	Duty to consult where required	MGR, GC	Where Council is a party to an information usage arrangement
s 53(2)	Power to request revocation of an approval of an information usage arrangement	MGR, GC	Where Council is a party to an information usage arrangement
s 53(4)	Function of receiving notice from the Information Commissioner regarding ground for revocation of an information usage arrangement	MGR, GC	Where Council is a party to an information usage arrangement
s 53(5)	Function of receiving notice from the Minister regarding revocation of an information usage arrangement	MGR, GC	Where Council is a party to an information usage arrangement
s 54(1)	Duty to report to the Information Commissioner about the information usage arrangement	MGR, GC	Where Council is a lead 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	MGR, GC	Where Council's interests are affected by the decision
s 61	Function of receiving notice of complaint lodged with the Information Commissioner	MGR, GC	
s 62(1)	Function of receiving notice that complaint is to be declined	MGR, GC	

# 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	MGR, GC	
s 62(7)	Function of receiving notice of dismissal	MGR, GC	
s 63(2)	Function of receiving notice of complaint being referred by the Information Commissioner	MGR, GC	
s 64(2)	Function of receiving notice of complaint being dismissed by the Information Commissioner	MGR, GC	
s 66(1)	Function of receiving notice that conciliation is inappropriate	MGR, GC	
s 66(6)	Function of receiving notice of complaint being dismissed by the Information Commissioner	MGR, GC	
s 67(3)	Power to attend conciliation and settle the matter	MGR, GC	
s 68	Power to give information or produce a document	MGR, GC	
s 69(1)	Power to prepare and sign conciliation agreement	MGR, GC	
s 69(2)	Power to lodge certified conciliation agreement	MGR, GC	
s 69(3)	Function of receiving copy of registered record	MGR, GC	
s 71(1)	Function of receiving notice of unsuccessful conciliation	MGR, GC	

# 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 71(6)	Function of receiving notice of complaint being dismissed by the Information Commissioner	MGR, GC	
s 72	Power to apply to VCAT for an interim order	DCOR, MGR, GC	
s 77(1)	Power to administer/ implement order of VCAT	MGR, GC	
s 77(3)	Function of receiving VCAT order relating to a public register administered by Council	MGR, GC	
s 78(1)	Duty to comply with compliance notice served by the Information Commissioner	MGR, GC	
s 78(3)	Power to apply for extension in relation to compliance notice	MGR, GC	
s 79	Power to give information or produce a document	MGR, GC	
s 83(1)	Power to apply to VCAT for review of a decision of the Information Commission under s 78(1)	DCOR, MGR, GC	

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

PROFESSIONAL ENGINEERS REGISTRATION ACT 2019			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 75(3)	Duty to comply with a request under s 75(1)	DINF, ME, DS, MPB	Where Council is a specified body

PUBLIC HEALTH AND WELLBEING ACT 2008			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 25	Duty to report to the Secretary when required by notice	DCOM, MCS, EHC, EHC	
s 26(1)	Duty to prepare municipal health and wellbeing plan within 12 months after each general election in accordance with s 26(2) & (3)	DCOM, DS, MIP, MCS	
s 26(4)	Duty to review municipal public health and wellbeing plan annually and amend as appropriate	DCOM	Unless s 27 applies
s 26(4A)	Duty to include a review of the measures referred to in s 26(2)(ba) when annually reviewing the municipal public health and wellbeing plan	DCOM	Unless s 27 applies
s 26(6)	Duty to give a copy of the current municipal public health and wellbeing plan to the Secretary	DCOM	Unless s 27 applies



# 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 26(6A)	Duty to report, to the Secretary, the measures referred to in s 26(2)(ba) at the intervals specified	DCOM	Unless s 27 applies
s 26(7)	Duty to make copy of current municipal public health and wellbeing plan available for public inspection	DCOM, MACE	Unless s 27 applies
s 27(3)	Power to apply to the Secretary for an exemption from complying with s 26	DCOM	
s 27(6)	Duty to give a copy of the current Council Plan or Strategic Plan to the Secretary	DCOM	If Council has been granted an exception from complying with s 26 and if change relates to matters in s 26(2)
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 ELT	
s 29(1)	Duty to appoint environmental health officer	DCOR, DCOM, MPC, MCSC, EHC	Council must appoint at least one environmental health officer Council can only appoint person with the qualifications and experience specified in s 29(2)
s 31(4)	Power to give directions to authorised officers	DCOM, MCSC, EHC, MPB	
s 57(2)	Power to disclose certain information to the Secretary, Chief Health Officer or another Council	DCOM, MCSC, EHC, EHO	

# 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 57(4)	Power to disclose certain information to a Government Department, statutory body or other person responsible for administering another Act or regulations	DCOM, MCSC, DCOM	
s 60	Duty to remedy all nuisances in municipal district	DCOM, MCSC, EHC, EHO	
s 62(2)	Duty to investigate any notice of a nuisance	DCOM, MCSC, EHC, EHO	
s 62(3)	Duty to take action in s 62(3)(a) or (b) where nuisance is found to exist after investigation	DCOM, MCSC, EHO, EHC,	
s 62(3)(a)	Function of taking action specified in s 62(4) where appropriate	DCOM, MCSC, EHO, EHC,	
s 62(3)(b)	Function of determining whether matter is better settled privately and, if so, advising of methods for settling matter privately	DCOM, MCSC, EHO, EHC,	
s 62(4)(a)	Power to exercise the powers in s 66 where that s applies, for the purposes of s 62(3)(a)	DCOM, MCSC, EHO, EHC,	
s 62(4)(b)	Power to issue an improvement notice or a prohibition notice for the purposes of s 62(3)(a)	DCOM, MCSC, EHO, EHC,	
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)	DCOM, MCSC, EHO, EHC,	

# 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 64	Power to institute proceedings for an offence under s 61	DCOM, MCSC, EHC, EHO,	
s 65	Power to investigate nuisance occurring outside municipal district	DCOM, MCSC, EHC, EHO	
s 66(2)(a)	Power to enter and take steps to abate nuisance and do all things necessary for abatement	DCOM, MCSC, EHC, EHO	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	DCOM, MCSC, EHC, EHO	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(4)	Power to recover costs incurred under s 66(2)	DCOM, DCOR, MCSC, MFI, RRTL	
s 67	Function of receiving application for registration of prescribed accommodation	DCOM, MCSC, EHO, EHC	
s 67A	Function of receiving application for registration of lower risk prescribed accommodation	DCOM, MCSC, EHO, EHC	
s 69	Function of receiving application for registration of premises upon which a person conducts business	DCOM, MCSC, EHO, EHC	Applies to higher risk services

# 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 69A	Function of receiving application for registration of premises upon which a person conducts business	DCOM, MCSC, EHO, EHC	Applies for lower risk services
s 71	Function of receiving applications for the issue, renewal or transfer of a registration	MCSC, EHO, EHC	
s 73(1)(a)	Power to give the applicant notice requiring specified information before considering the application under s 71	DCOM, MCSC, EHO, EHC	
s 73(1)(b)	Power to inspect prescribed accommodation or premises before considering the application under s 71	DCOM, MCSC, EHO, EHC	
s 73(1)(c)	Power to require alterations or improvements to prescribed accommodation or premises before considering the application under s 71	DCOM, MCSC, EHO, EHC	
s 73(2)	Power to issue, transfer or renew a registration subject to s 73(1)(c)	DCOM, MCSC, EHO, EHC	
s 73A	Duty and power to enter information in the Rooming House Register	DCOM, MCSC, EHO, EHC	
s 74	Power to decide issue, transfer or renew registration	DCOM MCSC, EHC, EHO	
s 76(1)(a)	Power to refuse to issue a registration	DCOM MCSC, EHO, EHC	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)(b)	Power to issue a registration subject to a condition imposed on the registration by the Council under s 73(2)	EHO, EHC, DCOM MCSC	Subject to s 74
s 76(1)(c)	Power to vary a registration	EHO, EHC,DCOM MCSC	
s 76(1)(d)	Power to cancel a registration	EHO, EHC, DCOM MCSC	
s 76(1)(e)	Power to suspend a registration	EHO, EHC, DCOM MCSC	
s 76(1)(f)	Power to refuse to transfer a registration	DCOM MCSC, EHO, EHC	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 MCSC	Subject to s 74
s 76(1)(h)	Power to refuse to renew a registration	DCOM, MCSC, EHC, EHO	Decision of delegate only valid where Council later ratifies the refusal
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 MCSC	Subject to s 74
s 76(3)	Duty to notify applicant or registration holder of decision under s 76 and ground(s) on which it was based	EHO, EHC, DCOM MCSC	

# 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 78	Power to issue a replacement certificate of registration	EHO, EHC, DCOM MCSC	
s 78A(1)	Power to accept applications for the issue, transfer or renewal of registration in the online portal if accommodation or premises in located in the municipal district	EHO, EHC, DCOM MCSC	
s 78A(2)	Duty to pay the charge for use of the online portal	MFI	
s 181(1)	Power to take any step in paragraphs (a)-(d) with respect to items seized by an authorised officer appointed by Council	DCOM, MCSC, EHO, EHC	
s 181(2)	Duty to notify owner of item forfeited under s 181(1)(c), setting out how to seek review of the decision	DCOM, MCSC, EHO, EHC	
s 182	Power to destroy or otherwise dispose of forfeited item	DCOM, MCSC, EHO, EHC	
s 185(1)	Function of receiving complaints about authorised officers appointed by the Council	DCOR, DCOM, MPC, MCSC	Complaint must be in writing or other form approved by Council
s 185(2)	Power to approve form in which complaint is made	DCOR, DCOM, MPC, MCSC	
s 185(4)(a)	Duty to investigate any written complaint provided under s 185(2)	DCOR, MPC, DCOM, MCSC	
s 185(4)(b)	Duty to provide written report to the complainant on the results of the investigation under s 185(4)(a)	DCOR, MPC, DCOM, MCSC	

