

S13 Instrument of Delegation of CEO powers, duties and functions

Hepburn Shire Council

Instrument of Delegation

by

The Chief Executive Officer

Instrument of Delegation of CEO powers, duties and functions

By this Instrument of Delegation, in exercise of the power conferred by s 47(2) of the *Local Government Act 2020*, I, as Chief Executive Officer of Hepburn Shire Council –

1. delegate each duty and/or function and/or power respectively described in column 1 of the Schedule (and summarised in column 2 of the Schedule) to the member of Council staff holding, acting in or performing the duties of the office or position respectively described in column 3 of the Schedule;
2. record that references in the Schedule are as follows

Not Delegated means not delegated below Chief Executive Officer

CEO means Chief Executive Officer (Including Interim or Acting)

DCAC means Director Community and Corporate

DIAD means Director Infrastructure and Delivery

EMD means Executive Manager Development

EMPT means Executive Manager People and Transformation

All D means All Directors and Executive Managers

All M means All Managers

All C means All Coordinators

All S means All Supervisors with reports

All means All Staff

ACC means Accountant

AFPO means Assistant Fire Prevention Officer

AMS means Asset Management Specialist

ASBS means Assistant Building Surveyor

BAS means Building Administrator Support

BCSA means Building and Community Safety Administration

BUI means Building Inspector

CCE means Coordinator Customer Experience

CED means Coordinator Economic Development

CENG means Coordinator Engineering

CF means Coordinator Facilities

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| CFS | means Coordinator Financial Services |
| CPF | means Coordinator Finance and Procurement |
| CGE | means Coordinator Governance |
| CHCS | means Coordinator Health and Community Safety |
| CIC | means Coordinator Inclusive Communities |
| CIMO | means Corporate Information Management Officer |
| CMPP | means Coordinator Major Projects and Policy |
| COMOF | means Communications Officer |
| CPLAN | means Coordinator Statutory Planning |
| CPAC | means Coordinator People and Culture |
| CPAR | means Coordinator Parks |
| CRGO | means Corporate Reporting and Grants Officer |
| CRS | means Coordinator Recreation Services |
| CTAI | means Coordinator Transformation and Improvement |
| CSDE | means Civil and Survey Design Engineer |
| CSO | means Customer Service Officer |
| CSTL | means Customer Service Team Leader |
| CSY | means Community Safety Officer |
| CSUS | means Coordinator Sustainability |
| CW | means Coordinator Waste |
| CWHS | means Coordinator Work Health and Safety |
| CWK | means Coordinator Works |
| DSEO | means Development Services Enforcement Officer |
| EHO | means Environment Health Officer |
| EHTO | means Environment Health Technical Officer |
| ENGO | means Engineering Officer |
| GAD | means Governance Advisor |
| HO | means Heritage Officer |

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| IFO | means Information Officers |
| MBS | means Municipal Building Surveyor |
| MCAE | means Manager Community and Economy |
| MPC | means Manager People and Culture |
| MEM | means Manager Emergency Management |
| MEMO | means Municipal Emergency Management Officer |
| MFPO | means Municipal Fire Prevention Officer |
| MFCE | means Manager Facilities and Circular Economy |
| MFS | means Manager Financial Services |
| MGR | means Manager Governance and Risk |
| MICT | means Manager ICT |
| MOPS | means Manager Operations |
| MPS | means Manager Projects |
| MRM | means Municipal Recovery Manager |
| MPB | means Manager Planning and Building |
| MSTRP | means Manager Strategic Planning |
| MTL | means Maintenance Team Leaders |
| PAO | means Planning Administration Officer |
| PRS | means Procurement Specialist |
| PSP | means Principal Strategic Planner |
| RO | means Revenue Officer |
| SAP | means Statutory Planner |
| SARDO | means Sport and Active Recreation Development Officer |
| SARO | means Sport and Active Recreation Officer |
| SCSR | means Senior Coordinator Storm Recovery |
| SRO | means Senior Rates Officer |
| SRP | means Strategic Planner |
| SSF | means Safety Systems Facilitator |

SSP means Senior Strategic Planner

SUO means Subdivision Officer

3. record that on the coming into force of this Instrument of Delegation each delegation under the previous Instrument of Delegation of CEO powers, duties and functions executed by Hepburn Shire Council is revoked;
4. declare that this Instrument of Delegation -
 - 4.1 comes into force immediately upon its execution;
 - 4.2 remains in force until varied or revoked; and
 - 4.3 is subject to any conditions and limitations set out in paragraph 5, and in the Schedule; and
5. declare that the delegate must not determine the issue, take the action or do the act or thing 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.

