



Instrument of Sub-Delegation By The Chief Executive Officer To Members of Council Staff

(Of all powers that the CEO may delegate under the generality of delegations under Division 7, section 47 of the *Local Government Act 2020*, Section 58(1) of the *Food Act 1984* and section 188(1) of the *Planning and Environment Act 1987* and arising out of or connected with any power conferred on Council by or under any Act and that has been delegated to the CEO.)

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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, as Chief Executive Officer of Hume City Council –

1. delegate each power 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 duties of the office or position described opposite each such power in column 3 of the Schedule;
2. Record that references in the Schedule are as follows:

| | | |
|-------------------------|-------|---|
| ADS | means | Advisor – Digital and Social |
| All Coordinators | means | all fourth line Coordinators |
| All Directors | means | all second line Directors |
| All Executive | means | Executive Team, including: CFO, CPO, DCP, DCSL, DCUS, DCSL, DIA |
| All Managers | means | all third line Managers |
| All Staff | means | all staff within the organisation |
| All Team Leaders | means | all fifth line Team Leaders |
| AME | means | Assistant Manager Engineering |
| AMSA | means | Asset Management Systems Administrator |
| AOIM | means | Administration Officer - Infringement Management |
| AOP | means | Administration Officer Parks |
| CACS | means | Coordinator Assessment and Community Support |
| CBUM | means | Coordinator Building Maintenance |
| CCAPW | means | Coordinator Subdivision Supervision |
| CCITL | means | Coordinator City Laws |
| CCIVR | means | Coordinator Civil Reporting and Works |
| CCOMC | means | Coordinator Community Capacity Building |
| CDEVW | means | Coordinator Development Works |
| CENVS | means | Coordinator Environmental Services |
| CEO | means | Chief Executive Officer |
| CACE | means | Coordinator Arts, Culture and Events |
| CFINA | means | Coordinator Financial Accounting |
| CFLEE | means | Coordinator Fleet |
| CFO | means | Chief Financial Officer |
| CGOV | means | Coordinator Governance |
| CHOMS | means | Coordinator Home Support Services |
| CIS | Means | Coordinator Integrity Support |
| CIO | means | Chief Information Officer |
| CLAWO | means | City Laws Officer |
| CPAY | means | Coordinator Payroll |
| CPO | means | Chief People Officer |
| CPOPH | means | Coordinator Population Health and Social Policy |
| CPROC | means | Coordinator Procurement |
| CPROJ | means | Coordinator Projects and Contracts |
| CPRLO | means | Coordinator Property & Leasing |
| CPUBH | means | Coordinator Public Health |
| CREV | means | Coordinator Revenue |
| CRISM | means | Coordinator Risk Management |
| CTECS | means | Coordinator Technical Services |
| CTRAF | means | Coordinator Traffic |
| CUSO | means | Customer Service Officer |
| CWASC | means | Coordinator Waste and Cleansing Services |
| DCPP | means | Director City Planning & Places |
| DCSL | means | Director City Services & Living |
| DCUS | means | Director Customer & Strategy |

| | | |
|--------------|-------|---|
| DIA | means | Director Infrastructure & Assets |
| DMBS | means | Deputy Municipal Building Surveyor |
| EHO | means | Environmental Health Officer |
| EMERC | means | Emergency Recovery Coordinator |
| ENG | means | Engineer |
| EXECO | means | Executive Officer |
| EXECS | means | Executive Officer Community Services |
| GMHL | means | Group Manager Hume Leisure |
| HRA | means | Human Resources Advisor |
| HRG | means | Human Resources Generalist |
| LANDP | means | Landscape Planner |
| LITO | means | Litter Enforcement Officer |
| MANA | means | Management Accountant |
| MAL | Means | Manager Active Living |
| MASS | means | Manager Assets |
| MBS | means | Municipal Building Surveyor |
| MCD | Means | Manager City Design |
| MCIPO | means | Manager City Parks & Open Spaces |
| MCITL | means | Manager City Life |
| MCITS | means | Manager City Safety |
| MCOMH | means | Manager Community Health & Wellbeing |
| MEMO | means | Municipal and Emergency Management Officer |
| MFAMY | means | Manager Family, Youth & Children |
| MFIN | means | Manager Finance |
| MFPO | means | Municipal Fire Prevention Officer |
| MGOV | means | Manager Governance |
| MINFD | means | Manager Infrastructure Delivery |
| MMAJP | means | Manager Major Projects |
| MPEO | means | Manager People & Culture |
| MPLAD | means | Manager Planning and Development |
| MSTRC | means | Manager Strategic Communications & Advocacy |
| MCST | means | Manager City Strategy |
| MWASS | means | Manager Waste & Sustainability |
| NAGAO | means | Northern Alliance for Greenhouse Action Executive Officer |
| PAYO | means | Payroll Officer |
| PIDC | means | Public Interest Disclosure Coordinator |
| PMO | means | Program Manager |
| PROS | means | Prosecutor |
| RESPO | means | Research Project Officer |
| RMO | means | Risk Management Officer |
| RTWO | means | Return to Work Officer |
| SIAA | Means | Senior Investment Attraction Advisor |
| SVEA | means | Senior Visitor Economy Advisor |
| SENG | means | Senior Engineer |
| SGO | means | Senior Governance Officer |
| SHRA | means | Senior Human Resources Advisor |
| SIO | means | Senior Integrity Officer |
| SLOC | means | Senior Lead Organisational Capability |
| SMAYC | means | Senior Mayor and Councillor Support Officer |
| SNBM | means | StartNorth Business Manager |
| SSUBO | means | Senior Subdivisions Officer |
| SSUSE | means | Senior Sustainable Environment Officer |
| SUBO | means | Subdivisions Officer |
| SVAL | means | Senior Valuer |
| TLINF | means | Team Leader Infringements |
| CSEL | Means | Coordinator Subdivision Engineering & Landscape |

- record that on the coming into force of this Instrument of Sub-Delegation each delegation under the Instrument of Sub-Delegation dated **17/08/2023** and executed by Sheena Frost is revoked.

4. declares that the Instrument of 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 Schedule; and
 - 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 be likely to involve a decision which is inconsistent with a:
 - a) policy; or
 - b) strategyadopted 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.

This Instrument of Sub-Delegation is dated 22 DECEMBER 2023 and is made by the Chief Executive Officer under authority of an Instrument of Delegation authorised by Council resolution on 25 October 2021.

SIGNED by



Sheena Frost

in the presence of:



Witness Signature

AIDA BAPTISTA

Witness Name

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SCHEDULE

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| ABORIGINAL HERITAGE ACT 2006 | | | |
|------------------------------|--|-----------------|--------------------------|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & 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> | DCPP/MPLAD/MCST | |
| s.74A(1) | Power to enter into an Aboriginal heritage land management agreement with a registered Aboriginal party | DCPP/MPLAD/MCST | |

| ASSOCIATIONS INCORPORATION REFORM ACT 2012 | | | |
|---|---|-----------------|---|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.132 | Power to nominate a body to which assets should be returned | CFO | Where a wound-up incorporated association has assets consisting of property supplied by Council (which includes the unexpended portion of a grant). |

| AUDIT ACT 1994 | | | |
|-----------------------|--|-----------------|-------------------------------------|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s 13(4) | Power to dispute the reasonableness of an amount to be paid | CFO/MFIN | |
| s 23(1) | Power to enter into an agreement with the Auditor-General for the provision of other auditing services | CFO/MFIN | |
| s 45 | Power to consent to earlier entry | CFO/MFIN | |
| s 46(1) | Power to request that the Auditor-General, or authorised person, produce proof of identity | CFO/MFIN | |
| s 48 | Power to request that the Auditor-General or authorised person serve an information gathering notice | CFO/MFIN | |