# 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 194(2)(a)	Power to issue an improvement notice	DCOM EHO, EHC, MCSC	In accordance with s 194(3)
s 194(2)(b)	Power to issue a prohibition notice	DCOM MCSC, EHO, EHC	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, MCSC, EHC, EHO	
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, MCSC, EHC, EHO	
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	DCOM, MCSC, EHO, EHC	
s 197(5)(b)	Power to recover costs and expenses incurred	MFI, RRTL	
s 197(6)	Power to recover costs and expenses in court	MFI, DCOM, MCSC	
s 205(2)	Function of receiving applications for review of Council decisions	DCOM, MCSC	
s 205(3)	Duty to review decision where application received under s 205(2)	MCSC DCOM	

# 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 205(5)	Power to agree a period greater than 28 days for review of a decision with the applicant	MCSC, DCOM	
s 205(6)(a)	Power to make a decision affirming, varying or revoking a decision	MCSC, DCOM	
s 205(6)(b)	Power to make any other decision where original decision is revoked	MCSC, DCOM	Where decision is to refuse an application, decision of delegate only valid where Council later ratifies the refusal
s 205(7)	Duty to give applicant for review a written statement of the decision and reasons	MCSC, DCOM	
s 205(8)	Duty to inform applicant for review of right to apply to VCAT for a review under s 207	MCSC, DCOM	
s 209(2)	Power to serve infringement notice	MCSC, DCOM , MBS, MPB	
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, MCSC, MBS, MPB	
s 219(2)(b)	Power to bring proceedings for offence relating to an improvement notice or a prohibition notice	DCOM, MCSC, EHC, EHO	
s 228(1)	Power to seek reimbursement of costs incurred where person is found guilty of an offence	DCOR, MGR, MFI DCOM, MCSC	



# 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 228(2)	Power to seek payment for cost of work conducted by Council where awarded legal costs	MFI, RRTL, DCOM, MCSC	'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	DCOM, MCSC, EHC, EHO	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	DCOM, MCSC, MFI, RRTL	

Public Interest Disclosures Act 2012			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 16(1)	Function of receiving a public interest disclosure that relates to the conduct of Council or of a member, officer or employee of Council	DCOR, MPC	Subject to s 16(2)
s 21(2)	Duty to, no later than 28 days after the disclosure is made, notify the disclosure to the appropriate entity for assessment under Part 3	DCOR, MPC	Where Council is a receiving entity
s 23	Power to provide information in respect of the disclosure	DCOR, MPC	
s 24(2)	Duty to advise the person who made the disclosure that the disclosure has been notified to the IBAC, the Victorian Inspectorate or the Integrity and Oversight Committee (as the case may be) for assessment	DCOR, MPC	Where Council is a receiving entity

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

Public Interest Disclosures Act 2012			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 24(3)	Duty to advise the person who made the disclosure of the matters in s 24(3)(a) – (c)	DCOR, MPC	Where Council is a receiving entity
s 26(6)	Function of being consulted by IBAC	DCOR, MPC, MGR	Where Council is a notifying entity
s 27	Function of receiving notification of IBAC's determination	DCOR, MPC, MGR	Where Council is a notifying entity
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)	DCOR, MPC	
s 58(1)	Duty to establish procedures to facilitate the making of disclosures and the handling of those disclosures	DCOR, MPC	
s 58(5)	Duty to establish procedures for the protection of persons from detrimental action by the Council, Council officers or Councillors	DCOR, MPC	
s 59(4)	Duty to make procedures established under s 58 available to the public and to staff and Councillors	DCOR, MPC	
s 61(1)	Function of receiving recommendations from IBAC	DCOR, MPC, MGR	
s 70(1)	Duty to include certain items in annual report	DCOR, MPC	

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

Public Interest Disclosures Act 2012			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
sch 1 cl 25(2)	Duty to complete the investigation of the disclosure under the <i>Whistleblowers Protection Act 2001</i> and take action listed in sch 1 cl 25(2)(b)	DCOR, MPC, MGR	Note: applies Where an investigation has been started but not completed under the <i>Whistleblowers Protection Act 2001</i>
sch 1 cl 29(2)	Duty to notify IBAC within 28 days of a disclosure made after commencement of this Act	DCOR, MPC, MGR	

PUBLIC RECORDS ACT 1973			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 8A	Duty to cause records to be transferred to custody of Public Records Office	MCOR	

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

# 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 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	DINF, MPF, PM	Where Council is a public statutory authority engaged in the provision of housing
s 142D	Function of receiving notice regarding an unregistered rooming house	DCOM, MCSC EHO, EHC	
s 142G(1)	Duty to enter required information in Rooming House Register for each rooming house in municipal district	DCOM, MCSC EHO, EHC	
s 142G(2)	Power to enter certain information in the Rooming House Register	DCOM, MCSC EHO, EHC	
s 142I(2)	Power to amend or revoke an entry in the Rooming House Register if necessary to maintain the accuracy of the entry	DCOM, MCSC, EHO, EHC	
s 206AZA(2)	Function of receiving written notification	DCOM, MCSC, EHO, EHC	
s 207ZE(2)	Function of receiving written notification	DCOM, MCSC, EHO, EHC	

# 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 14(7)	Power to appeal to the Minister regarding decision of the Head, Transport for Victoria	DINF, ME, DCOR, MGR	
s 48M	Function of consulting with the relevant authority in relation to the development of guidelines for bus stopping points and bus stop infrastructure	DINF, ME, MO	
s 48N	Duty to notify relevant authority within 28 days of installation, removal or relocation of a bus shelter, seat or hardstand located at, or in the immediate vicinity of, a bus stopping point	DINF, ME, MO	
s 72(1)	Duty to issue an identity card to each authorised officer the entity appoints	DCOR, MPC	Where Council is an appointing entity
s 86	Duty to keep a register containing the particulars of all matters reported to Council under s 85	DCOR, MGR	Where Council is the appointing entity
s 87(1)	Function of receiving complaints about the exercise of a power by an authorised officer under the <i>Road Management Act 2004</i> (Vic)	DINF, DCOR, MPC	Where Council is the appointing entity
s 87(2)(a)	Power to investigate complaint	DCOR, MPC DINF ME	Where Council is the appointing entity
s 87(2)(b)	Power to provide written report	DCOR, MPC DINF 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 88(2)	Function of receiving a document or information from a person who provides a document or information in response to a requirement of an authorised officer under the <i>Road Management Act 2004</i> (Vic)	DINF, ME, MO	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 15(3)	Duty to provide a certificate under cl 15(2)(b)(ii) of sch 5A on the written request of the Head, Transport for Victoria	DINF	
sch 5A cl 26	Duty to surrender land to the Crown following an order of the Governor in Council	DINF	
sch 5A cl 27	Duty to surrender Council's interest in any Crown land to the Crown following an order of the Governor in Council	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, MFI	Council must have sustained pecuniary loss or incurred an expense

# 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 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, MO ME, MCSC, LLC, LLO1, LLPO, LLT	
s 77(2)(b)	Power to prosecute and authorise staff member to prosecute	DCOR, DINF, DCOM, MGR, MCSC, LLC	
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	DCOR, DCOM, DINF, MGR, MCSC, LLC,	
s 84BE(1)	Function of receiving a statement under this	DINF, MO, ME	Where Council is the enforcement official
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 84BE(6)	Duty to cause notice to be served on the statement-giver stating whether the enforcement official accepted the statement as an effective statement	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	MCSC, DINF, DCOM, ME, LLC, LLPO, LL01	

# 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 87(1D)	Duty to issue an identity card to authorised person Council appoints	DCOR, MPC	
s 87(1E)	Power to authorise a member of staff to sign identity card	DCOR, MPC	
s 87(8)	Power to authorise person for purpose of serving parking infringement notices in accordance with s 87(1C)	DCOM, MCSC	
s 90D(1)	Power to enter into an agreement with the owner or occupier or land for the provision of parking services	DINF, DCOR	
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 <i>Road Safety Road Rules 2017</i> (Vic)	DINF, DCOM, ME, MCSC, LLC, LLPO, LLO1, LLT	
s 98(1)	Power to request Minister to extend application of Act	DINF	
s 99A(4)	Power to establish requirements for traffic management plan	DINF, EC, MO, ME	Where Council is the coordinating road authority under the <i>Road Management Act 2004</i>
s 99B(1)	Power to issue permit to conduct non-road activity (including on conditions specified in s 99B(3))	DINF, EC, MO, ME	Where Council is the coordinating road authority under the <i>Road Management Act 2004</i>
s 99B(2)	Power to authorise closure of highway to traffic	DINF, MO, ME	Where Council is the coordinating road authority under the <i>Road Management Act 2004</i>



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

ROOMING HOUSE OPERATORS ACT 2016			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 49(3)	Duty to comply with request under s 49(1) to answer any questions	DCOM, MCS, EHC	
SECOND HAND DEALERS AND PAWNBROKERS ACT 1989			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 26F	Duty to comply with Director's or inspector's request to answer questions or provide information regarding endorsed pawnbroker's business as pawnbroker	DS, MPB	
SERVICE VICTORIA ACT 2018			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 7(1)	Function of receiving a previously transferred customer service function	DCOM, MCP, DCOR	
s 7(5)	Power to perform a customer service function in accordance with the enactment that confers the function on the service agency	DCOM, MCP, 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 12	Function of receiving a previously transferred identity verification function	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	
s 35(3)	Function of receiving a notification from the Service Victoria CEO if the electronic identity credential, which has been issued to an individual, is cancelled under s 38	DCOR	
s 47E	Power to make changes to information in database	DCOR, MICT	
s 54A(2)	Power to disclose regulated information in certain circumstances in (a) – (g)	DCOR, MGR, DCOM	
s 58(3)	Power to provide agreement to Minister	DCOR, DCOM,	