This Instrument of Delegation is dated 19 September 2023 and is made by the Chief Executive Officer.

Signed by the Chief Executive Officer of Council



Bradley Thomas

In the presence of:



Dannielle Kraak

Date: 19 September 2023

SCHEDULE

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| CHILD WELLBEING AND SAFETY ACT 2005 | | | |
|--|---|-----------------|-------------------------------------|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s 29(2) | Function of receiving written notice and consenting to inspection of relevant premises by the Commission for Children and Young People | DCAC, MCAE, CIC | |
| s 29(3) | Power to consent to inspection of relevant premises without written notice by the Commission for Children and Young People | DCAC, MCAE, CIC | |
| s 36 | Duty to ensure that the Commission for Children and Young People is given any assistance reasonably required to perform functions | DCAC, MCAE, CIC | |
| s 43 | Function of receiving birth notice in certain circumstances | DCAC, MCAE, CIC | |
| s 45 | Duty to send a copy of a birth notice to a nurse or the Secretary | DCAC, MCAE, CIC | |
| s 46K(1)(g) | Power to authorise, in writing, a person employed or engaged by Council, in relation to childhood services implementation or policy, as a Child Link user | DCAC, MCAE, CIC | |
| s 46K(1)(h) | Power to authorise, in writing, a nurse employed or engaged by Council, to provide maternal and child health programs for a Maternal and Child Health service, as a Child Link user | DCAC, MCAE, CIC | |
| s 46N | Duty to notify the Secretary, if there is reasonable belief, that the person authorised under s 46K has | DCAC, MCAE, CIC | |

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| | ceased (a) to be a registered teacher and (b) hold a current Working With Children clearance under the Worker Screening Act 2020. | | |
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| EMERGENCY MANAGEMENT ACT 2013 | | | |
|--------------------------------------|--|-----------------|--------------------------------------|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s 54(1)(a)(vii) | Power to nominate a person, position or role to be a member of the Regional Emergency Management Planning Committee | DIAD | |
| s 59B(1)(b) | Power to nominate a member of Council staff to be the chairperson of the Municipal Emergency Management Planning Committee | DIAD | Delegates cannot nominate themselves |
| s 74E(3)(d) | Function of receiving a copy of any Orders made by Governor in Council under this section | DIAD | |

| FINES REFORM ACT 2014 | | | |
|------------------------------|---|------------------|---------------------------------------|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s 175(1)(b) | Power to certify that exceptional circumstances apply requiring Council not to provide required information | DCAC, MSTRP, MPB | Where Council is a 'specified agency' |

| FIRE SERVICES PROPERTY LEVY ACT 2012 | | | |
|---|--|-----------------|--|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s 66 | Power to disclose information in capacity as a collection agency unless that information will or is likely to identify a particular person | All D | s 66 does not apply if the disclosure is permitted by, or is necessary for the administration of, this Act |
| s 68(1)(b) | Power to authorise the secondary disclosure of information obtained under, or in relation to the administration of, this Act | All D | |

| FOOD ACT 1984 | | | |
|----------------------|--|-----------------|-------------------------------------|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s 50AB | Function of signing a certificate under this Act | MFCEEMD, CHCS | |