| BUILDING ACT 1993 | | | |
|--------------------------|--|-----------------|--|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.3(1) | Power to appoint a municipal building surveyor ("MBS") | NOT DELEGATED | The power remains with the CEO. The person must be a registered building surveyor (unlimited) as required by section 213. |
| 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 | DCPP/MPLAD/MBS | |
| s.123(2) | Power to determine whether to apply any sum or part of any sum for which a bond or undertaking is deposited with Council under a condition imposed on a permit under s 22 of the Act towards the costs of carrying out work or taking action pursuant to s 123(2) of the Act | DCPP/MPLAD/MBS | |
| s 138(5) | Power to appeal to the Building Appeals Board | DCPP/MPLAD | Where Council is a 'prescribed reporting authority' |
| s.160(3)(d) | Power to make application to the Building Appeals Board | DCPP/MPLAD/MBS | |
| s.164(1) | Power to agree to terminate or vary an agreement | DCPP/MPLAD/MBS | |
| s.164(2) | Power to terminate or vary an agreement | DCPP/MPLAD/MBS | |
| s.164(4) | power to apply for approval | DCPP/MPLAD/MBS | |
| s.214(1) | Power to enter into an agreement | DCPP | |
| s.215(1) | Power to enter into agreements with a private building surveyor | DCPP | Note –the section provides that despite anything to the contrary in the Local |

| BUILDING ACT 1993 | | | |
|--------------------------|--|---------------|---|
| | | | Government Act 1989, a council may enter into an agreement with a private building surveyor to carry out the powers under this Act and the Regulations of the municipal building surveyor of the council. |
| s.216A | Power to apply to the Minister for exemption | NOT DELEGATED | Note – section 216A(1) provides that a council may apply to the Minister to exempt its municipal building surveyor from any requirement to consider applications for building permits for building work other than prescribed domestic building work. |
| s.216C | Power to appoint a MBS to carry out certain functions outside the municipal district | DCPP | Note – the section provides that a MBS of a council, with the consent of that council, may be appointed to carry out various powers under this Act in respect of land outside the municipal district of that council. |
| s 216D | Duty of maintaining a register in accordance with s 216D(4) of the Act | MBS/DMBS | Where Council is the ‘relevant Council’ |
| s 216D(5) | Duty to submit the requested information to the Victorian Building Authority | MBS/DMBS | Where Council is the ‘relevant Council’ |
| 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 | DCPP | |

| BUILDING ACT 1993 | | | |
|--------------------------|---|---------------------|--|
| s 236(7) | Power to consent to remove or deface an order or notice put up under s 236(4) or 236(4A) | MBS | |
| s.240 | An owner of a building or land may in writing authorise another person to make any application, appeal, referral or representation under this Act on behalf of the owner. | CFO/MFIN | This power as sub-delegated to the CFO and MFIN can only be exercised where Council is the landowner. |
| 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) | DCPP/MPLAD/MBS | |
| 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 | DCPP/MPLAD/MBS/DMBS | |
| s.259AB(3) | Power to request and receive information held by the Authority, and power to disclose information to the Authority | DCPP/MPLAD/MBS/DMBS | 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 |
| s.259AB(5) | Power to, despite any other Act or law of the State, refer a matter referred to in sub-sections 259AB(4) to the Authority, or to conduct an investigation into the matter jointly with the Authority | DCPP/MPLAD/MBS/DMBS | |
| sch2 cl.4(4) | Power to fix fees in accordance with clause 4(5) | NOT DELEGATED | Fees must be determined and approved by Council as part of Council's annual budget. |

| CATCHMENT AND LAND PROTECTION ACT 1994 | | | |
|---|--|-------------------------|-------------------------------------|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.22E(2) | Power to apply in writing to the Minister to request an extension of time to submit the proposed roadside weed and pest animal management plan | DIA/MWASS DCPP/MPLAD | |
| 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 | DIA/MWASS DCPP/MPLAD | |

CHILD WELLBEING AND SAFETY ACT 2005

| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
|-----------|---|------------|--|
| 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. | DCSL/MFAMY | |
| s.41J | Power to apply to VCAT for a review of the sector regulator to issue a notice to comply, or to publish information | DCSL/MFAMY | Must have exhausted all available avenues for review under s.41I |
| s 41V | Power to, on Council's own initiative, disclose confidential information, other than excluded information, to another information sharing entity | DCSL/MFAMY | Where Council is an 'information sharing entity' and a 'disclosing entity' |
| s 41W(1) | Power to request another information sharing entity to disclose confidential information, other than excluded information | DCSL/MFAMY | Where Council is an 'information sharing entity' and a 'requesting entity' |
| s 41W(2) | Power to disclose to the responding entity any confidential information that may assist the responding entity | DCSL/MFAMY | Where Council is an 'information sharing entity' and a 'requesting entity' |
| s 41Y | Power to disclose confidential information, other than excluded information, to any person set out in s 41Y(1)(a) – (c) | DCSL/MFAMY | Where Council is an 'information sharing entity' |
| s 41Z | Power to collect and use any confidential information disclosed to Council under Part 6A | DCSL/MFAMY | Where Council is an 'information sharing entity' |

| CHILD WELLBEING AND SAFETY ACT 2005 | | | |
|-------------------------------------|---|------------|--|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| | | | |
| s 41ZD(2) | Power to collect, use or disclose confidential information | DCSL/MFAMY | 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 | DCSL/MFAMY | Where Council is an 'information sharing entity' |

| CHILDREN YOUTH AND FAMILIES ACT 2005 | | | |
|---|---|-----------------|---|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.25 | Power to use land or property for any purpose relating to the provision of services for children and families | DCSL/MFAMY | Where authorised by the Secretary Note – “Secretary” means the Secretary of the Department of Human Services |
| s.192 | Power to provide information to the secretary | DCSL/MFAMY | Where Council is an information holder under the Act |

| CIRCULAR ECONOMY (WASTE REDUCTION AND RECYCLING) ACT 2021 | | | |
|--|--|-----------------|-------------------------------------|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.56 | Power to enter into an agreement with the Head, Recycling Victoria | Not Delegated | |

| CLIMATE CHANGE ACT 2017 | | | |
|-------------------------|--|---------------|---|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.46 | Power to make a statement (a council pledge) in respect of greenhouse emissions reductions | NOT DELEGATED | Council must consider factors, and include details prescribed in s.47 |

| CONSERVATION, FORESTS AND LAND ACT 1987 | | | |
|--|---|-----------------|---|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.67 | Power to take action contrary to a Code of Practice if paragraphs (a) and (b) apply | NOT DELEGATED | <p>Note – sub-sections (a) and (b) refer to where:</p> <ul style="list-style-type: none"> a) the Authority is satisfied that there is no feasible and prudent alternative; and b) all measures that can reasonable be taken to minimise the adverse effect of the action are taken. <p>The power remains with the CEO</p> |

| COUNTRY FIRE AUTHORITY ACT 1958 | | | |
|--|--|-------------------------|---|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.41A | Power to recover the costs of serving notice by the fire prevention officer | DCSL/MCITS/MEMO/MFPO | |
| 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 | DCSL/MCITS/MEMO/MFPO | |
| s.43(2) | Power to acquire equipment, etc. for purposes of section 43(1) and pay for it out of the municipal fund | DCSL/MCITS/MPLAD | |
| s.50F(1) | Power to prepare a Neighbourhood Safer Places Plan | DCSL/MCITS/MPLAD /EMERC | |
| s.50J(5) | Power to decommission a Neighbourhood Safer Place if paragraphs (a) or (b) apply | DCSL/MCITS/MEMO /EMERC | Where Council's municipal district is located wholly or partly in a country area of Victoria. |
| s.96A(1)(b) | Power to appoint assistant fire prevention officers | NOT DELEGATED | The power remains with the CEO. |

| DISABILITY ACT 2006 | | | |
|----------------------------|--|------------------|---|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.38(4) | Power to prepare a Disability Action Plan, in accordance with section 38 | DCSL/MCOMH/CCOMC | Adoption of the Disability Action Plan requires a Council resolution. |