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

SHERIFF ACT 2009			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 54(1)	Duty to comply with request for information made under s 53(1)	DCOR, MGR DCOM, MCSC	Unless s 54(1)(a) and (b) apply

SPORT AND RECREATION ACT 1972			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 6(3)	Power to enter into agreement with Minister and to agree to conditions for Minister to carry out works or undertakings or provide services	DCOM, MAC	
s 14(3)	Function of receiving funds for works for provision of sport and recreation	DCOM, MAC, DINF, MO, MFI	

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

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	DS, MPB, PC, DE	
s 5(3)(c)	Function of receiving application for certification	DS, MPB, PC	
s 5(3)(d)	Power to provide statement of compliance	DS, MPB, PC	
s 5(4)	Power to accept and consider plans	DS, MPB, PC	
s 5(4A)	Power to consider and certify plans before <i>Transfer of Land Act 1958</i> application determined	DS, MPB, PC	
s 6(1)	Duty to certify plan within prescribed time in specified circumstances	DS, MPB, PC	
s 6(2)	Duty to refuse to certify plan where conditions in s 6(1) not met and give reasons in writing	DS, MPB, PC	
s 7A(2)	Duty to, within 7 days after certifying the plan, give the Secretary to the Department of Environment, Land, Water and Planning written notice of that certification, a copy of the application for certification and the certified plan	DS, MPB, PC	
s 8(1)	Duty to refer plans to referral authority in certain circumstances	DS, MPB, SP, PL, PBAO, PC	Unless s 8(2)-(5) apply Form of referral per r 13 and 14 of the <i>Subdivision (Procedures) Regulations 2021</i>

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

SUBDIVISION ACT 1988			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 8(6)	Duty to give referral authority copy of certified plan where not referred to referral authority	DS, MPB, SP, PL, PBAO, PC	
s 10(1)	Power to require applicant to alter plan	DS, MPB, PC	
s 10(2)	Power to agree to an alteration at request of applicant	DS, MPB, PC	
s 10(5)	Duty to send altered plan to referral authority	DS, MPB, SP, PL, PBAO, PC	Must send notice in prescribed Form 7 in Schedule 1 outlining revised times, r 19 of the <i>Subdivision (Procedures) Regulations 2021</i>
s 10(7)	Duty to notify surveyor of alteration required by Council	DS, MPB, SP, PL, PL, PBAO, PC	
s 11(1)	Function of receiving application to amend certified plan	DS, MPB, PC	
s 11(2)	Duty to refer application under s 11(1) to referral authority	DS, MPB, SP, PL, PLPBAO, PC	
s 11(2A)	Power to amend without referral if minor amendment	DS, MPB, PC	
s 11(7)	Duty to re-certify plan or advise of refusal in writing with reasons	DS, MPB, PC	
s 11(10)	Duty to notify surveyor of an amendment by acquiring authority where plan prepared by surveyor	DS, MPB, PC	
s 11(11)	Duty to give copy of re-certified plans to referral authority	DS, MPB, SP, PL, PBAO, PC	

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

SUBDIVISION ACT 1988			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 11A(1)	Power to require more information	DS, MPB, PC, SP, PL	
s 15(1)	Power to require engineering plan	DS, MPB, DINF, ME, DE	Does not apply where s 14 applies
s 15(2)	Duty to approve/refuse approval/require alterations of engineering plan	DINF, ME	Does not apply where s 14 applies
s 15(6)	Power to charge for engineering plans prepared by it	DS, MPB, DE DINF, ME	Does not apply where s 14 applies
s 17(2)(a)	Power to appoint supervisor of works	DS, MPB, DE, DINF, ME	Does not apply where s 14 applies
s 17(2)(b)	Power to charge for supervision	DS, MPB, DINF, ME, DE	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	DS, MPB, PC	Does not apply where s 14 applies
s 17(2A)	Power to request Minister to nominate authority to consider what works are required	DS, MPB, PC DINF, ME	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	DS, DINF, MPB, ME	Does not apply where s 14 applies
s 18(1)	Power to require applicant to set aside land for public open space and/or pay a percentage	DS, MPB, DE, PCDINF, ME	Does not apply where ss 14, 18(5) and 18(8) apply

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

SUBDIVISION ACT 1988			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			Must have regard to matters in s 18(1A)-2
s 18(1B)	Power to vary time of payment by agreement with applicant	DS, MPB, DINF, ME	
s 18(4)	Power to agree with applicant to set aside/pay different percentage	DS, MPB, DINF,	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	DS, MPB, DINF, MFI	Does not apply where s 14 applies
s 18(8)	Power to consider it unlikely that each lot will be further subdivided.	DS, MPB, DINF,	
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	DS, MPB, DINF,	
s 19(1)	Power to obtain valuation where value is not agreed	DS, MPB, DINF,	Does not apply where s 14 applies
s 19(3)	Duty to give applicant copy of valuation	DS, MPB, DINF,	Does not apply where s 14 applies
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	DS, MPB, DINF,	Does not apply where s 14 applies
s 21(1)	Duty to issue statement of compliance, subject to s 21(2C) and (2CA)	DS, MPB, DINF,	Does not apply where s 14 applies Time limits apply (s 21(1)-(2))

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

SUBDIVISION ACT 1988			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 21(2A)(a)&(b)	Duty to, in writing, notify Development Victoria of request within 7 days of receiving a request for issue of statement of compliance, and to provide Authority with a copy of planning permit	DS, MPB	
s 21(2CA)	Duty not to issue a statement of compliance in relation to a plan relating to land, in respect of which an infrastructure contribution is imposed under an approved infrastructure contributions plan, unless the applicant has satisfied the Council of the criteria set out in s 21(2CA)(a) and (2CA)(b)	DS, MIP MPB,	
s 21(4)	Power to provide in the statement of compliance that agreement pursuant to <i>Planning and Environment Act 1987</i> no longer applies in certain circumstances	DS, MPB, SP, PLT	Does not apply where s 14 applies
s 21(9)	Duty to give a notice to the Commissioner of State Revenue that a statement of compliance has been issued	DS, MPB	
s 21(10)(a)	Duty to, within 7 days after issuing a statement of compliance for a plan of subdivision relating to land in respect of which there is a levy recording (within the meaning of the <i>Melbourne Strategic Assessment (Environment Mitigation Levy) Act 2020</i> (Vic)), give the Secretary to the Department of Environment, Land, Water and Planning written notice that the statement has been issued	DS, MPB	
s 21(10)(b)	Duty to, within 7 days after issuing a statement of compliance for a plan of subdivision relating to land in respect of which there is a levy recording (within the	DS, MPB	



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

SUBDIVISION ACT 1988			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	meaning of the <i>Melbourne Strategic Assessment (Environment Mitigation Levy) Act 2020</i> (Vic)), give the Secretary to the Department of Environment, Land, Water and Planning a copy of the statement		
s 21(10)(c)	Duty to, within 7 days after issuing a statement of compliance for a plan of subdivision relating to land in respect of which there is a levy recording (within the meaning of the <i>Melbourne Strategic Assessment (Environment Mitigation Levy) Act 2020</i> (Vic)), give the Secretary to the Department of Environment, Land, Water and Planning a copy of the plan of subdivision	DS, MPB	
s 24A(1)	Duty to do any of the things listed in the table in this s 24A where so required by planning scheme with respect to reserves, etc	DS, MPB, SP, PLT	
s 24A(2)	Power to certify a plan prepared under s 24A(1) where applicant certifies land no longer reserved	DS, MPB, SP, PLT	
s 25(1)	Function of being notified by Registrar of registration of plan and duty to notify any public authority for which easement has been created/reserve has vested.	DS, MPB	
s 25(2)	Function of being notified by Registrar if plan is withdrawn or refused registration	DS, MPB	
s 25(3)	Duty to notify referral authority affected by withdrawal/refusal	DS, 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 34E	Power to apply to VCAT for order compelling an owners corporation to carry out a requirement or perform a duty	DS, MPB, DCOR,	
s 34H(5)	Function of receiving notice from Registrar of amendment or cancellation of plan on winding up	DS, MPB	
s 35(1)	Duty of acquiring authority to submit plan for certification and registration where land subdivided	DS, MPB, SP,	
s 35(2)	Power to require acquiring authority to submit certification new/amended plan	DS, MPB, SP,	s 35(3)-(5) apply
s 35(6)	Duty of an acquiring authority to advise Registrar of vesting date	DS, MPB, SP,	
s 35(8)	Power of acquiring authority to submit for certification and registration of any land vested/registered in its own name	DS, MPB, SP,	s 35(9) applies
s 35(11)	Duty to give notice to the Commissioner of State Revenue that the plan has been certified	DS, MPB	Provision commences the day after the day on which the <i>State Taxation Acts Amendment Act 2023</i> receives Royal Assent
s 36(1)	Function of stating in writing that it considers that subdivision requires removal/acquisition of easement	DS, MPB	s 35(1AA) applies
s 38	Power to provide written consent	DS, MPB	
s 38A(1)	Power to provide written consent	DS, 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 38B	Power to provide written consent	DS, MPB	
s 38C	Power to provide written consent	DS, MPB	
s 39(1)	Power to refer disputes to VCAT	DS, 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	DS, MPB	
sch 2 cl 11(1)	Power to apply to a court for an order regarding scheme of development	DS, 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 ELT	
s 6A(1)	Duty to consult with Victoria Police before granting an application for a permit for the use of Council land, a road closure or anything else that the Council believes will facilitate a public protest being held by the applicant	ALL ELT	Subject to s 6A(2)(b)

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

s 50A(3)(a)	Power to apply to Governor in Council for declaration that municipal district be a 'district' for purposes of s 50A offences	DCOM, MCS	
s 50A(3)(b)	Power to apply to Governor in Council for revocation/variation of declaration under s 50A(3)(a)	MCS, DCOM	