| FREEDOM OF INFORMATION ACT 1982 | | | |
|--|---|-----------------|---|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s 6W(4) | Duty to ensure that all officers and employees are informed about the requirements of the professional standards | DCAC, MGR, CGE | |
| s 8(2) | Duty to make certain documents available for inspection and purchase | DCAC, MGR, CGE | |
| s 8(3) | Duty to cause to be prepared a corresponding document, altered only to the extent necessary to exclude exempt matter | DCAC, MGR | |
| s 8(5) | Duty to cause the fact of the existence of a document to be published | DCAC, MGR | |
| s 61E | Duty to co-operate with the Information Commissioner in dealing with a complaint | DCAC, MGR | |
| s 61G | Function of consulting with the Information Commissioner | DCAC, MGR | |
| s 61GA(1)(a) | Function of processing or identifying a reasonable sample of the documents upon notice from the Information Commissioner | DCAC, 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 | DCAC, MGR, CGE | Where the Information Commissioner believes that an agency, principal officer or Minister has failed to undertake an |

| FREEDOM OF INFORMATION ACT 1982 | | | |
|--|---|-----------------|---|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| | Minister, upon notice from the Information Commissioner | | 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 | DCAC, MGR | |
| s 61GA(3) | Power to apply for extension | DCAC, MGR | |
| s 61H | Power to reach an agreement with a complaint | DCAC, MGR | |
| s 61I(2) | Power to make submissions in relation to a complaint | DCAC, MGR | |
| s 61L(5) | Power to comment on and response to a draft recommendation or draft comment | DCAC, MGR | |
| s 61R(4) | Power to respond to adverse material | DCAC, MGR | |
| s 63BA(1) | Power to apply to the Supreme Court for a determination | DCAC, MGR | |
| s 63BA(4)(a) | Power to make an application | DCAC, MGR | |
| s 63E(3)(b) | Power to give written consent to a disclosure | DCAC, MGR | |
| s 64B | Duty to give the Information Commissioner any information referred to in s 64(2) | DCAC, MGR | |

| INDEPENDENT BROAD-BASED ANTI-CORRUPTION COMMISSION ACT 2011 | | | |
|--|--|-----------------|---|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s 41 | Power of receiving information acquired by the Independent Broad-based Anti-corruption Commission (IBAC) | DCAC, MGR | |
| s 57 | Duty to notify IBAC of any matter believed to constitute corrupt conduct | DCAC, MGR | Subject to any exemption notices issued under s 57B |
| s 57A(5) | Duty to comply with Directions made by IBAC under s 57A | DCAC, MGR | |
| s 59D(2) | Duty to comply with request by IBAC under s 59D for relevant information | DCAC, MGR | |
| s 73 | Power of receiving a complaint pertaining to Council staff, under circumstances in which it would be more appropriate for Council to conduct the investigation | DCAC, MGR | |
| s 159 | Power of receiving IBAC recommendations about the action to be taken following an IBAC investigation | DCAC, MGR | |
| s 162(2) | Power of receiving and responding to an IBAC special report that includes matters pertaining to Council | DCAC, MGR | |
| s 163(3) | Power of receiving written information about the commencement, conduct or results of an IBAC investigation pertaining to Council | DCAC, MGR | |

| INDEPENDENT BROAD-BASED ANTI-CORRUPTION COMMISSION ACT 2011 | | | |
|--|---|-----------------|-------------------------------------|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s 165(2) | Power of receiving and responding to IBAC material that includes matters pertaining to Council, to be published in the IBAC annual report | DCAC, MGR | |

| LOCAL GOVERNMENT ACT 2020 | | | |
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| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s 32(4)(a) | Duty to ensure that the Councillor induction training is available to be taken by a Councillor from the day the Councillor takes the oath or affirmation of office | All D, MGR | |
| s 32(4)(b) | Duty to provide reasonable assistance to a Councillor to enable them to access the Councillor induction training | All D, MGR | |
| s 46(1)(a) | Function of supporting the Mayor and the Councillors in the performance of their roles | All D, MGR | |
| s 46(1)(b) | Function of ensuring the effective and efficient management of the day to day operations of the Council | All M | |
| s 46(3)(a) | Duty of establishing and maintaining an organisational structure for the Council | MPC, CPAC, EMPT | |
| s 46(3)(b) | Responsibility for appointing, directing, managing and dismissing Council staff and for all other issues relating to Council staff | All M | Subject to section 48(6) prohibiting appointment of a person who has been a Councillor of the Council within 2 years after the person ceases to hold that office |
| s 46(3)(b) | Power to approve the filling of vacancies or the creation, reclassification, or abolition of positions within budget | Creation, reclassification or abolition - Not Delegated Filling of vacancies for like appointments – All M | Subject to section 48(6) prohibiting appointment of a person who has been a Councillor of the Council within 2 years after the person ceases to hold that office |
| s 46(3)(b) | Power to fix salaries for vacant positions | Not Delegated | |