DOMESTIC ANIMALS ACT 1994

| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
|-------------|---|------------------|--|
| s.12(1) | Power to appoint an agent for Council in the registration of cats and dogs | DCSL/MCITS/CCITL | |
| s.14(b) | Power to approve the form of registration or renewal of registration of dogs and cats | DCSL/MCITS/CCITL | |
| s.15(2) | Power to permit pro-rata fees for dogs or cats registered for part of a year | NOT DELEGATED | Fees must be determined and approved by Council as part of Council's annual budget and in accordance with Council policy. |
| s.17(1) | Power to register/renew the registration of a dangerous dog and impose conditions upon the registration | DCSL/MCITS | |
| s.17(1A)(a) | Power to register or renew the registration of a restricted breed dog | DCSL/MCITS/CCITL | Under sub sections 10A(4) and 10C(6), a Council cannot register a restricted breed dog unless the dog is desexed (subject to the exception under section 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 | DCSL/MCITS/CCITL | Under sub sections 10A(4) and 10C(6), a Council cannot register a restricted breed dog unless the dog is desexed (subject to the exception under section 10B(1)(e)) and the dog has been implanted with a prescribed permanent identification device |
| s.18(2)(b) | Power to fix the fee for inspection of registrations of dogs and cats in the municipality | NOT DELEGATED | Fees must be determined and approved by Council as part of Council's annual budget and in accordance with Council policy. |

| DOMESTIC ANIMALS ACT 1994 | | | |
|----------------------------------|--|------------------|---|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| | | | |
| s.18(3) | Power to fix fees for making of records or obtaining certificates | NOT DELEGATED | Fees must be determined and approved by Council as part of Council's annual budget and in accordance with Council policy. |
| s.34(1) | Power to declare a dog dangerous | DCSL/MCITS/CCITL | |
| s.41J(2)(a) | Power to issue a permit to own more than two restricted breed dogs to any person who has applied to the Council for such a permit. | DCSL/MCITS | |
| s.41J(2)(b) | Power to issue a permit to keep more than two restricted breed dogs at a premises to any person who has applied to the Council for such a permit | DCSL/MCITS | |
| s.41J(3) | Power to fix a fee for an application for a permit | NOT DELEGATED | Fees must be determined and approved by Council as part of Council's annual budget and in accordance with Council policy. |
| s.44(1) | Power to require the restraint of animals | DCSL/MCITS | <p>Note – section 44(1) provides that if a Council has made a local law prohibiting the keeping of any dog or cat in a specified area of the municipal district of the Council, the Council may require the owner of any dog or cat kept in that area immediately before the law is made:</p> <p>a) to confine the animal indoors or in a totally enclosed pen on the owner's premises; and</p> |

DOMESTIC ANIMALS ACT 1994

| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
|----------------|--|-------------------|---|
| | | | <i>b)</i> when the animal is outside the owner's premises, to confine the animal to an enclosed vehicle. |
| s.44AC(1)(c) | Power to inspect information kept on the register of dangerous, menacing and restricted breed dogs, in accordance with the Regulations. | D CSL/MCITS/CCITL | |
| s.46(2) | Power to approve the form of registration of a domestic animal businesses and information required | D CSL/MCITS/CCITL | |
| 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 | D CSL/MCITS/CCITL | |
| s.48(2) | Power to approve the form of renewal of registration | D CSL/MCITS/CCITL | |
| s.48(3) | Power to approve form of renewal of registration and information required | D CSL/MCITS/CCITL | |
| s.49(1) | Power to fix fees for registration or renewal of registration of domestic animal premises | NOT DELEGATED | Fees must be determined and approved by Council as part of Council's annual budget and in accordance with Council policy. |
| s.49(2) | Power to refund all or part of an application fee | D CSL/MCITS/CCITL | |
| s.52(2)(a) | Power to approve the form of application for transfer of registration | D CSL/MCITS/CCITL | |

DOMESTIC ANIMALS ACT 1994

| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
|--------------|---|------------------|--|
| s.52(2)(c) | Power to fix the fee for a transfer of registration and information required | DCSL/MCITS/CCITL | |
| 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 | DCSL/MCITS/CCITL | |
| s.54(1) | Power to refuse to register or renew the registration, refuse to transfer registration, suspend registration and revoke the registration of premises | DCSL/MCITS/CCITL | subject to s.54E |
| s.54(2) | Power to act in accordance with section 54(1) if satisfied that the circumstances of section 54(2)(a) or (b) are in existence | DCSL/MCITS/CCITL | |
| s.58A(1)(a) | Power to cancel or not renew a commercial dog breeder approval | DCSL/MCITS/CCITL | Where Council is the 'relevant Council' |
| s.58A(1)(b) | Power to suspend a commercial dog breeder approval | DCSL/MCITS/CCITL | Where Council is the 'relevant Council' |
| s.58B | Power to apply to the Minister to register premises as premises on which a domestic animal business is conducted | DCSL | Note – “domestic animals business” includes a pound. Council does not currently operate a pound. |
| s.58D(2) | Power to apply to the Minister for renewal of registration of premises | DCSL | Note – “domestic animals business” includes a pound. Council does not currently operate a pound. |

| DOMESTIC ANIMALS ACT 1994 | | | |
|----------------------------------|--|------------------|--|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.58F | Power to surrender the registration of premises on which a domestic animal business is conducted by notice to the Minister | DCSL | Note – “domestic animals business” includes a pound. Council does not currently operate a pound. |
| s.58J | Power to make a submission to the Minister regarding the Minister's exercise of power under s58H | DCSL | Note – “domestic animals business” includes a pound. Council does not currently operate a pound. |
| s.68A(1A) | Power to apply to the Secretary for an extension of time within which to prepare a domestic animal management plan | DCSL/MCITS/CCITL | |
| 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 | DCSL/MCITS/CCITL | |
| s.68D(1) | Power to renew registration | DCSL/MCITS/CCITL | |
| s.68G(a) | Power to approve form of applications under s 68C or 68D(2) | DCSL/MCITS/CCITL | |
| s.68G(b) | Power to require information in applications under s 68C or 68D(2) | DCSL/MCITS/CCITL | |
| s.68G(c) | Power to fix fee for applications under s 68C or 68D(2) | NOT DELEGATED | |

DOMESTIC ANIMALS ACT 1994

| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & 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 | NOT DELEGATED | |
| s.68I(1)(b) | Power to impose conditions on a foster carer registration | DCSL/MCITS/CCITL | |
| s.68J(1) | Power to suspend or cancel a foster carer registration where the criteria in s 68J(1)(a) or (b) apply | DCSL/MCITS | |
| s.72 | Power to appoint, by instrument, employees to be authorised officers | NOT DELEGATED | The power remains with the CEO. |
| s.72A(1) | Power to appoint a person who is not an employee of Council as an authorised officer | NOT DELEGATED | The power remains with the CEO. Person appointed must have qualifications and experience prescribed by Secretary |
| s.84J | Power to retain custody of dog or cat until the animal is recovered under division 5 or disposed of under division 6 | DCSL/MCITS/CCITL | |
| s.84L(1) | Power to retain custody of a dog the subject of a declaration under section 98A until a review of the declaration is determined under Part 7E or the dog is recovered under Division 5 or destroyed under Division 6 | DCSL/MCITS/CCITL | |
| s.84L(2) | Power to retain custody of a dog before destruction under Division 6 where the dog is seized under section 80 and the officer cannot serve a declaration because the owner cannot be identified | DCSL/MCITS/CCITL | |

DOMESTIC ANIMALS ACT 1994

| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
|-------------|---|-----------------------|--------------------------|
| s.84M(1) | Power to decide not to retain custody of a dog or cat seized under section 23(1), 82, 82B, 83, 84, 84A, 84B or 84C | DCSL/MCITS/CCITL | |
| s.84N(1)(c) | Power to require custody of a restricted breed dog until the outcome of prosecution under the Act or Regulations in relation to the dog | DCSL/MCITS/CCITL | |
| s.84N(1)(d) | Power to fix an amount payable for the reasonable costs and expenses incurred by the Council in seizing the dog and retaining custody of it until its recover. | NOT DELEGATED | |
| s.84O(1) | Power to destroy a cat seized under Part 7A if the cat does not bear an identification marker or device or cat is wild, uncontrollable or diseased | DCSL/MCITS/CCITL | |
| s.84P | Power to destroy a dog seized under Part 7A in certain circumstances listed in paragraphs (a), (c), (d), (e) and (f) | DCSL/MCITS/CCITL | |
| s.84R | Power to require the owner to provide his or her current address to Council in certain circumstances | DCSL/MCITS/CCITL/PROS | |
| s.84S | Power to destroy a dog seized under Part 7A, in the time periods listed, if the owner is suspected of committing an offence set out in paragraph (a), (b) or (c) of section 84Q(2) and cannot be identified | DCSL/MCITS/CCITL | |