TAXATION ADMINISTRATION ACT 1997			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 92(1)(e)(vfa)	Function of receiving information from a tax officer under or in relation to the administration of a taxation law	DCOR, MFI, MGR	

TRANSFER OF LAND ACT 1958			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 26X(1)	Function of receiving enquiries, from the Registrar, for personal information that identifies ratepayers and mortgagors of land, for the purpose of comparing that information with information retained by the Registrar or the Registrar-General in relation to land that is to be brought under the Act	DCOR, MFI	

# 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 26X(2)	Function of disclosing personal information that identifies who is a ratepayer or mortgagor of the land	DCOR, MFI	
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 <i>Local Government Act 2020</i>	DS, DINF, DCOR	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	DS, DINF, DCOR	Applies only where the Council is an acquiring authority as defined in s 53
s 55(3)	Duty to take possession of any certificate of title, or other document produced to Council on any claim for compensation and to lodge them immediately with the registrar	DS, DINF, DCOR	Applies only where the Council is an acquiring authority as defined in s 53
s 57(1)	Duty to lodge notification with the Registrar upon service of notice of intention	DS, DINF, DCOR	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	DS, DINF, DCOR	Applies only where the Council is an acquiring authority as defined in s 53
s 62(4)	Function of receiving notice from Registrar of where land is located	DS, DINF, DCOR	
s 73B	Power to consent to the creation or surrender of the right of carriageway	DS, DINF, DCOR	Where land is located in Council's municipal district

# 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 88(1B)	Power to consent to the varying or releasing of a restrictive covenant	DS, DINF, DCOR	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	DS, DINF, DCOR	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	DS, DINF, DCOR	

TRANSPORT INTEGRATION ACT 2010			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 25(1)	Duty to have regard to the transport system objectives when exercising powers and performing functions under interface legislation <sup>1</sup> which are likely to have a significant impact on the transport system	DINF	
s 25(2)	Duty to have regard to the decision making principles in making decisions under interface legislation* which are likely to have a significant impact on the transport system.	DINF	

<sup>1</sup> Interface legislation includes the *Local Government Act 1989*, *Local Government Act 2020*, *Land Act 1958*, *Planning and Environment Act 1987* etc (see s 3 of the *Transport and Integration Act 2010*)

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

TRANSPORT INTEGRATION ACT 2010			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 25(3)	Duty to have regard to applicable specified policy principles	DINF	
s 25(4)	Duty to have regard to applicable specified policy principles	DINF	
s 26	Power to determine the weight to give to each transport system objective under ss 24 and 25	DINF	
s 27	Power to determine the weight to give to each decision making principle under ss 24 and 25	DINF	
s 115F(3)	Function of collaborating with the Commercial Passenger Vehicle Commission	DINF	
s 197B(2)	Function of receiving notice from regulated bodies	DINF	Where Council is the responsible authority and s 197 applies
s 197B(3)	Duty to meet with representatives from Director of Transport Safety	DINF	Where Council is the responsible authority and s 197 applies
s 197D	Duty to comply with guidelines issued under Act and directions of Secretary or Minister	DINF	

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

UNCLAIMED MONEY ACT 2008			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 11(1)(a)	Duty to established a business register of unclaimed money	DCOR, MFI	Where Council is operating as a business.
s 11(1)(b)	Duty to by 31 March each year enter in the business register the prescribed details in relation to unclaimed money held as at 1 March in that year.	DCOR, MFI	Where Council is operating as a business.
s 11(3)	Power to deduct out of unclaimed money payable to an owner an amount in respect of the reasonable expenses of a business in holding unclaimed money and locating the owner.	DCOR, MFI	Where Council is operating as a business.
s 12(1)(a)	Duty to pay to the Registrar an amount equal to all amounts of unclaimed money held on that 1 March less any amounts that have been paid to the owner and any amounts deducted under subsection (3) or section 11(3)	DCOR, MFI	Where Council is operating as a business.
s 12(1)(b)	Duty to lodge a return with the Registrar.	DCOR, MFI	Where Council is operating as a business.
s 29(1)	Power to apply to the Registrar for repayment of an overpayment of unclaimed money.	DCOR, MFI	Where Council is operating as a business Application must be made within 5 years after the payment of unclaimed money to the Registrar. Application under this section cannot be made for money paid to the Registrar under s 12 or 14 of this Act if the Registrar has previously served a notice of assessment or reassessment on the business or trustee that relates to the payment that would be the subject of the application.



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

UNCLAIMED MONEY ACT 2008			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 43	Function of being liable to pay interest on the amount payable that remains unpaid if a default occurs	DCOR, MFI	Where Council is operating as a business.
s 48	Function of being liable to pay a penalty in addition to the amount payable that remains unpaid.	DCOR, MFI	Where Council is operating as a business.
s 53	Duty to pay the penalty within the period specified for that purpose in a notice of assessment or reassessment.	DCOR, MFI	Where Council is operating as a business.
s 56(1)	Power to lodge a written objection with the Registrar.	DCOR, MFI	Where Council is operating as a business.

VALUATION OF LAND ACT 1960			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 6(1)	Duty to give notice of the valuation to each rating authority interested in the valuation of land in the area for which the valuation is being made	DCOR, MFI	Where Council is the valuation authority
s 6(2)	Power to require the general valuation prepared by the valuation authority to show items in paragraphs (a) – (c)	DCOR, MFI	Where Council is a rating authority
s 6(3)	Duty to give notice to valuer-general	DCOR, MFI	Where Council is the rating authority

# 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 6(4)	Duty to ensure the valuer-general's request is given effect to	DCOR, MFI	Where the Council is the valuation authority
s 7AB(2)	Power to adjust the rate or fire services property levy payable retrospectively for any period it considers just	MFI, RRTL	
s 7A(1)	Power to pay valuer subject to the requirements of this s7A(1)	MFI	
s 7AE(2)	Duty to comply with an Order in Council requiring the making of a new valuation	MFI	
s 7A(2)	Power to make a payment, irrespective of s 7A(1), if Council satisfies paragraphs (a) and (b)	MFI	
s 7B(1)	Duty to provide valuation to valuer-general within 2 months of date on which the valuation was returned to Council	DCOR, MFI	
s 8AA(1B)	Duty to pay the valuer-general in accordance with s where Council has requested a supplementary valuation	DCOR, MFI	
s 8AA(2)(a)	Power to agree the fees in respect of servicing of a valuation	MFI	
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	MFI	
s 10(6)	Power to revoke nomination made under s 10(1)	MFI	

# 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 11	Duty to cause a general valuation	MFI	Where Council is the valuation authority
s 12	Function of causing a valuation of rateable land at the direction of the Minister	DCOR, MFI	Where Council is the valuation authority
s 13DA(1)	Power to appoint people to carry out valuations	DCOR, MFI	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	MFI	
s 13DF(3A)	Power to use supplementary valuation before it is certified to levy or adjust municipal rate or fire services property levy	MFI, RRTL	
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)	MFI, RRTL	
s 13DFA(2)	Function of receiving written certification of supplementary valuation from valuer-general	DCOR, MFI	
s 13DFB(1)	Power to request valuer-general to carry out a supplementary valuation	DCOR, MFI	
s 13DFB(3)	Function of receiving the supplementary valuation within 10 business days after the supplementary valuation is returned to the valuer-general	MFI	

# 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 13DG(3)	Duty to make a valuation of all rateable land where Council has had annexed to its municipal district any area which is not part of a former municipal district.	MFI	Where Council is the valuation authority
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	MFI	Where Council is the collection agency
s 13G(7)	Power to revoke nomination made under s 13G(1)	MFI	Where Council is the collection agency
s 13H	Duty to cause a general valuation of non-rateable leviable land to be made, returned to it and provided to the relevant collection agency	MFI	Where Council is the valuation authority
s 13I	Duty to comply with a Ministerial Direction given under s 13I	MFI	Where Council is the collection agency and also the valuation authority
s 13J	Power to appoint people to carry out valuation	MFI	The person(s) to be appointed must hold the qualifications or experience specified by Minister  Applies when Council is making a valuation for the purposes of the <i>Fire Services Property Levy Act 2012</i>
s 13L(4)	Power to use a supplementary valuation before it is certified by the valuer-general	MFI	Where Council is the collection agency
s 13L(6)	Power to adjust the fire services property levy payable retrospectively for any period considered just	MFI, RRTL	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 13M(2)	Function of receiving certification in writing that the valuer-general is satisfied that the supplementary valuation is correct	DCOR, MFI	Where Council is the collection agency
s 13N(1)	Power to request the Valuer-General to make a supplementary valuation	DCOR, MFI	Where Council is the collection agency
s 13N(3)	Function of receiving the supplementary valuation within 10 business days after the supplementary valuation is returned to the valuer-general	MFI	Where Council is the collection agency
s 13Q(4)	Power to adjust a rate or fire services property levy	MFI, RRTL	Provision commences on 1 July 2023, unless proclaimed earlier
s 15(3)	Duty to give notices in paragraphs (a) and (b) if information is received from a valuation authority under s 15(1)(b) as to a general valuation	MFI	Where Council is the rating authority
s 20(3)	Function of receiving objection and written submission where objection is because the value is too low or too high, and the value is not less than the prescribed amount	MFI	Where Council is the valuation authority
s 21(2)	Duty to refer an objection received to the valuation authority	MFI	Where Council is not the valuation authority which made the valuation
s 21(2A)	Duty to refer objection to valuer	MFI	Where Council is the valuation authority
s 21(5)	Function of receiving written notice from the valuer-general of recommendation	DCOR, MFI	Where Council is the rating authority