| LOCAL GOVERNMENT ACT 2020 | | | |
|----------------------------------|---|------------------------------------|--|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s 46(3)(b) | Power to approve the appointment, engagement or promotion of full time, part time and casual staff | All D, CPAC, All M (within budget) | Subject to section 48(6) prohibiting appointment of a person who has been a Councillor of the Council within 2 years after the person ceases to hold that office |
| s 46(3)(b) | Power to approve position descriptions | All D, All M, CPAC | |
| s 46(3)(b) | Power to create or approve creation of new positions | Not Delegated | |
| s 46(3)(b) | Power to conduct disciplinary action under relevant awards and policies | All D; All M | |
| s 46(3)(b) | Power to terminate or suspend the employment of, or to suspend from duty, a member of Council staff | Not Delegated | |
| s 46(3)(b) | Power to conduct interviews for staff annual review | All D; All M; All S | |
| s 46(3)(b) | Power to authorise sick, annual and family leave | All D; All M, All S | |
| s 46(3)(b) | Power to approve long service leave and compassionate leave | All D; All M, All S | |
| s 46(3)(b) | Power to authorise all forms of study and training leave and educational assistance | All D; All M | |
| s 46(3)(b) | Power to approve leave without pay | All D; All M; MPC; CPAC | |
| s 46(3)(b) | Power to authorise time sheets, higher duties, time-in-lieu, overtime and travel expense claims | All D; All M, All S | |

| LOCAL GOVERNMENT ACT 2020 | | | |
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| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s 46(3)(b) | Power to approve attendance at conferences and seminars by staff | All D; All M | Within Budget |
| s 46(3)(b) | Power to approve attendance at training programs by staff | All D; All M, All S | Within budget |
| s 46(3)(b) | Power to give approval for staff to travel | All D; All M, All S | Within Victoria only. Interstate travel to be approved by Director. |
| s 46(3)(b) | Power to approve travel accommodation for staff | All D; All M, All S | Within budget |
| s 46(3)(b) | Power to sign Notice of Injury and Work Injury Form | All D; MPC, SSF, CPAC, CWHS | |
| s 46(3)(b) | Power to approve claims under WorkCover excess | All D; MPC, CPAC, CWHS | |
| s 46(3)(b) | Power to approve expenses relating to an approved course of study for staff | All D; All M | Within budget |
| s 46(3)(b) | Power to approve staff engaging in other employment | Not Delegated | |
| s 46(3)(b) | Power to determine acceptance or denial of liability in the event of a WorkCover claim | All D. MPC, CPAC, CWHS | |
| s 46(3)(b) | Power to sign Letter of Acceptance of Resignation | All D; All M; CPAC | |
| s 46(3)(b) | Power to provide references on Council letterhead | Not Delegated | |
| s 46(3)(b) | Power to authorise access to a staff member's personal file | All D; All M; CPAC | Within area of responsibility |

| LOCAL GOVERNMENT ACT 2020 | | | |
|----------------------------------|--|-----------------|-------------------------------------|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s 46(4)(a) | Duty to develop and maintain a workforce plan that describes the organisational structure of the Council and specifies the projected staffing requirements for a period of at least 4 years and sets out measures to seek to ensure gender equality, diversity and inclusiveness | DCAC, MPP, CPAC | |
| s 46(4)(b) | Duty to inform the Council before an organisational restructure that will affect the capacity of the Council to deliver the Council Plan is implemented | All D, MPC | |
| s 46(4)(c) | Duty to consult members of Council affected by a proposed organisational restructure, before the organisational restructure is implemented | All D, MPC | |
| s 46(5) | Duty to, in giving effect to gender equality, diversity and inclusiveness, comply with any processes and requirements prescribed by the regulations for the purposes of this section of this Act | All D, All M | |
| s 46(6) | Duty to ensure that the Mayor, Deputy Mayor, Councillors and members of Council staff have access to the workforce plan | All D, MPC | |
| s 47(6) | Duty to submit an annual report to the Council in relation to the activities and performance of a Community Asset Committee in respect of which the members have been given a delegation under this section | All D, MGR, CGE | |