DOMESTIC ANIMALS ACT 1994

| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
|-----------|--|---------------|---|
| s.84TA(1) | Power to destroy a dog seized under Part 7A in circumstances listed (a) – (c) | NOT DELEGATED | <p>The power remains with the CEO.</p> <p>Pursuant to sections 84TA (3), (4) & (5), Council must make a decision with 48 hours after the record in subsection (3) is made, which itself must be made within 24 hours of the dog being seized. Council must record the time and date of the decision under subsection (3)</p> <p>Section 84TA(1) (a) to (c) refers to situations where:</p> <ul style="list-style-type: none"> a) the Council's authorised officer holds a reasonable belief that the owner of the dog would be guilty of an offence; b) the dog is unregistered and the owner is not able to be identified from a marker or device (such as an implant); or <p>the Council's authorised officer reasonably believes the behaviour of the dog has resulted or is likely to result in, the commission of an offence under section 29.</p> |
| 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 section 24 or 26 | NOT DELEGATED | <p>The power remains with the CEO.</p> <p>Pursuant to sections 84TC (3),(4) & (5), Council must make a decision with 24 hours after the record in subsection (3) is made, which itself must be made within 24 hours of</p> |

| DOMESTIC ANIMALS ACT 1994 | | | |
|----------------------------------|---|------------------|---|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| | | | the dog being seized. Council must record the time and date of the decision under subsection (3). |
| s.84V(2) | Power to give an animal to an approved person or body | DCSL/MCITS/CCITL | Where Council is authorised under the 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 | DCSL/MCITS/CCITL | |
| 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 | DCSL/MCITS/CCITL | |
| 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 | DCSL/MCITS/CCITL | |
| s98 (1A) | Power to apply to VCAT for review of a decision by Minister in relation to registration of domestic animal business | DCSL/MCITS | |

| DOMESTIC ANIMALS ACT 1994 | | | |
|---------------------------|---|------------------|--------------------------|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.100D | Power to disclose information held by Council to another Council, a restricted authorised officer or a Departmental authorised officer for the purpose of the performance of functions under Part 4 or Part 4AA or regulations under those Parts by that person | DCSL/MCITS/CCITL | |
| | | | |

| DUTIES ACT 2000 | | | |
|-----------------|---|----------------------|--------------------------|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| | Power to sign transfer related documentation under the <i>Duties Act</i> 2000 | ALL DIRECTORS CFO | |

| EDUCATION AND CARE SERVICES NATIONAL LAW ACT 2010 | | | |
|---|--|------------------|--------------------------|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.271(3) | Power to disclose information to authorities or government departments in respect of education and care services | DCSL/MCITL/MFAMY | |

| EDUCATION AND TRAINING REFORM ACT 2006 | | | |
|--|---|---------------|---------------------------|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.2.3.13 | Power to enter into and carry out a contract with a school council | ALL DIRECTORS | Subject to Council policy |
| 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) | MFAMY | |
| s. 5.8.26(1) | Power to make an enforceable undertaking | MFAMY | |
| s. 5.8.26(4) | Power to withdraw or vary an undertaking | MFAMY | |

| ELECTORAL ACT 2002 | | | |
|---------------------------|--|-----------------|-------------------------------------|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s 108(1)(d)(ii) | Power to enable identification of a person | NOT DELEGATED | |

| EMERGENCY MANAGEMENT ACT 2013 | | | |
|--------------------------------------|--|-----------------|-------------------------------------|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s 59B(1)(a) | Power to nominate a member of Council staff to be the chairperson of the Municipal Emergency Management Planning Committee | CEO/EMERC | |
| s.70A(2) | Power to consent to entry of vessel, premises or vehicle | CEO/EMERC | |

| ENVIRONMENT PROTECTION ACT 2017 | | | |
|--|--|-----------------|---|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s. 50A(1) | Power to require an applicant to pay a fee | DCPP/DIA/MPLAD | Provision commences on 1 June 2023, unless proclaimed earlier |
| s.51A(1) | Power to require an applicant to provide information | DCPP/DIA/MPLAD | Provision commences on 1 June 2023, unless proclaimed earlier |
| s.54(1) | Power to issue a permission subject to conditions specified in the permission | DCPP/DIA/MPLAD | |
| s.58(1) | Power to amend a permission issued on own initiative | DCPP/DIA/MPLAD | |
| s.60(1) | Power to suspend a permission | DCPP/DIA/MPLAD | |
| s.60(6) | Power to remove period of suspension | DCPP/DIA/MPLAD | |
| s.60(7) | Power to extend period of suspension | DCPP/DIA/MPLAD | |
| s.61(1) & (2) | Power to revoke permission on own initiative | DCPP/DIA/MPLAD | |
| s.84(8) | Power to renew permit for (a) a period of not more than 5 years or (b) any shorter period prescribed | DCPP/DIA/MPLAD | |
| s.84(9) | Power to renew a permit more than once | DCPP/DIA/MPLAD | |

ENVIRONMENT PROTECTION ACT 2017

| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
|-----------|---|--|-------------------------------------|
| s.114(2) | Power to appoint litter enforcement officer | NOT DELEGATED | Where Council is a litter authority |
| s.121(1) | Power to issue a waste abatement notice | MCITS/CPUBH/EHO /MWASS/MPLAD | Where Council is a litter authority |
| s.121(6) | Power to direct the occupier of the place or premises to remove or dispose of the waste within the time specified in a waste abatement notice | MCITS/CPUBH/EHO /MWASS/MPLAD/CENVS /CCITL/LITO | Where Council is a litter authority |
| s.121(8) | Power to vary or revoke a waste abatement notice | MCITS/CPUBH/EHO /MWASS/MPLAD/CENVS /CCITL/LITO | Where Council is a litter authority |
| s.122(1) | Power to remove or dispose of waste or object or thing | MCITS/CPUBH/EHO /MWASS/MPLAD/CENVS /CCITL/LITO | Where Council is a litter authority |
| s.122(2) | Power to recover any reasonable costs incurred in taking action under this section | MCITS/CPUBH/EHO /MWASS/MPLAD/CENVS /CCITL/LITO | Where Council is a litter authority |
| s.131(2) | Power to take further function | MCITS/CPUBH/EHO /MWASS/MPLAD/CENVS /CCITL/LITO | |
| s.171(1) | Power to appoint a residential noise enforcement officer | CPUBH/EHO | |
| s.172(1) | Power to issue a residential noise improvement notice | CPUBH/EHO | |

| ENVIRONMENT PROTECTION ACT 2017 | | | |
|---------------------------------|---|--|---|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.172(5)(a) | Power to extend time to comply with residential noise improvement notice | CPUBH/EHO | |
| s.172(5)(b) | Power to revoke or amend any requirement specified in a residential noise improvement notice | CPUBH/EHO | |
| s.174(1) | Power to apply for injunctions relating to residential noise | CPUBH/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 | CPUBH | |
| 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 | CPUBH | |
| s.347(3) | Power to take proceedings for an offence against a provision relating to permits under the <i>Environment Protection Regulations 2021</i> | DCSL/MCITS/CPUBH/EHO | |
| s.347(4) | Power to take proceedings for an offence against a provision of Part 6.3 | MCITS/CPUBH/EHO /MWASS/MPLAD/CENVS /CCITL/LITO | 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 | CPUBH | |
| s.391(1) | Power to nominate a representative to a Local Government Waste Forum in a waste and resource region | NOT DELEGATED | Where Council is in a waste and resource region |