# 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 21(6)	Duty to give effect to the decision of the valuer-general	MFI	Where Council is the rating authority
s 22(5)	Function of receiving copy of application to VCAT for review of valuation decision	MFI	Where Council is the valuation authority
s 22(6)	Duty to forward to principal registrar of VCAT notice of objection and copies of any notices given under s 21 and any information given or submissions lodged under s 20, in relation to objection, within 1 month after being served with copy of objector's application for review under s 22(5)	MFI	Where Council is the valuation authority

VICTORIAN ENVIRONMENTAL ASSESSMENT COUNCIL ACT 2001			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 26D(1)	Function of conferring with the Victorian Environmental Assessment Council	DS, MWE	If affected by the provision of an assessment or advice requested under s 26B
s 26D(2)	Duty to give practicable assistance to the Victorian Environmental Assessment Council in preparing an assessment or advice	DS, MWE	

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

## VICTORIAN LOCAL GOVERNMENT GRANTS COMMISSION ACT 1976

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 10	Duty to supply prescribed information to the commission by certain time	DCOM, MFI	

## VICTORIA STATE EMERGENCY SERVICE ACT 2005

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 34(1)	Power to apply for registration of a group of persons as a unit of the Service	ALL ELT	
s 35(2)	Power to consult with the Chief Officer, Operations regarding removal of controller of a registered unit from office	ALL ELT	

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

VICTORIAN DATA SHARING ACT 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 10(a)	Power to provide some, or all, of the specified data to the Chief Data Officer	DCOR, MGR, MICT	If the Chief Data Officer gives a notice under s 8
s 10(b)	Power not to respond to the request	DCOR, MGR, MICT	If the Chief Data Officer gives a notice under s 8
s 13(a)	Power to provide some, or all, of the specified data to the Chief Data Officer	DCOR, MGR, MICT	If the Chief Data Officer gives a notice under s 11
s 13(b)	Power not to respond to the request	DCOR, MGR, MICT	If the Chief Data Officer gives a notice under s 11
s 24(3)(c)	Function of being informed by the Chief Data Officer, or data analytics body, if the <i>Victorian Data Sharing Act 2017</i> , <i>Privacy and Data Protection Act 2014</i> or <i>Health Records Act 2001</i> has been, or is likely to have been, breached in relation to data handled under the <i>Victorian Data Sharing Act</i> while in the control of the Chief Data Officer, or of the data analytics body	DCOR, MGR, MICT	
s 33(4)	Duty to have regard to policies or guidelines issued under s 33(1)	DCOR, MGR, MICT	



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

VICTORIAN INSPECTORATE ACT 2011			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 28(2)	Power to enter into agreements or arrangements for use of services with the Victorian Inspectorate	DCOR	

VICTORIAN PLANNING AUTHORITY ACT 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 33(2)	Duty to comply with request by Authority under s 33(1) for information or assistance	DS	
s 34(1)	Function of consulting with Authority where exercising its Powers likely to affect Council's functions	DS, MPB	

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

WATER ACT 1989			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 12(1)(a)	Duty to make any authorisation or permission that may affect the drainage system subject to any conditions required to ensure the conservation of waterways, wetlands and aquifers	DINF, DS	
s 12(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, MO DS	
s 27(4)(a)(ii)	Function of receiving notice of a proposed declaration by the Minister that an area will be a water supply protection area	DS, MWE, MIP	
s 32H	Duty to keep copy of approved management plan available for inspection	DS, MWE	
s36(3)(c)	Function of receiving a copy of an application for the grant of a bulk entitlement if Minister considers the Council is directly affected	DS, MWE	
s 67A	Function of receiving a copy of an application under s 67 in respect of a dam	DS, MWE, DINF, MO	
s 67B	Duty to advise the Minister of response to application	DS, DINF	
s 122ZA(2)	Function of consenting to Minister's determination under s 122ZA(1)(b)	DS, MWE, 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 122ZC	Power to contribute money to environmental or recreational area for improving or maintaining the area	DINF, DS, MFI	
s 144(2)(c)	Function of receiving a declaration by an Authority that land will be a serviced property for the purposes of the Act, if likely to be affected	DS, MWE	
s 152	Function of receiving notice of intention to affect works	DS, MWE, DINF, MO	
s 153	Function of receiving notice to alter or remove works	DS, MWE, DINF, MO	
s 165(1)	Power to require an Authority to fix fire plugs to works	DS, DINF	
s 165(2)	Duty to meet costs of providing, installing, marking and maintaining all fire plugs that the Council requires	DS, DINF, MFI	
s 171D(1)	Power to require Melbourne Water Corporation to fix fire plugs to works	DS, DINF	
s 171D(2)	Duty to meet costs of providing, installing, marking and maintaining fire plug, where plug is in Council's municipal district	DS, DINF, MO, MFI	
s 180(1)	Duty to forward copy application for septic tank permit to Authority	DCOM, MCSC, EHC, EHO	

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

WATER ACT 1989			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 180(3)	Function of receiving any notification of the location of the nearest sewer, the availability of works to service the land and any requirements	DS, MWE, DINF, MO, DCOM, MCSC, EHC, EHO	
s 180(4)	Duty to comply with any requirement of the Authority in regard to the application	DS, MWE, DINF, MO, DCOM, MCSC, EHC, EHO	
s 180(5)	Duty to not make a decision within 21 days after the copy is forwarded to the Authority	DS, MWE DCOM, MCSC	
s 188(3)	Function of receiving notice of proposed declaration of a waterway if the Council may have an interest in the waterway	DS, MWE, MPB	
s 205(3)	Function of receiving notice of proposed declaration that an area of land will be liable to flooding or be a floodway area	DS, MWE, MPB, ME	
s 206(1)(b)	Function of receiving notice that an Order has been published in the Government Gazette	DS, MWE, MPB	
s 206(3)	Duty to prevent land uses that are inconsistent with any identified flood hazards	DS, MWE, MPB MIP	
s 208(2)	Duty to notify Authority of intention to undertake or erect any regulated works or structure before undertaking or erecting the works or structure	DS, MWE, MPB, DINF, MO	

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

WATER ACT 1989			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 214(2)(b)	Duty to be represented on a committee to carry out investigations in relation to water management if the Council is affected	DS, MWE, DINF, ME	
s 217	Power to apply for an order for removal or modification of works	DS, MWE, DINF, MO, ME	
s 218(2)(b)(ii)	Function of receiving notice of proposed declaration that an area of land will be a drainage course	DS, MWE, ME	
s 218(7)	Duty to act in accordance with a management plan approved by the Minister, if the Council has management and control of a drainage course	DS, MWE, DINF	
s 218(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	DS, MWE, DINF	Subject to the limitations set out in s 218
s 218(10)	Duty to comply with any request by another public statutory body within 1 month	DS, MWE, DINF, MO	
s 218(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	DS, MWE, DINF, MO	
s 244(7)	Function of receiving a copy of a community agreement, if land in the area is affected	DS, 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 244(8)(b)	Power to consent to community agreement where it involves the construction of a drain across a road reserve	DS, DINF	
s 246	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	DS, DINF	
s 263(2)	Function of receiving a request to arrange for a supplementary valuation to be made	DS, DINF	
s 281A(1)	Power to enter into agreement with Melbourne Water Corporation to collect money owing to Melbourne Water Corporation under the Act	DS, DINF	
s 281A(3)	Duty to collect money owing to Melbourne Water Corporation under the Act, that relates to Council's municipal district	DS, DINF, MFI	On the terms and conditions agreed with Melbourne Water Corporation or, in default of agreement, determined by the Essential Services Commission
s 286(1)(a)	Duty to contribute to the revenue of the Authority if requested	DS, DINF, MFI	Conditions set out in s 285 and s 286
s 287(1)(a)	Duty to make a special contribution to the revenue of the Authority if requested	DS, DINF, MFI	Conditions set out in s 285 and s 287