| LOCAL GOVERNMENT ACT 2020 | | | |
|----------------------------------|--|-----------------|--|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s 47(7) | Duty to keep a register of delegations under section 47 of this Act | DCAC, MGR, CGE | |
| s 48(1) | Power to appoint as many members of Council staff as are required to enable the functions of the Council under this Act or any other Act to be performed | Not Delegated | Subject to section 48(6) prohibiting appointment of a person who has been a Councillor of the Council within 2 years after the person ceases to hold that office |
| s 48(2) | Duty to adopt and maintain a recruitment policy addressing the matters listed in s 48(2) | MPC | |
| s 49(1) | Duty to develop and implement a code of conduct for members of Council staff | MPC | Must develop and implement the first code of conduct within 6 months of commencement of this section |
| s 49(4) | Duty to ensure that members of Council staff have access to the code of conduct for members of Council staff | MPC, CPAC | |
| s 54(6) | Duty to ensure the preparation and maintenance of agendas, minutes and reports of the Audit and Risk Committee | DCAC, MGR | |
| s 97(1) | Duty to ensure that a quarterly budget report is presented to the Council at a Council meeting which is open to the public | DCAC, MFS | |

| LOCAL GOVERNMENT ACT 2020 | | | |
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| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s 105 | Power to designate a person as a Principal Accounting Officer | All D, MFS | |
| s 109(2) | Duty to ensure that any report of the Council that recommends entering into a procurement agreement includes information in relation to any opportunities for collaboration with other Councils or public bodies which may be available | All D, MGR | |
| s 121 | Function of receiving application for land information certificate | All D, MFS | |
| s 122 | Function of receiving acquisition notice | DCAC, MFS, CFS, RO, SRO,CFP | See prescribed information under r 7 of the <i>Local Government (Land Information) Regulations 2021</i> |
| s 130(7) | Duty to notify the Chief Municipal Inspector as soon as practicable after the Chief Executive Officer becomes aware that a relevant person, who is a member of Council staff, has failed to disclose a conflict of interest | All D, MGR | |
| s 130(8) | Duty to notify the Council if a relevant person, who is not a Councillor or member of Council staff, fails to disclose a conflict of interest and make a recommendation to the Council as to the action that is to be taken | All D, MGR | |
| s 132(1) | Power to nominate a 'nominated officer' | Not delegated | |

| LOCAL GOVERNMENT ACT 2020 | | | |
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| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s 133 | Function of receiving an initial personal interests return | DCAC, MGR, CGE | |
| s 134 | Function of receiving a biannual personal interests return | DCAC, MGR, CGE | |
| s 135(1) | Duty to prepare a summary of the personal interests information disclosed in the last personal interests return lodged with the Chief Executive Officer | DCAC, MGR, CGE | |
| s 135(3) | Duty to ensure the summary of personal interests is published on the Council's Internet site and available for inspection at the Council office | DCAC, MGR, CGE | |
| s 136(1) | Duty to ensure that personal interests return are kept in accordance with the Public Records Act 1973 | DCAC, MGR, CGE | |
| s 136(2) | Duty to ensure that only the 'specified persons' have access to or can inspect a personal interests return | DCAC, MGR, CGE | |
| s 150(1) | Duty to appoint the Councillor Conduct Officer and notify the Principal Councillor Conduct Registrar of the appointment | DCAC, MGR | |
| s 230(16) | Duty to summon a Council Meeting within 14 days after the public declaration of the election result | DCAC, MGR | |
| s 240(10) | Duty to send notice | DCAC, MFS, CFS, CFP, RO | |
| s 240(11) | Duty to send notice | DCAC, MFS, CFS, CFP, RO | |