| FAMILY VIOLENCE PROTECTION ACT 2008 | | | |
|--|---|------------------|--|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s 144KA | Power to disclose confidential information to a risk assessment entity for a family violence assessment purpose | DCSL/MFAMY/MCOMH | 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 | DCSL/MFAMY/MCOMH | Where Council is an 'information sharing entity' |
| s 144LB(1) | Power to request confidential information from another information sharing entity for a family protection purpose | DCSL/MFAMY/MCOMH | Where Council is an 'information sharing entity' and a 'requesting entity' |
| s 144LB(2) | Power to provide the responding entity with any confidential information that may assist the responding entity to identify the confidential information relevant to the request or determine whether to disclose the confidential information | DCSL/MFAMY/MCOMH | Where Council is an 'information sharing entity' and a 'requesting entity' |
| s 144LD | Power to collect or use any confidential information disclosed to it for a family violence protection purpose | DCSL/MFAMY/MCOMH | Where Council is an 'information sharing entity' |
| 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 | DCSL/MFAMY/MCOMH | 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 | DCSL/MFAMY/MCOMH | Where Council is an 'information sharing entity' |

| FAMILY VIOLENCE PROTECTION ACT 2008 | | | |
|--|--|------------------|--|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s 144N | Power to collect, use and disclose confidential information about a relevant person without consent | DCSL/MFAMY/MCOMH | Where Council is an 'information sharing entity' |
| 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 is s 144NC(1) (a) or (b) applies | DCSL/MFAMY/MCOMH | 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) | DCSL/MFAMY/MCOMH | 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 | DCSL/MFAMY/MCOMH | Where Council is an 'information sharing entity' |
| s 144QA | Power to refuse to give an individual access to their confidential information under a relevant privacy law if s 144QA(1)(a) and (b) apply | DCSL/MFAMY/MCOMH | Where Council is an 'information sharing entity' |

| FENCES ACT 1968 | | | |
|------------------------|--|-----------------|--|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.16(1) | Power to agree with adjoining owner of land on a fence line other than common boundary | DIA/DPCC | With respect to land owned by or under the control of the Council. |

| FILMING APPROVAL ACT 2014 | | | |
|---------------------------|--|------------|--------------------------|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| sch 1. Principle 1 | Power to consider operational requirement 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. | DCUS/MSTRC | |

FINES REFORM ACT 2014

| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
|-------------|---|--|--|
| s.10V(6) | Power to take any action referred to in s.38(1)(a) with respect to the FVS eligible offence | CFO/MGOV/DCSL /MCITS/CCITL/CGOV /TLINF/AOIM/CPUBH /DCPP/MPLAD/MBS | 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.10W(4) | Power to, 21 days after the Director has notified the FVS applicant of their ineligibility, resume enforcement action | CFO/MGOV/DCSL /MCITS/CCITL/CGOV /TLINF/AOIM/CPUBH /DCPP/MPLAD/MBS | 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 |
| s.10Y(1)(a) | Power to withdraw an infringement notice and take no further action or issue an official warning | CFO/MGOV/DCSL /MCITS/CCITL/TLINF /AOIM/PROS/CPUBH /DCPP/MPLAD/MBS | 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> A report should be presented to ELT quarterly with a summary of infringements withdrawn using this delegated power and the criteria/condition used as a basis for the withdrawal. When this power is exercised by any of the TLINF/PROS/AOIM, it must be done in accordance with criteria for withdrawing an infringement as approved by the CEO. |
| s.10Y(1)(b) | Power to file a charge-sheet charging the offence | CFO/MGOV/DCSL /MCITS/CCITL/TLINF /AOIM/PROS/CPUBH | A report should be presented to ELT quarterly with a summary of infringements withdrawn using this delegated power and |

| FINES REFORM ACT 2014 | | | |
|-----------------------|--|--|---|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| | | /DCPP/MPLAD/MBS | the criteria/condition used as a basis for the withdrawal. When this power is exercised by any of the TLINE/PROS/AOIM, it must be done in accordance with criteria for withdrawing an infringement as approved by the CEO |
| s.21(1) | Power to withdraw infringement notice, issue official warning or file a charge-sheet upon receipt of notice under section 20 | CFO/MGOV/DCSL /MCITS/CCITL/CGOV /TLINE/AOIM/CPUBH /DCPP/MPLAD/MBS | |
| s.22 | Power to request Director of Fines Victoria not to issue or serve notice of final demand | CFO/MGOV/DCSL/MCITS/ CCITL/TLINE/ AOIM/CPUBH/CGOV/ DCPP/MPLAD/MBS | |
| s.43 | Power to refer infringement fine to Director of Fines Victoria for management by payment arrangement upon request | CFO/MGOV/DCSL /MCITS/CCITL/TLINE /CGOV/AOIM/CPUBH /DCPP/MPLAD/MBS | |

| FIRE RESCUE VICTORIA ACT 1958 (FORMERLY KNOWN AS THE METROPOLITAN FIRE BRIGADES ACT 1958) | | | |
|--|--|-----------------|-------------------------------------|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s 5(2) | Power to acquire equipment and do anything necessary to fulfil duty under s5(1) and pay for it from municipal fund | MFPO | |
| s 5A(1)(b) | Power to appoint assistant fire prevention officer | MFPO | |
| s 72(1) | Power to request the Board to carry out fire prevention works | MFPO | |
| s 72(3) | Power to consent to carrying out fire prevention work | MFPO | |

| FIRE SERVICES PROPERTY LEVY ACT 2012 | | | |
|--------------------------------------|--|---------------|--|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.9(9) | Power to apportion any levy amount | CFO/MFIN/CREV | For two or more parcels of land which have a combined valuation and are owned separately |
| s.9A(2)(b) | Power to specify the form and timeframe for making applications under section 9A(1) | CFO/MFIN/CREV | |
| s.9A(3) | Power to require further particulars or for the applicant to verify particulars regarding the application | CFO/MFIN/CREV | |
| s.22 | Power to exercise powers and functions under section 229 of the <i>Local Government Act 1989</i> (land information certificates) and section 313 of the <i>Local Government Act 2020</i> (institute proceedings) | CFO/MFIN/CREV | |
| s.27(1) | Power to defer payment of the levy in respect of rateable leviable land where the applicant shows hardship | CFO/MFIN/CREV | <p>Section 170 of the <i>Local Government Act 1989</i> applies, subject to modifications set out in section 27.</p> <p>Note: may only defer the levy if rates or charges have been deferred under section 170 of the <i>Local Government Act 1989</i> for that land.</p> |
| s.27(1) | Power to require payment of the levy in respect of rateable leviable land where the applicant is no longer in hardship or no longer occupies the land | CFO/MFIN/CREV | Section 170 of the <i>Local Government Act 1989</i> applies, subject to modifications set out in section 27. |

FIRE SERVICES PROPERTY LEVY ACT 2012

| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
|-----------|--|----------------|---|
| s.27(1) | Power to waive the levy in respect of rateable leviable land | NOT APPLICABLE | <p>Section 170 of the <i>Local Government Act</i> 1989 applies, subject to modifications set out in section 27(4).</p> <p>Note: may only waive the levy if rates or charges have been waived under section 171 of the <i>Local Government Act</i> 1989 for that land.</p> <p>Council policy does not permit such waivers.</p> |
| 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 section 171 (4) (f) of the <i>Local Government Act</i> 1989 | CFO/MFIN/CREV | <p>Section 171 of the <i>Local Government Act</i> 1989 applies, subject to the modifications set out in section 27(4).</p> <p>Note: may only waive levy if rates or charges have been waived under section 171 of the <i>Local Government Act</i> 1989 for that land.</p> |
| s.27(1) | Power to require information or verification in respect of rateable leviable land | CFO/MFIN/CREV | <p>Section 171A of the <i>Local Government Act</i> 1989 applies, subject to the modifications set out in section 27(4).</p> <p>Note: may only waive the levy if rates or charges have been waived under section 171A of the <i>Local Government Act</i> 1989 for that land.</p> |