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

BUILDING REGULATIONS 2018			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 5(2)	Power to designate an area liable to flooding	DS, DINF	Where Council is the relevant council
r 44	Function of receiving documents	DS, MPB, MBS	Where Council is the relevant council
r 49	Duty to keep documents in any manner specified by the Keeper of Public Records until the building is demolished or removed from the allotment	DS, MPB, MBS	Where Council is the relevant council
r 50	Duty to make documents available on request	DS, MPB, MBS	Where Council is the relevant council
r 51	Function of providing information	DS, MPB, MBS	Where Council is the relevant council
r 73(2)	Power of providing report and consent	DS, MPB, MBS	Where Council is the relevant council
r 74(4)	Power of providing report and consent	DS, MPB, MBS	Where Council is the relevant council
r 75(4)	Power of providing report and consent	DS, MPB, MBS	Where Council is the relevant council
r 76(4)	Power of providing report and consent	DS, MPB, MBS	Where Council is the relevant council
r 77(3)	Power of providing report and consent	DS, MPB, MBS	Where Council is the relevant council
r 78(6)	Power of providing report and consent	DS, MPB, MBS	Where Council is the relevant council
r 79(6)	Power of providing report and consent	DS, MPB, MBS	Where Council is the relevant council
r 80(6)	Power of providing report and consent	DS, MPB, MBS	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	DS, MPB, MBS	Where Council is the relevant council
r 82(5)	Power of providing report and consent	DS, MPB, MBS	Where Council is the relevant council
r 83(3)	Power of providing report and consent	DS, MPB, MBS	Where Council is the relevant council
r 84(9)	Power of providing report and consent	DS, MPB, MBS	Where Council is the relevant council
r 85(3)	Power of providing report and consent	DS, MPB, MBS	Where Council is the relevant council
r 86(3)	Power of providing report and consent	DS, MPB, MBS	Where Council is the relevant council
r 87(2)	Power of providing report and consent	DS, MPB, MBS	Where Council is the relevant council
r 89(3)	Power of providing report and consent	DS, MPB, MBS	Where Council is the relevant council
r 90(2)	Power of providing report and consent	DS, MPB, MBS	Where Council is the relevant council
r 91(5)	Power of providing report and consent	DS, MPB, MBS	Where Council is the relevant council
r 92(2)	Power of providing report and consent	DS, MPB, MBS	Where Council is the relevant council
r 94(6)	Power of providing report and consent	DS, MPB, MBS	Where Council is the relevant council
r 95(3)	Power of providing report and consent	DS, MPB, MBS	Where Council is the relevant council
r 96(3)	Power of providing report and consent	DS, MPB, MBS	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 97(2)	Power of providing report and consent	DS, MPB, MBS	Where Council is the relevant council
r 109(1)	Power of providing report and consent	DS, MPB, MBS	Where Council is the relevant council
r 109(2)	Power of providing report and consent	DS, MPB, MBS	Where Council is the relevant council
r 109(3)	Power to give consent under rr 109(1) or 109(2)	DS, MPB, MBS	Where Council is the relevant council if it considers that the projection of the part of the building beyond the street alignment will not be detrimental to the safety of the public
r 116(4)	Power of providing report and consent	DS, MPB, MBS	Where Council is the relevant council
r 130(1)	Power of providing report and consent	DS, MPB, MBS	Where Council is the relevant service authority
r 132(1)	Power of providing report and consent	DS, MPB, MBS	Where Council is the relevant council
r 133(2)	Power of providing report	DS, MPB, MBS	Where Council is the relevant council
r 134(2)	Power of providing report and consent	DS, MPB, MBS	Where Council is the relevant council
r 147L(2)	Function of receiving an application for registration	DS, MPB, MBS	Where Council is the relevant council
r 147M(2)	Function of receiving an application for registration	DS, MPB, MBS	Where Council is the relevant council
r 147N(2)	Function of receiving an application for registration	DS, MPB, MBS	Where Council is the relevant council
r 147O(1)	Power to give notice	DS, MPB, MBS	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 147Q	Duty to enter information relating to a swimming pool or spa into Council's register	DS, MPB, MBS	Where Council is the relevant council
r 147R(1)	Duty to give notice of the matters in r 147R(1)(a) – (g)	DS, MPB, MBS	Where Council is the relevant council
r 147R(4)	Duty to specify a date for the purposes of r 147R(1)(g)	DS, MPB, MBS	Where Council is the relevant council
r 147R(5)	Power to specify date	DS, MPB, MBS	Where Council is the relevant council
r 147S(1)	Duty to remove from the register the information about the swimming pool or spa set out in r 147J, as soon as practicable, where satisfied that a registered swimming pool or registered spa no longer exists or is no longer capable of containing water to a depth of greater than 300 mm	DS, MPB, MBS	Where Council is the relevant council
r 147S(2)	Duty to give a notice in writing after removing the information about the swimming pool or spa from the register	DS, MPB, MBS	Where Council is the relevant council
r 147T(1)	Duty to determine the date of construction	DS, MPB, MBS	Where Council is the relevant council
r 147U(1)	Duty to determine the date of construction	DS, MPB, MBS	Where Council is the relevant council
r 147V(1)	Duty of receiving a certificate of compliance	DS, MPB, MBS	Where Council is the relevant council
r 147V(4)	Duty to give notice in writing following lodgement of a certificate of pool and spa barrier compliance by the owner	DS, MPB, MBS	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	DS, MPB, MBS	Where Council is the relevant council
r 147W(2)	Duty to give a notice in writing if an owner is exempted under r 147V(1)	DS, MPB, MBS	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)	DS, MPB, MBS	Where Council is the relevant council
r 147Z(3)	Duty to give a notice, in writing, to the owner of the land specifying a new due date for the lodgement of a certificate of pool and spa barrier compliance as soon as practicable after that decision is made	DS, MPB, MBS	Where Council is the relevant council
r 147ZD	Duty to update the applicable barrier standard on the register to include the applicable barrier standard referred to in the certificate	DS, MPB, MBS	Where Council is the relevant council
r 147ZE	Duty to give a notice, in writing, to the owner as soon as practicable following lodgement of a certificate of pool and spa barrier compliance under r 147ZC	DS, MPB, MBS	Where Council is the relevant council
r 147ZJ(3)	Duty to give a notice, in writing, to the owner of the land on which the swimming pool or spa relating to the barrier is located	DS, MPB, MBS	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 147ZL(1)	Duty to update the register with details of the name of the new owner of the land as soon as practicable	DS, MPB, MBS	Where Council is the relevant council
r 147ZL(2)	Duty to give a notice, in writing, to the new owner of the land	DS, MPB, MBS	Where Council is the relevant council
r 147ZM	Duty to submit the requested information to the Authority in the form approved by the Authority	DS, MPB, MBS	Where Council is the relevant council
r 148	Duty to prepare maps	DS, MPB, MBS	
r 149(1)	Duty to amend or prepare map for the existing or new designated special area	DS, MPB, MBS	Where Council is the relevant council
r 149(2)	Duty to advise the Authority if a designated special area is altered or created	DS, MPB, MBS	
r 149(3)	Duty to lodge copies of designated special area maps with the Authority	DS, MPB, MBS	Where Council is the relevant council
r 149(4)	Duty to make an up-to-date copy of each designated special area map, applicable to Council's municipal district, available to the public for inspection	DS, MPB, MBS	
r 150	Power to designate areas within Council's municipal district in which buildings are likely to be subject to attack by termites	DS, MPB, MBS	

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

BUILDING REGULATIONS 2018			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 152(1)	Power to designate areas in Council's municipal district that are likely to be subject to significant snowfalls	DS, MPB, MBS	For the purposes of the BCA
r 153(2)	Power of providing report and consent	DS, MPB, MBS	Where Council is the relevant council
r 153(4)	Duty not to give consent under r 153(2) if there is likely to be a danger to the life, health or safety of the occupants of the building due to flooding of the site	DS, MPB, MBS	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	DS, MPB, MBS	Where Council is the relevant council
r 153(6)	Duty to consult with the floodplain management authority for the site and specify a level in line with r 153(6)(b) requirements	DS, MPB, MBS	Where Council is the relevant council
r 153(7)	Duty to, without delay, advise the floodplain management authority and sewerage authority for the site of the floor level (if any) specified under r 153(5)	DS, MPB, MBS	Where Council is the relevant council
r 154(1)	Power of providing report and consent	DS, MPB, MBS	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	DS, MPB, MBS	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 154(3)	Duty to consult with the waterway management authority for the designated land or designated works before giving consent under r 154(1)	DS, MPB, MBS	
r 166B(c)(ii)	Power to approve floor area size greater than 60m <sup>2</sup>	DS, MPB, MBS	
r 166C(1)(a)	Function of receiving notification from building owner of intention to commence occupying the building as the owner's principal place of residence	DS, MPB, MBS	
r 166C(1)(b)	Function of receiving notification from building owner of the proposed commencement date of that occupation	DS, MPB, MBS	
r 166C(2)	Function of receiving notification from building owner of proposed commencement date of occupation	DS, MPB, MBS	
r 187(2)	Power of providing report and consent	DS, MPB, MBS	Where Council is the relevant council Subject to r 187(3)
r 202(1)	Duty to keep the documents relating to occupancy permits in any manner specified by the Keeper of Public Records	DS, MPB, MBS	For the purposes of s 75 of the <i>Building Act 1993</i>
r 202(2)	Duty to keep documents relating to a temporary approval for 3 years after the earlier of the two periods set out in rr 202(2)(a) and 202(2)(b)	DS, MPB, MBS	For the purposes of s 75 of the <i>Building Act 1993</i>
r 203	Function of receiving documents	DS, MPB, MBS	

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

BUILDING REGULATIONS 2018			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 205	Function of receiving information	DS, MPB, MBS	Where Council is the relevant council
r 215(3)(c)	Function of receiving a determination and report under s 120(2)(a) of the <i>Building Act 1993</i>	DS, MPB, MBS	Where Council is the relevant council  If the essential safety measure is required under an emergency order or a building order under Part 8 of the <i>Building Act 1993</i>
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	DS, MPB, MBS	Where Council is the relevant council

COUNTRY FIRE AUTHORITY REGULATIONS 2014			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 105(3)	Duty to notify the executive officer of the regional fire prevention committee of the name of the nominee nominated in accordance with r 105(2)	ALL ELT	
r 105(8)	Duty to give written notice to Authority of names and addresses of persons elected as representatives of Council	ALL ELT	

# 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(3)	Function of receiving written notice of intention to discharge fireworks, Chinese firecrackers or theatrical fireworks	DCOM, MCSC, LLC	Does not apply if local law requires a person to give Council greater notice of an intention to discharge fireworks
r 147(6)	Function of receiving written notice of intention to discharge fireworks or firecrackers in or near port waters	DCOM, MCSC, LLC	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 <i>Public Health and Wellbeing Act 2008</i>	DCOM, MCS, CSCH, CLSTL, NI, CSSO	



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

ELECTRICITY SAFETY (ELECTRIC LINE CLEARANCE) REGULATIONS 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
sch 1 cl 16	Function of receiving notice before cutting or removing certain trees	DINF, MO	
sch 1 cl 19	Function of receiving notice after completion of cutting or removal of the trees	DINF, MO	
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	
sch 1 cl 21(3)	Duty to keep record of the additional distance for at least 5 years	DINF, MO	