| LOCAL GOVERNMENT ACT 2020 | | | |
|----------------------------------|---|-----------------------------|-------------------------------------|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s 240(12) | Duty to send notice | DCAC, MFS, CFS, CPF RO | |
| s 246(1) | Duty to enrol a person following receipt of a written application for enrolment unless she or he believes the personal is not entitled to be enrolled | DCAC, MFS, CFS, CFP, RO | |
| s 246(2) | Power to refuse enrolment and duty to give written reasons for refusal application for enrolment | DCAC, MFS, CFS, CFP, RO | |
| s 246(3) | Power to request information orally or in writing to enable her or him to determine a person's eligibility for enrolment | DCAC, MFS, CFS, CFP, RO | |
| s 246(4) | Power to require information to be given in writing and signed by the person giving the information | DCAC, MFS, CFS, CFP RO | |
| s 247(3) | Power to decide whether address should be placed on voters' roll and to then take action accordingly | DCAC, MFS, CFS, CFP RO | |
| s 247(4) | Duty to notify the person in writing of a decision to grant or refuse a request to remove the person's address from Council voters' roll | DCAC, MFS, CFS, CFP RO | |
| s 248(1) | Duty to supply to the Victorian Electoral Commission list of voters who appear to be entitled to be enrolled as ratepayers or corporation representatives and any information required by the Victorian Electoral Commission to compile or amend the voters' roll | DCAC, MGR, MFS, CFS, CFP RO | |

| LOCAL GOVERNMENT ACT 2020 | | | |
|----------------------------------|--|------------------------------|--------------------------------------|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s 248(2) | Power to include in the list supplied to the Victorian Electoral Commission people whose address on the rate notice is outside of the municipal district | DCAC, MGR, MFS, CFS, CFP, RO | For the purposes of section 243 |
| s 254(1) | Power to use the Council voters' roll for communicating or consulting the local community on the performance of the Council's functions | All D | Subject to section 254(2)(a) and (b) |
| s 254(2) | Duty to obtain undertaking | DCAC, MGR | |
| s 254(4) | Power to request the Victorian Electoral Commission to provide a copy of the voters' roll | DCAC, MFS, MGR, CGE | |
| s 258(8) | Duty to notify the Minister and the Victorian Electoral Commission that an extraordinary vacancy has occurred within 3 days of receiving a written resignation from a Councillor or becoming aware of an extraordinary vacancy | DCAC, MGR | |
| s 306(1) | Function of receiving election campaign donation return | DCAC, MGR, CGE | |
| s 307(1)(a) | Duty to submit a report to the Minister specifying details of the candidates in the election and who submitted an election campaign donation return within 14 days after the period specified in section 360(1) | DCAC, MGR | |

| LOCAL GOVERNMENT ACT 2020 | | | |
|----------------------------------|--|-----------------|-------------------------------------|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s 307(2) | Duty to provide a summary of each election campaign donation return given to the Chief Executive Officer on the Council's Internet site | DCAC, MGR | |
| s 307(3) | Duty to ensure that a summary of the return is made available on the Council's Internet | DCAC, MGR | |
| s 308(2) | Duty to ensure that a summary of an election campaign donation return is made available on the Council's Internet site until the close of the roll for the next general election | DCAC, MGR | |
| s 308(3) | Duty to ensure that a copy of an election campaign donation return is available for inspection at the Council's office for a period of 4 years from the date specified in section 360(1) | DCAC, MGR | |
| s 313(2) | Power to represent the Council in all respects as though the person was the party concerned in any proceedings in which the Council is a party or has an interest | All D | |
| s 324(2) | Power to sign a certificate certifying any matter relating to the contents of any document kept by a Council | All D | |

| LOCAL GOVERNMENT ACT 2020 | | | |
|----------------------------------|---|----------------------|-------------------------------------|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s 181G | Duty to ensure that quarterly statement prepared under section 138 of Local Government Act 1989 includes relevant details of environmental upgrades and charges | DCAC, EMPT, MPC, MFS | |