FIRE SERVICES PROPERTY LEVY ACT 2012

| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
|-----------|---|----------------|---|
| s.27(1) | Power to waive levy or levy interest in respect of rateable leviable land | CFO/MFIN/CREV | <p>Section 171A of the <i>Local Government Act</i> 1989 applies, subject to the modifications set out in section 27(4).</p> <p>Note: may only waive the levy if rates or charges have been waived under section 171A of the <i>Local Government Act</i> 1989 for that land.</p> <p>Subject to Council policy.</p> |
| s.28(1) | Power to defer payment of the levy in respect of non-rateable leviable land where the applicant shows hardship | CFO/MFIN/CREV | Section 170 of the <i>Local Government Act</i> 1989 applies, subject to the modifications set out in section 28. |
| s.28(1) | Power to require payment of the levy in respect of non-rateable leviable land where the applicant is no longer in hardship or no longer occupies the land | CFO/MFIN/CREV | Section 170 of the <i>Local Government Act</i> 1989 applies, subject to the modifications set out in section 28. |
| s.28(1) | Power to waive the levy in respect of non-rateable leviable land | NOT APPLICABLE | <p>Section 171 of the <i>Local Government Act</i> 1989 applies, subject to the modifications set out in section 28(4)</p> <p>Council policy does not permit such waivers.</p> |
| 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 section 171(4) (f) of the <i>Local Government Act</i> 1989 | NOT APPLICABLE | Section 171 of the <i>Local Government Act</i> 1989 applies, subject to the modifications set out in section 28(4). |

FIRE SERVICES PROPERTY LEVY ACT 2012

| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
|-----------|--|----------------|--|
| | | | Council policy does not permit such waivers. |
| s.28(1) | Power to require information of verification in respect of non-rateable leviable land | CFO/MFIN/CREV | Section 171A of the <i>Local Government Act</i> 1989 applies, subject to the modifications set out in section 28(4). |
| s.28(1) | Power to waive the levy or levy interest in respect of non-rateable leviable land | NOT APPLICABLE | Section 171A of the <i>Local Government Act</i> 1989 applies, subject to the modifications set out in section 28(4). Council policy does not permit such waivers. |
| s.30(3) | Power to obtain a court order requiring payment of the levy | CFO/MFIN/CREV | |
| s.30(4) | Power to waive levy interest where a court order has been obtained under section 30(3) | CFO/MFIN/CREV | |
| s.30(5) | Power to exempt any person from paying the whole or part of levy interest, in accordance with section 30(5) (a) or (b) | CFO/MFIN/CREV | Subject to Council policy. |
| s.30(6) | Power to recover levy interest due in the same way as Council recovers the levy amount | CFO/MFIN/CREV | |
| s.31(1) | Power to recover the whole of the levy from either all, any or one persons jointly liable to pay the levy | CFO/MFIN/CREV | Where two or more persons are jointly liable to pay the levy. |
| s.32(7) | Power to recover any amount in arrears, in accordance with section 32(7) | CFO/MFIN/CREV | |

| FIRE SERVICES PROPERTY LEVY ACT 2012 | | | |
|---|---|-----------------|---|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| | | | |
| s.33(1) | Power to send a notice where the levy is due and unpaid | CFO/MFIN/CREV | |
| s.33(5) | Power to recover any unpaid amount due | CFO/MFIN/CREV | |
| s.35(1) | Power to recover any unpaid levy amount | CFO/MFIN/CREV | |
| s.35(4)(b) | Power to request the occupier to disclose the amount of rent and the name and address of the person to whom the rent is payable | CFO/MFIN/CREV | |
| s.36(5) | Power to refund an overpayment, if it is determined that the payment was in excess of the amount owed | CFO/MFIN/CREV | |
| s.37(3) | Power to retain any interest earned on levy amounts and levy interest | CFO/MFIN/CREV | |
| s.38(1) | Power to cancel an assessment of a person's liability to pay the levy if satisfied that an assessment has been made in error | CFO/MFIN/CREV | |
| 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 | CFO/MFIN/CREV | |
| s.71(2) | Power to specify the manner and form of applications under section 71(1) | CFO/MFIN/CREV | Note: refers to instances where the property owner considers the Council records contain false information. |

| FOOD ACT 1984 | | | |
|----------------------|--|------------------|---|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.20(2) | Power to limit or impose conditions on the authority granted to an authorised officer | NOT DELEGATED | The power remains with the CEO. |
| s.45AA | Power to act in proceedings against the Crown | DCSL/MCITS/CPUBH | Power of the responsible agency. |
| s.45AC | Power to bring proceedings for an offence under the Act | DCSL/MCITS/CPUBH | |
| s.58B(1) | Power to take action in relation to a thing done or omitted at the food premises | DCSL/MCITS/CPUBH | 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 | DCSL/MCITS/CPUBH | 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 a direction under section 19, section 19B or Part VII | DCSL/MCITS/CPUBH | Note: Sections 19 and 19B relate to the registration of food premises; and Part VII relates to emergency powers. |
| s.59C(7)(b) | Power to recover costs incurred under s59(2) or (3) | DCSL/MCITS/CPUBH | |
| s.71(a) | Power to revoke or suspend the registration of the food premises under Part IIIB or section 40D in certain circumstances | DCSL/MCITS/CPUBH | Note: section 71 refers to the commencement date of the Act and proceedings that were in progress at that time. |

| FREEDOM OF INFORMATION ACT 1982 | | | |
|---------------------------------|---|---------------------|---|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s 49D(3) | Power to request a copy of the application from the Information Commissioner | CFO/MGOV/CGOV/CRISM | |
| s.49KA(4) | Power to apply for extension | CFO/MGOV/CGOV/CRISM | |
| s.49L(2) | Power to agree with the Information Commissioner to another time period for the making a fresh decision under s49L(1) | CFO/MGOV/CGOV/CRISM | |
| s.49M(1) | Power to exercise a choice to reconsider the subject matter of an application for review and make a fresh decision | CFO/MGOV | <p>The delegate:</p> <p>may make a fresh decision only once during a review under this Part (see section 49M{8});</p> <p>must advise the Information Commissioner and the applicant in writing.</p> <p>The decision must be made within 28 days of referral, unless another time period is agreed under section 49M(2).</p> |
| s.49M(2) | Power to agree with Information Commissioner to another time period for making a fresh decision | CFO/MGOV | |
| s.50(3D) | Power to apply to the Tribunal for a review of decision of the Information Commissioner under section 49P | NOT DELEGATED | |
| s 53(6) | Power to make an application to the Tribunal for an extension of time | CFO/MGOV/CGOV/CRISM | |

| FREEDOM OF INFORMATION ACT 1982 | | | |
|---------------------------------|---|---------------------|--------------------------|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| | | | |
| s.61GA(3) | Power to apply for extension | CFO/MGOV/CGOV/CRISM | |
| s 61H | Power to reach an agreement with a complainant | CFO/MGOV/CGOV/CRISM | |
| s.61I(2) | Power to make submissions to the Information Commissioner in relation to a complaint | NOT DELEGATED | |
| s 61L(5) | Power to comment on, and respond to a draft recommendation | CFO/MGOV/CGOV/CRISM | |
| 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. | NOT DELEGATED | |

GAMBLING REGULATION ACT 2003

| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
|-------------|---|------------|--|
| s.3.3.6 | Power to make a submission to the Commission on an application for approval of premises | DCSL/MCOMH | Power of a relevant responsible authority under the <i>Planning and Environment Act 1987</i> <i>Note: "Commission" means the Gambling Regulation Commission</i> |
| s.3.3.14 | Power to apply to the Tribunal for a review of the Commission's decision granting approval of premises | DCSL/MCOMH | Power of a relevant responsible authority under the Planning and Environment Act 1987. <i>Note: "Tribunal" means VCAT</i> |
| s.3.4.19 | Power to make a 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 | DCSL/MCOMH | |
| s.3.4.21(2) | Power to apply to the Tribunal for a review of the Commission's decision relating to an amendment increasing the number of gaming machines | DCSL/MCOMH | |
| s.8.5.5 | Power to submit a report to the Commission on an application received under section 8.5.3(3)(a) | DCSL/MCOMH | |

| GENDER EQUALITY ACT 2020 | | | |
|---------------------------------|---|-----------------|---|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s 11(2)(d) | Power to determine any other matters that are relevant | DCSL/CPO | Where Council is a 'defined entity' |
| s 12(2) | Power to request an extension of time to submit the Gender Equality Action Plan | DCSL/CPO | 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 | DCSL/CPO | 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 | DCSL/CPO | Where Council is a 'defined entity' |
| s 19(2) | Power to request an extension of time to submit a progress report | DCSL/CPO | 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 | NOT DELEGATED | THE POWER REMAINS WITH THE CEO Where Council is a 'defined entity' |
| s 25(1) | Power to apply to the Tribunal for review of the Commissioner's decision to confirm a compliance notice under s 24(2)(c) | NOT DELEGATED | THE POWER REMAINS WITH THE CEO Where Council is a 'defined entity' |
| s 26(a) | Power to provide the Commissioner with a written undertaking | NOT DELEGATED | THE POWER REMAINS WITH THE CEO Where Council is a 'defined entity' |

| GENDER EQUALITY ACT 2020 | | | |
|--------------------------|--|---------------|---|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| | | | |
| s 27(2) | Power to, with the consent of the Commissioner, withdraw or vary the undertaking | NOT DELEGATED | THE POWER REMAINS WITH THE CEO Where Council is a 'defined entity' |