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

ENVIRONMENT PROTECTION REGULATIONS 2021			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			This section has been revoked
r 25	Power to administer prescribed permit activities	DCOM, MCS, EHC, EHO, MCSC	This relates to waste water
r 33	Duty to inspect on-site wastewater management system and power to issue a certificate approving the use of the system if satisfied that the system complies with the permit	DCOM-MCSC, EHC, EHO	
r 100(1)	Duty to provide information	MCSC DS, MWE	It's about kerbside collections
r 100(5)	Duty to provide a report under subregulation (1) within 3 months after the end of the financial year to which the report relates	MCSC DS, MWE	It's about kerbside collections
r 161	Function of receiving notification	DCOM MCSC, EHC, EHO	
r 162(2)	Power to inspect records under subregulation 1	DCOM MCSC, EHC, EHO	
r 171	Power to take proceedings for specified offences relating to on-site wastewater management systems	DCOM, MCSC, EHC, EHO	
r 215	Power to (a) waive the fee, in whole or parts; or (b) refund the fee paid, in whole or part	DCOM, MCSC	

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

r 220(2)	Duty to give a person a reasonable opportunity to provide further information in order to decide a new application	DCOM, MCSC, EHC, EHO	
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## INFRINGEMENTS REGULATIONS 2016

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 8	Duty to report listed information to Attorney-General	DCOM, MCSC, LLC, LLA	

## LAND ACQUISITION AND COMPENSATION REGULATIONS 2021

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 11	Function of providing certain information as set out in (a)-(h) as requested by an Authority	DS, MPB, DINF	
r 12	Function of providing certain information as set out in (a) – (d) as requested by an Authority	DS, MPB DINF	Where Council is responsible authority

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

LOCAL GOVERNMENT (GENERAL) REGULATIONS 2015			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 10	Duty to include in the notice of rates and charges the information prescribed	MFI, RRTL	

LOCAL GOVERNMENT (LONG SERVICE LEAVE) REGULATIONS 2021			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 7(2)	Function of receiving request from member to grant pay instead of long service leave	DCOR, MPC	
r 7(3)	Duty to pay the member one-tenth of 3 months ordinary pay for each year of completed recognised service	DCOR, MPC	
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, MPC	
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, MPC	
r 7(6)(b)	Duty to pay the member one-tenth of 3 months ordinary pay for each year of completed recognised service	DCOR, MPC	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

# 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
			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, MPC	
r 8(3)	Duty to pay the member one-tenth of 3 months ordinary pay for each year of completed recognised service	DCOR, MPC	
r 8(4)(b)	Duty to pay member one-tenth of 3 months ordinary pay for each year of completed recognised service	DCOR, MPC	If a member who ceases employment in any of the circumstances set out under subregulation (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 subregulation (5) one-tenth of 3 months ordinary pay for each year of completed recognised service	DCOR, MPC	
r 8(7)(b)(i)	Function of approving medical practitioner	DCOR, MPC	
r 9(2)	Duty to pay the legal personal representative of the member referred to in subregulation (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	DCOR, MPC	

# 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
	member was entitled and which the member had not taken, or for which the member has not paid		
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, MPC	
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	MPC, DCOR	
r 15	Power to agree on a mutually convenient time with the member to take all or part of long service leave entitlement	ALL ELT	
r 16	Power to approve long serve 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, MPC	

# 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(2)	Duty to inform the other Council (former Council) of the employment within 2 months of the commencement of the employment	DCOR, MPC	
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, MPC	Where Council is the member's former employer
r 19(4)	Duty to refund a payment made to it under subregulation (3)	DCOR, MPC	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, MPC	

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

LOCAL GOVERNMENT (PLANNING AND REPORTING) REGULATIONS 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 5(1)	Duty to include statements describing the financial resources are in the prescribed form	DCOR, MFI, MGR	
r 5(2)	Duty to include a statement of capital works in the Financial Plan	DCOR, MFI, MGR	
r 6	Duty to include prescribed information in the Financial Plan	DCOR, MFI, MGR	
r 7	Duty to include the prescribed information in the financial statements included in the budget	DCOR, MFI, MGR	
r 8	Duty to include other prescribed information in the budget or revised budget	DCOR, MFI, MGR	
r 9(2)	Duty to include the prescribed information in the report of operations	DCOR, MFI, MGR	
r 10	Duty to include in the report of operations a description of the operations of Council	DCOR, MFI, MGR	
r 11	Duty to include prescribed information relating to performance results in the performance statements	DCOR, MFI, MGR	
r 14	Duty to include the prescribed information in financial statements contained in the annual report	DCOR, MFI, MGR	



# 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 375(3)(c)(ii)	Function to assist in the preparation of an emergency management plan for a major hazard facility	ALL ELT, MCSC	
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	ALL ELT, MCSC	
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	ALL ELT, MCSC	
r 394(1)	Function to receive information about the safety of a major hazard facility	ALL ELT, MCSC	
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	ALL ELT, MCSC	
r 433(2)(b)(ii)	Function of assisting in the preparation of an emergency management plan for a prescribed mine	ALL ELT, MCSC	
r 434(b)(ii)	Function to receive a copy of the emergency plan relating to the off-site consequences of a major incident occurring	ALL ELT, MCSC	

# 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 19(6)	Function of receiving a copy of a disease vector control notice	DCOM MCSC, EHC, EHO	
r 59(4)	Function of being notified of test results	DCOM MCSC, EHC, EHO	
r 59(7)	Function of receiving written notice	DCOM, MCSC, EHC, EHO	
r 98	Function of being notified by the Secretary	DCOM, MCSC, EHC, EHO	
r 112(1)	Power to request information	DCOM MCSC, EHC, EHO	

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	

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

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	DINF, ME	
r 244C	Function of consulting with the Head, Transport for Victoria regarding specification of a route or area under r 244C(1)	DINF, ME	
r 289(1)(d)	Power to prohibit drivers riding bicycles or animals on the nature strip	DINF, ME	

ROAD SAFETY (GENERAL) REGULATIONS 2019			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 79(1)(b)	Power to authorise staff member to file a charge	DINF, MGR	

# 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 5	Power to appoint school crossing supervisor	DCOM, MCSC, MPC, LLC	
r 10(1)	Function of receiving notice, in writing, from the Head, Transport for Victoria if the Head, Transport for Victoria proposes to erect, display, place, remove or alter a traffic control device of a kind referred to in r 9(4)(a) to (f) (a proposal) on a road or road related area that is within the municipal district of the Council	DINF, ME	Unless the road or road related area forms part of a freeway or arterial road
r 10(2)	Power to disagree, in writing, with the proposal	DINF, ME	
r 11(1)	Power to erect, display, place, remove or alter traffic control devices on roads or road related areas	DINF, ME, MO	Where Council is a responsible entity
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 <i>Road Safety Road Rules 2017</i> (Vic)	DINF, ME, MO	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, ME, MO	
r 11(2)(c)	Power to erect, display, place, remove or alter a traffic control device installed in accordance with r 15	DINF, ME, MO	
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, ME, MO	With the authorisation of the Head, Transport for Victoria Subject to r 11(3)

# 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(4)	Duty to alter the minor traffic control device to remove the inconsistency or remove the minor traffic control device	DINF, ME, MO	If a minor traffic control device referred to in r 11(2)(a) is inconsistent with a major traffic control device located on the same length of road
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, ME, MO	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 <i>Road Safety Act 1986</i> (Vic) to conduct a non-road activity, to erect, display, place, remove or alter any other minor traffic control device	DINF, ME, MO	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, ME, MO	Where Council is the coordinating road authority Note: see r 23(b)
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, ME, MO	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, ME, MO	Where Council is the coordinating road authority
r 32(2)(d)(ii)	Power to approve a highway collection being conducted	DINF, ME, MO	

# 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 34(1)	Function of receiving an application for a permit under s 99B of the <i>Road Safety Act 1986</i> (Vic) from a person intending to conduct a non-road activity on a highway	DINF	Where Council is the coordinating road authority
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 <i>Subdivision Act 1988</i>	DS, MPB	
r 12	Power to waive or rebate the payment of a fee payable under the <i>Subdivision Act 1988</i>	DS, MPB	
r 13	Duty to record reasons for waiving or rebating payment of a fee under r 12 in writing	DS, MPB	

# 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 11	Duty to give the applicant the street address and lot location of each plot on the plan	DS, MPB, PL, PC, SP	
r 14(a)	Duty to provide the referral authority with a copy of the application and certain details	DS, MPB, PL, PC, SP	
r 14(b)	Duty to provide the applicant with a copy of the application and certain details	DS, MPB, PL, PC, SP	
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 <i>Subdivision Act 1988</i>	DS, MPB, PL, PC, SP	
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 <i>Subdivision Act 1988</i>	DS, MPB, PL, PC, SP	
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 <i>Subdivision Act 1988</i>	DS, MPB, PL, PC, SP	
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 <i>Subdivision Act 1988</i>	DS, MPB, PL, PC, SP	



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

r 29	Duty to provide the applicant with the amended street address and lot location of each lot on amended plan or new plan	DS, MPB, PL, PC, SP	In circumstances described in r 29
r 33(1)	Duty to maintain a register of applications	DS, MPB, PL, PC, SP	May be kept in conjunction with register of permit applications kept under s 49(1) of the <i>Planning and Environment Act 1987</i>
r 33(4)	Duty to make the register available for inspection	DS, MPB, PL, PC, SP	
r 36(4)	Duty to send notice of refusal where Council refuses to issue a statement of compliance under s 21 of <i>Subdivision Act 1988</i>	DS, MPB, PL, PC, SP	

## SUBDIVISION (REGISTRAR'S REQUIREMENTS) REGULATIONS 2011

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 20	Function of being advised by Registrar of any amendments made to any certified plan under s 22(2)(a) of <i>Subdivision Act 1988</i>	DS	