| PLANNING AND ENVIRONMENT ACT 1987 | | | |
|--|--|-----------------------------------|---|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s 140 | Power to certify copies of instruments, documents, maps or plans under this Act | EMD, MSTRP, MPB | Where the Council is the relevant responsible authority |
| s 141 | Power to provide evidentiary statement pertaining to land use and permits under this Act | EMD, MSTRP, MPB, CPLAN, SSP, DSEO | Where the Council is the relevant responsible authority |
| s 142 | Power to provide evidentiary statement pertaining to s 173 agreements under this Act | EMD, MSTRP, MPB, CPLAN, SSP, DSEO | Where the Council is the relevant responsible authority |

| PUBLIC HEALTH AND WELLBEING ACT 2008 | | | |
|---|---|-----------------|-------------------------------------|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s 226(2) | Power to sign evidentiary certificates under this Act | DCAC, MCAE | |

| PUBLIC INTEREST DISCLOSURES ACT 2012 | | | |
|---|------------------------------------|-----------------|-------------------------------------|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s 12(2) | Function of receiving a disclosure | MGR | |

| ROOMING HOUSE OPERATORS ACT 2016 | | | |
|---|--|-------------------|-------------------------------------|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s 4 | Function of liaising with Business Licensing Authority | All D, MFCE, CHCS | |
| s 15(1) | Duty to provide information to Business Licensing Authority on request | All D, MFCE, CHCS | |
| s 15(2) | Duty to give a report to Business Licensing Authority on inquiries made in response to request under s 15(1) | All D, MFCE, CHCS | |
| s 24(2) | Duty to give a report to Business Licensing Authority on inquiries made in response to request under s 24(1) | All D, MFCE, CHCS | |

| SERVICE VICTORIA ACT 2018 | | | |
|----------------------------------|---|-----------------|--|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s 5(2) | Function of receiving a copy of the agreement made under s 5(1) | All D, All M | |
| s 5(4) | Function of receiving a copy of a notice under s 5(3) | All D, All M | |
| s 6 | Duty to use best endeavours to give effect to a notice under s 5(3) which applies to Council | All D, All M | |
| s 7(3) | Function of receiving a copy of the agreement made under s 7(1) | All D, All M | |
| s 7(4) | Function of receiving a copy of a notice under s 7(3) | All D, All M | |
| s 8(2) | Power to delegate the transferred customer service function to any person or class of person employed by, or acting on behalf of, the service agency from which the function is transferred | All D, All M | Where Council's CEO has been transferred a transferred customer service function |
| S 9A(1) | Power to agree in writing for the Service Victoria CEO to perform a customer service function | All D, All M | |
| s 10(2) | Function of receiving a copy of the agreement made under s 10(1) | All D, All M | |
| S 10(4) | Function of receiving a copy of a notice under s 10(3) | All D, All M | |
| s 11 | Duty to use best endeavours to give effect to a notice under s 10(3) which applies to Council | All D, All M | |

| SERVICE VICTORIA ACT 2018 | | | |
|----------------------------------|---|-----------------|---|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s 12(3) | Function of receiving a copy of the agreement made under s 12(1) | All D, All M | |
| s 12(4) | Function of receiving a copy of a notice under s 12(2) | All D, All M | |
| s 13(2) | Power to delegate the transferred identity verification function to any person or class of person employed by, or acting on behalf of, the service agency from which the function is transferred | All D, All M | Where Council's CEO has been transferred a transferred identity verification function |
| s 14A(1) | Power to agree in writing for the Service Victoria CEO to perform an identity verification function | All D, All M | |
| s 24A(2)(a) | Function of agreeing on form of delivery | All D, All M | |
| s 47A(1) | Power to enter into an agreement with Service Victoria CEO for Service Victoria CEO to establish and maintain a database for the purpose of recording information | All D, All M | Note: Minister must approve the establishment and maintenance of a database |
| s 47G(1) | Power to request the Service Victoria CEO to, in whole or in part: (a) close a database established or maintained under s 47A (b) transfer the database (c) with agreement of another service agency, transfer the database to the other agency or related party | All D, All M | |