GRAFFITI PREVENTION ACT 2007

| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & 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 section 18. | DCSL/MCITS/CCITL/DIA /MWASS/MPLAD/CENVS | |
| s.18(2) | Power to enter private property for the purpose of section 18(1) if notice is provided and the owner has given written consent to removal of graffiti and entry | DCSL/MCITS/CCITL/DIA /MWASS/MPLAD/CENVS | |
| s.18(2)(a) | Power to serve notice regarding a proposal to remove or obliterate graffiti at least 28 days before the action proposed to be taken | DCSL/MCITS/CCITL/DIA /MWASS/MPLAD/CENVS | |
| s.18(3)(b) | Power to remove or obliterate graffiti (where entry is not necessary), where written notice of the proposed action is given and the owner gives consent or does not object in accordance with notice | DCSL/MCITS/CCITL/DIA /MWASS/MPLAD/CENVS | |
| s.18(3A) | Power to take further action to remove or obliterate graffiti | DCSL/MCITS/CCITL/DIA /MWASS/MPLAD/CENVS | Within 3 months after Council has taken action under subsection (3) |
| s.19(1) | Power to authorise a person to carry out Council's Powers under section 18 | DCSL/MCITS/CCITL | Note – section 18 refers to the removal of graffiti from private property. |
| s.19(2)(c) | Power to determine performance criteria for authorised persons | DCSL/MCITS/CCITL | |

| HEALTH RECORDS ACT 2001 | | | |
|--------------------------------|--|-----------------|-------------------------------------|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.56(3) | Power to indicate wishes with respect to whether conciliation is appropriate | DCSL/MCOMH | |
| s.61(1)(b) | Power to sign the record of a conciliation agreement | DCSL/MCOMH | |
| s.61(2) | Power to lodge a copy of the record with the Tribunal | DCSL/MCOMH | Note: "Tribunal" means VCAT |
| s.65(1) | Power to require the Health Complaints Commissioner to refer the complaint to the Tribunal | DCSL/MCOMH | |
| s.72 | Power to apply to the Tribunal for review of a decision to serve a compliance notice | DCSL/MCOMH | |
| s.73(1) | Power to apply to the Tribunal for an interim order | DCSL/MCOMH | |

HEAVY VEHICLE NATIONAL LAW 2012

(Applies in Victoria pursuant to the Heavy National Law Application Act 2013 (Vic))

| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
|---------------------|--|--------------------|---|
| | | | The Heavy Vehicle National Law was originally enacted in the Schedule to the Heavy Vehicle National Law Act 2012 of Queensland. Subsequently Queensland enacted the Heavy Vehicle National Law Amendment Act 2013, which substituted the Schedule with a revised version of the Heavy Vehicle National Law. The relevant clauses that are applicable for the Victorian Legislation are recorded in Annexure 2 of the Heavy Vehicle National Law Application Act 2013. |
| Annexure 2 s.156(2) | Power to request a longer period to decide to give or not give consent under section 156(1) | DIA/MASS/AME/CTRAF | Where Council is the relevant road manager. |
| Annexure 2 s.158(4) | Power to decide to give or not give the consent in the circumstances | DIA/MASS/AME/CTRAF | Where Council is the relevant road manager. |
| Annexure 2 s.159 | Power to notify the Regulator that a route assessment is required and the fee payable for the route assessment | DIA/MASS/AME/CTRAF | Where Council is the relevant road manager. If a fee is payable, it must have first been determined in Council's annual budget process. |
| Annexure 2 s.159(4) | Power to stop considering whether to give or not to give consent until the route assessment fee is paid | DIA/MASS/AME/CTRAF | Where Council is the relevant road manager. If a fee is payable, it must have first been determined in Council's annual budget process. |

HEAVY VEHICLE NATIONAL LAW 2012

(Applies in Victoria pursuant to the Heavy National Law Application Act 2013 (Vic))

| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
|------------------------|--|--------------------|---|
| Annexure 2 s.160(1) | Power to consent to the grant of a mass or dimension authority subject to a road condition: | | Where Council is the relevant road manager. |
| | (a) except in the case of a class 2 heavy vehicle authorisation (notice), the condition that a stated road condition is imposed on the authority; or | DIA/MASS/AME/CTRAF | |
| | (b) in the case of a class 2 heavy vehicle authorisation (notice), the condition that a stated road condition of a type prescribed by the national regulations is imposed on the authority | DIA/MASS/AME/CTRAF | |
| Annexure 2 s.161(1) | Power to consent to the grant of a mass or dimension authority subject to a travel condition | DIA/MASS/AME/CTRAF | Where Council is the relevant road manager. |
| Annexure 2 s.162(1) | Power to request the Regulator to impose a stated vehicle condition on the authority | DIA/MASS/AME/CTRAF | Where Council is the relevant road manager. |
| Annexure 2 s.167(2)(b) | Power to give the Regulator a notice of objection to the application of section 167 to the proposed replacement authority | DIA/MASS/AME/CTRAF | Where Council is the relevant road manager. |
| Annexure 2 s.167(3) | Power to give written notice of consent or refusal | DIA/MASS/AME/CTRAF | Where Council is the relevant road manager. |
| Annexure 2 s.169 | Power to give consent to the grant of a mass or dimension authority for a trial period | DIA/MASS/AME/CTRAF | Where Council is the relevant road manager. |
| Annexure 2 s.170(3) | Power to give a written objection | DIA/MASS/AME/CTRAF | Where Council is the relevant road manager. |

HEAVY VEHICLE NATIONAL LAW 2012

(Applies in Victoria pursuant to the Heavy National Law Application Act 2013 (Vic))

| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
|---------------------------|--|--------------------|---|
| Annexure 2 s.174(2)(a) | Power to request the Regulator to amend the mass or dimension authority, where satisfied of matters in section 174(1) | | Where Council is the relevant road manager. Note: section 174(1) refers to matters that |
| | | DIA/MASS/AME/CTRAF | (a) have caused, or is likely to cause, damage to road infrastructure; or |
| | | DIA/MASS/AME/CTRAF | (b) have had, or is likely to have, an adverse effect on the community arising from noise, emissions or tragic congestion or from other matters stated in approved guidelines; or |
| | | DIA/MASS/AME/CTRAF | (c) have posed, or is likely to pose, a significant risk to public safety arising from heavy vehicle use that is incompatible with road infrastructure or traffic conditions. |
| Annexure 2 s.174(2)(b) | Power to request the Regulator to cancel the mass or dimension authority, where satisfied of matters in section 174(1) | DIA/MASS/AME/CTRAF | Where Council is the relevant road manager. Note: See above in relation to section 174(1) |