# 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 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	ALL ELT, ALL MAN, ALL SUP	Entering into contracts includes the power to execute all contract documentation and associated processes to give the contract effect.
Section A – Finance Issues	Power to authorise payment of wages, salaries, related payments	DCOR, MFI, MPC	
Section A – Finance Issues	Power to authorise payment of Councillor and Mayoral allowances	DCOR, MFI	Within the amount of allowance as determined by the Victorian Independent Remuneration Tribunal in accordance with s 39 of the <i>Local Government Act 2020</i>  In accordance with s 39(6) of the <i>Local Government Act 2020</i> , s 74 of the <i>Local Government Act 1989</i> 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 <i>Local Government Act 2020</i>
Section A – Finance Issues	Power to open bank accounts in Council's name	MFI	
Section A – Finance Issues	Power to approve invoices and accounts for payment. Budget items - e.g. super	ALL ELT, ALL MAN, ALL SUP	
Section A – Finance Issues	Power to authorise enforcement of overdue debts	MFI, RRTL	

# 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 appoint collection agency	MFI	
Section A – Finance Issues	Power to approve contract variations	ALL ELT, ALL MAN, MMP	
Section A – Finance Issues	Power to amend or vary agreements	ALL ELT, MMP	
Section A – Finance Issues	Power to sign cheques	ALL ELT, MFI	
Section A – Finance Issues	Power to approve electronic payments and transfers	ALL ELT, MFI	
Section A – Finance Issues	Power to authorise Petty Cash	ALL ELT, ALL MAN, ALL SUP	
Section A – Finance Issues	Power to issue credit cards to staff	ALL ELT, MFI	
Section A – Finance Issues	Power to authorise calling of invitations for expressions of interest or tenders for works, services and equipment.	ALL ELT, *MMP	*Where the EOI, tender, RFQ relates to the adopted capital works program.
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	

# 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 the order, release, refund, or return of securities, bank guarantees and bonds, relating to property transactions only.	MFI	
Section A – Finance Issues	Power to authorise progress payments	ALL ELT, ALL MAN	
Section A – Finance Issues	Power to authorise payment of contract variations	ALL ELT, All MAN	*Within total allocated project budget.
Section A – Finance Issues	Power to determine fees and charges	ND	
Section A – Finance Issues	Power to authorise the sale or disposal of assets other than land.	ALL ELT	
Section A – Finance Issues	Power to write off bad debts	MFI	
Section B – Building Issues	Power to determine fees required under cl 1(c)(i) of sch 2, ss 18, 42 and 54 of the <i>Building Act 1993</i> 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 <i>Building Regulations 2018</i> in relation to swimming pool or spa barriers.	ND	
Section B – Building Issues	Power to determine fees payable, person responsible for payment of fees and method of payment and recovery of	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
	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 <i>Building Act 1993</i> , <i>Building Regulations 2018</i> 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.		
Section C – Miscellaneous Issues	Power to appoint agent, and enter into agency agreement, for the purposes of s 108 of the <i>Local Government Act 2020</i>	ND	
Section C – Miscellaneous Issues	Power to obtain legal opinions and instruct external legal providers	ALL ELT, ALL MAN, EHC, GC, LLC, PM	
Section C – Miscellaneous Issues	Power to approve legal costs	ALL ELT, ALL MAN, EHC, GC, LLC, PM	
Section C – Miscellaneous Issues	Power to make "ex gratia" settlement of insurance claims	DCOR, MGR, GC	
Section C – Miscellaneous Issues	Power to manage processing of insurance claims	DCOR, MGR, GC	

# 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 execute funding and service agreements with other levels of government.	ND	
Section C – Miscellaneous Issues	Power to execute applications for government grants	ND	
Section C – Miscellaneous Issues	Power to determine suitability and value of "in kind" local contributions toward \$ for \$ capital works	DINF, MPF, MO, ME, MMP	
Section C – Miscellaneous Issues	Power to assess and determine applications for HACC services	ND	
Section C – Miscellaneous Issues	Power to grant approval for storage or sale of liquor on Council premises	DCOM, MTAC	
Section C – Miscellaneous Issues	Power to make seasonal and casual allocation of sporting grounds	DCOM, MAC	
Section C – Miscellaneous Issues	Power to enter into agreements for voluntary or not-for-profit organisation to use Council facilities	DCOM, MAC, MPF	

# 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 enter into a licence for the occupation or use of property	MPF	
Section C – Miscellaneous Issues	Power to enter into or vary a lease or licence of vehicles	MSA	#Insert any financial limitation
Section C – Miscellaneous Issues	Power to enter into or vary a lease or licence of equipment	MPF, MSA	#Insert any financial limitation
Section C – Miscellaneous Issues	Power to make statements to the press	ND	
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	

# 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 sign correspondence	ALL ELT, ALL MAN, ALL SUP, GO1, Go2, GGO	
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	MPB, PC,	Where Council is a party to a proceeding at the Victorian Civil and Administrative Tribunal
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	DCOR, MGR	
Section C – Miscellaneous Issues	Power to approve litigation settlement amounts	DCOR	up to in accordance with delegated financial limits \$250k
Section C – Miscellaneous Issues	Power to appeal a decision of the Victorian Civil and Administrative Tribunal or Court	DCOR, MGR	
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	



# 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 entertainment expenses	ALL ELT	
Section C – Miscellaneous Issues	Power to authorise publication on the internet	ALL ELT, MACE, MPC, MGR, GC, EO - CEO	
Section C – Miscellaneous Issues	Power to authorise publication on the Intranet	ALL ELT, ALL MAN, ALL SUP, EA-COM, EA-COR, EA- DEV, EA- INF, CEO - CEO	
Section C – Miscellaneous Issues	Power to make or authorise the making of submissions to external bodies	ALL ELT	
Section C – Miscellaneous Issues	Power to approve arrangements having important public relations aspect (e.g. opening ceremony for new facilities)	NA	
Section C – Miscellaneous Issues	Power to authorise expenditure on advertising and media	ALL ELT, MACE, MPC, MGR, GC	

# 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 permission to publish any document or publication	ALL ELT, MACE, MGR, GC	
Section C – Miscellaneous Issues	Power to authorise allocation or change over of garbage bins	DS, MWE, WSC	
Section C – Miscellaneous Issues	Power to serve statements under the <i>Land Acquisition and Compensation Act 1986</i>	DINF, MPF DS	
Section C – Miscellaneous Issues	Power to sign transfer-related documentation under the <i>Duties Act 2000</i>	DINF, MPF, PM	
Section C – Miscellaneous Issues	Power to authorise the release of deposit moneys under the <i>Sale of Land Act 1962</i>	DINF, MPF	
Section C – Miscellaneous Issues	Power to acquire or dispose of an interest in land other than the fee simple	DINF	To the limit of financial delegation
Section C – Miscellaneous Issues	Power to serve statutory notices in relation to land owned or managed by Council	DINF, MPF	

# 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 urgent repairs to buildings and equipment owned by Council (including replacement of equipment)	DINF, MPF, MO, MSA, MMP	To the limit of financial delegation
Section C – Miscellaneous Issues	Power to purchase or dispose of equipment and other fixed assets	DINF, MPF, MSA	To the limit of financial delegation
Section C – Miscellaneous Issues	Power to approve the purchase or hire of vehicles	DINF, MSA	To the limit of financial delegation
Section C – Miscellaneous Issues	Power to use credit cards	ALL ELT, ALL MAN, CBCCR, PBAO, EA – COM, WTL, FEC, CBCCC, CEO, PGOTL, EHC, ASOM, PGTL, PFO, LSM, EA – INF, WS, EDM, CSCC, EA – SUS, PGTA, LLA, SM, EA – COR, BM, ASO – CEO, SWTL, YCDO, ECEC, WSTL, PGATL, EPOE	To the limit 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 C – Miscellaneous Issues	Power to approve sponsorships and charitable donations	ALL ELT, ALL MAN	To the limit of financial delegation
Section C – Miscellaneous Issues	Power to verify identity for the purposes of property and land use matters	DS, DINF, MGR,	
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 <sup>2</sup>	ND	
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	

<sup>2</sup> Where an Act provides that an appointment or authorisation must be done by that Minister or Secretary. See eg: s 24ZW(2) of the *Prevention of Cruelty to Animals Act 1986*.  
Issue Date:

# 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 – Finance Issues	Designated level of Financial Delegation - \$500.00	WTL, YCDO	
Section A – Finance Issues	Designated level of Financial Delegation - \$2,000.00	ASO - CEO	
Section A – Finance Issues	Designated level of Financial Delegation - \$2,500.00	CSTL	
Section A – Finance Issues	Designated level of Financial Delegation - \$5,000.00	CBCCC, GO, EA - COM, EA - INF, LLA, PGTL, RRTL, SM, PBAO, CPL CSCS, AO, AOTL, BDTL, PGOTL, TPL, CBC, BMO, PFO, PO, ECERL-C, FRA, HRO,	
Section A – Finance Issues	Designated level of Financial Delegation - \$10,000.00	AFC, BM, CSCQ, EA - COR, EHC, GC, IDC, LLC, LSM, MBS, PM, QOM, BIM, ITC, RC, WS, POM, EDM, SWTL, DE, FRTL, ACC, FEC, TDM, RA, CEC, CDC, ASOM	
Section A – Finance Issues	Designated level of Financial Delegation - \$25,000.00	EO - CEO, WM, WSC, PGC	
Section A – Finance Issues	Designated level of Financial Delegation - \$50,000.00	MACE, ME, MFI, MPC, MICT, MPB, MAC, MO, MSA, MCP, MCS, MGR,	

# 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
		MCSC, MWE, MIP, MEB, MTAC, MCP, MPF	
Section A – Finance Issues	Designated level of Financial Delegation - \$100,000.00	MMP	
Section A – Finance Issues	Designated level of Financial Delegation - \$250,000.00	DCOR, DINF, DCOM, DS,	<p>Contract variations can only be approved where:</p> <ul style="list-style-type: none"> <li>* the variation is within budget; and</li> <li>* the cumulative variations do not exceed more than 20% of the total contract or \$50,000 (whichever is the lesser); and</li> <li>* the total contract value, inclusive of variations, is below the maximum financial delegation.</li> </ul>