| SHERIFF ACT 2009 | | | |
|-------------------------|--|-----------------|-------------------------------------|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s 54 | Power to exempt Council from providing information to the Sheriff otherwise authorised by a warrant if exceptional circumstances apply | All D | |

| TOBACCO ACT 1987 | | | |
|-------------------------|--|-------------------|-------------------------------------|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s 36 | Power to nominate a person to be appointed as an inspector | All D, MFCE, CHCS | |

| VALUATION OF LAND ACT 1960 | | | |
|-----------------------------------|-------------------------------------|-----------------|-------------------------------------|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s 3(5)(ba) | Power to request valuations of land | DCAC, MFS | |

| VICTORIAN DATA SHARING ACT 2017 | | | |
|--|---|------------------------|--|
| Column 1 | Column 2 | Column 3 | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s 8(1) | Function of receiving a written notice to provide the Chief Data Officer with data held by Council, and data that is specified in the Chief Data Officer's notice | DCAC, EMPT, MICT, MGR | |
| s 11(1) | Function of receiving a written notice to provide information about Council's data holding | DCAC, EMPT, MICT, MPGR | |
| s 15(1) | Power to disclose identifiable data to the Chief Data Officer in response to a request under s 8 | DCAC, EMPT, MICT, MGR | In accordance with s 5 |
| s 15(2) | Power to disclose identifiable data to a data analytics body for the purpose of data integration | DCAC, EMPT, MICT, MGR | In accordance with s 5 |
| s 21 | Duty to inform the Chief Data Officer of the secrecy provisions which apply to the disclosed data | DCAC, EMPT, MICT, MGR | Where the CEO is aware of secrecy provisions that apply to data that they have disclosed in accordance with this Act |

| VICTORIAN INSPECTORATE ACT 2011 | | | |
|--|---|-----------------------|-------------------------------------|
| Column 1 | Column 2 | | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s 87(2) | Function of responding to adverse material the Victorian Inspectorate intends to include in a report | DCAC, EMPT, MICT, MGR | |
| s 91(2) | Function of responding to adverse material the Victorian Inspectorate intends to include in annual report | DCAC, EMPT, MICT, MGR | |

| LOCAL GOVERNMENT (ELECTORAL) REGULATIONS 2020 | | | |
|--|--|--------------------------|-------------------------------------|
| Column 1 | Column 2 | | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| r 15(1) | Duty to provide details of a person's entitlement to be enrolled as a ratepayer on the voters' roll | DCAC, MFS, CFS, CPF, MGR | |
| r 15(2) | Power to exchange relevant information to enrolment entitlements with the VEC | DCAC, MFS, CFS, CPF, MGR | |
| r 18 | Duty to maintain a list of silent voters | DCAC, MFS, CFS, CPF | |
| r 19 | Duty to ensure that only authorised persons have access to details of silent voters | DCAC, MFS, CFS, CPF | |
| r 33 | Duty to cause the Local Government Candidate Training to be conducted | DCAC, MGR | |
| r 34 | Function of receiving prescribed information from person undertaking Local Government Candidate Training | DCAC, MGR | |
| r 35 | Duty to keep a register of attendance | DCAC, MGR | |
| r 36(2) | Duty to comply with notice under subsection (1) | DCAC, MGR | |
| r 83 | Duty to submit report on election received by the VEC to Council | DCAC, MGR | |

| LOCAL GOVERNMENT (GOVERNANCE AND INTEGRITY) REGULATIONS 2020 | | | |
|---|---|-----------------|-------------------------------------|
| Column 1 | Column 2 | | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| r 5(b) | Power to approve the taking of the oath or affirmation of office by means of an audio visual link for the purpose of s 30 of the <i>Local Government Act 2020</i> | DCAC, MGR, CGE | |

| LOCAL GOVERNMENT (LAND INFORMATION) REGULATIONS 2021 | | | |
|---|--|----------------------|-------------------------------------|
| Column 1 | Column 2 | | Column 4 |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| r 5(2) | Power to sign a land information certificate | All D, MFS, CFS, CFP | |