HEAVY VEHICLE NATIONAL LAW 2012

(Applies in Victoria pursuant to the Heavy National Law Application Act 2013 (Vic))

| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
|---------------------------|--|--------------------|--|
| Annexure 2 s.178(2)(a) | Power to request the Regulator to amend the mass or dimension authority, where satisfied of matters in section 178(1) | DIA/MASS/AME/CTRAF | Where Council is the relevant road manager. Note: section 178(1) refers to a matter that: |
| | | DIA/MASS/AME/CTRAF | (a) has caused, or is likely to cause, damage to road infrastructure; or |
| | | DIA/MASS/AME/CTRAF | (b) has had, or is likely to have an adverse effect on the community arising from noise, emissions or traffic congestion or from other matters stated in approved guidelines; or |
| | | DIA/MASS/AME/CTRAF | (c) has posed, or is likely to pose, a significant risk to public safety arising from heavy vehicle use that is incompatible with road infrastructure or traffic conditions. |
| Annexure 2 s.178(2)(b) | Power to request the Regulator to cancel the mass or dimension authority, where satisfied of matters in section 178(1) | DIA/MASS/AME/CTRAF | Where Council is the relevant road manager. Note: see above in relation to section 178(1). |

HEAVY VEHICLE NATIONAL LAW 2012

(Applies in Victoria pursuant to the Heavy National Law Application Act 2013 (Vic))

| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
|---------------------|---|----------|--|
| Annexure 2 s.611(2) | Power to apply for a compensation order | DIA | Notes: Section 611(1) provides that “A court that convicts a person (the convicted person) of an offence against this law may make an order (a compensation order) requiring the convicted person to pay the road manager for a road by way of compensation, an amount the court considers appropriate for loss incurred, or likely to be incurred, by the road manager for damage caused to road infrastructure as a result of the offence” |
| Annexure 2 s.611(2) | | DIA | Section 611(2) provides that: “A compensation order may be made on the application of the prosecutor, the Regulator or the road manager.” |

| HEAVY VEHICLE NATIONAL LAW APPLICATION ACT 2013 | | | |
|---|---|----------|--|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.18(2) | Power to enter into an arrangement to transfer a function | DIA | In respect of roads where Council is the relevant road manager |

| HERITAGE ACT 2017 | | | |
|-------------------|---|-----------------|--------------------------|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.100(2) | Power to make written submission to Executive Director in relation to application received under s.100(1) | DCPP/MPLAD/MCST | |
| 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 | DCPP/MPLAD/MCST | |
| s.108(5) | Power to appear and be heard or represented at a hearing into review of Executive Director's determination | DCPP/MPLAD/MCST | |

| HOUSING ACT 1983 | | | |
|-------------------------|---|-----------------|---|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.34(3) | Power to enter into arrangements with the Director for the purposes of the Act | NOT DELEGATED | Note: "Director" means the Director of Public Housing. The power remains with the CEO. |
| s.67(1)(a) | Power to do all things to make a house comply with the regulations or to give effect to direction | DCSL/MCOMH | |
| s.67(1)(b) | Power to demolish a house (where the case so requires) | DCSL/MCOMH | |
| s.67(2) | Power to recover expenses | DCSL/MCOMH | |
| s.67(3) | Power to sell or dispose of material taken from the house | DCSL/MCOMH | |
| s.68(1) | Power to order that a house: a) be and remain unoccupied; or b) be vacated by the occupier | DCSL/MCOMH | |
| s.68A | Power to revoke a declaration | DCSL/MCOMH | |
| Schedule 2, clause 3(1) | Power to sell or give to the Director and land vested in it, other than Crown land | NOT DELEGATED | Note: Schedule 2 of the Act comprises a range of matters relating to the provision of public housing including the power of municipalities to grant land to the Director of Housing and the sale of land subject to housing agreements. |

| HOUSING ACT 1983 | | | |
|-----------------------------|--|-----------------|--|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| Schedule 2, clause 3 (2) | Power to lease land, enter into agreements with the Director concerning land, or apply funds for carrying out such agreement | NOT DELEGATED | The power remains with the CEO |
| Schedule 6, clause 1 | Power to authorise a staff member to sign a certificate for lodgement with the Registrar of Titles | NOT DELEGATED | Note: the section refers to costs incurred by the Council in relation to alterations or demolition of a house and the provision of a certificate to the Registrar of Titles. |
| Schedule 6, clause 2 | Power to request a recording in the register | NOT DELEGATED | The power remains with the CEO |
| Schedule 6 clause 7(1) | Power to require an occupier to pay to Council any money owing | NOT DELEGATED | The power remains with the CEO |

IMPOUNDING OF LIVESTOCK ACT 1994

| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
|-----------|--|----------------------------|--------------------------|
| s.10 | Power to give written permission to owner or occupier of land to impound livestock on their land for longer than four days | DCSL/MCITS/CCITL | |
| s.16A(3) | Power to approve the form of notice to be served under section 16A(1) | DCSL/MCITS/CCITL | |
| s.16B(3) | Power to approve the form of notice to be served under section 16B(1) | DCSL/MCITS/CCITL | |
| s.18 | Power to offer uncollected livestock for sale | DCSL/MCITS/CCITL /CLAWO | |
| s.21 | Power to dispose of livestock including destroying or re-housing | DCSL/MCITS/CCITL /CLAWO | |
| s.28(3) | Power to release impounded livestock pending determination of proceedings | DCSL/MCITS/CCITL /CLAWO | |
| s.30 | Power to recover outstanding amounts as a debt | DCSL/MCITS/CCITL | |
| 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 | DCSL/MCITS/CCITL | |

| INDEPENDENT BROAD-BASED ANTI-CORRUPTION COMMISSION ACT 2011 | | | |
|---|---|---------------|--------------------------------|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.35(2) | Power to enter into agreements or arrangements for use of services with the Independent Broad-based Anti-Corruption Commission ("IBAC") | NOT DELEGATED | The power remains with the CEO |

INFRINGEMENTS ACT 2006

| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
|---------------|--|--|---|
| s.9 | Power to make and publish guidelines and policies in respect of the use of official warnings for infringement offences | CFO/MGOV/DCPP/MPLAD/ DIA/MASS/CCITL/CPUBH /MBS/CTECS/CIS | |
| s.15 | Power to accept late payment of an infringement penalty in some circumstances | CFO/MGOV/CIS/DCPP /DIA/MASS/CCITL/CPUBH /MPLAD/MBS/CTECS /TLINF/AOIM | |
| s.17(1) | Power to refer certain matters to the Court | CFO/MGOV/CIS/DCPP /DIA/MASS/CCITL/MPLAD /CPUBH/MBS/CTECS /TLINF/PROS/AOIM | |
| s.17(3) | Power to withdraw an infringement notice and file a charge and summons in the Children's Court in some circumstances | CFO/MGOV/CIS/DCPP /DIA/MASS/CCITL/MPLAD /CPUBH/MBS/CTECS /TLINF/PROS/AOIM | In accordance with any organisational (CEO approved) policy or procedure and as defined by any other operational delegation or authorisation operating/ |
| s.18(1) & (2) | Power to withdraw an infringement notice in some circumstances | CFO/MGOV/CIS/DCPP /DIA/MASS/CCITL/MPLAD /CPUBH/MBS/CTECS /TLINF/PROS/AOIM | In accordance with any organisational (CEO approved) policy or procedure and as defined by any other operational delegation or authorisation operating. When this power is exercised by the TLINF or PROS, it must be done in accordance with criteria for withdrawing an infringement as approved by the CEO. |

| INFRINGEMENTS ACT 2006 | | | |
|-------------------------------|---|----------------------------|---|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.23(1) | Power to request additional information required to conduct a review | CFO/MGOV/CIS/TLINF /AOIM | When this power is exercised it must be done in accordance with criteria for withdrawing an infringement as approved by the CEO. |
| s.23(4) | Power to refuse or grant a request for an extension of time made under section 23(3)(b) | CFO/MGOV/CIS/TLINF /AOIM | When this power is exercised by any of the TLINF/PROS/AOIM, it must be done in accordance with criteria for withdrawing an infringement as approved by the CEO. |
| s.23(6)(a) | Power, if the applicant fails to provide information requested under section 23(1) within the time under section 23(3) or, within the period of extension if an extension is granted under section 23(4)(b), to review the decision under section 24 without additional information | CFO/MGOV/ CIS /TLINF /AOIM | When this power is exercised by any of the TLINF/PROS/AOIM, it must be done in accordance with criteria for withdrawing an infringement as approved by the CEO. |
| s.23(6)(b)(i) & (ii) | Power, if the applicant fails to provide information requested under section 23(1) within the time under section 23(3) or, within the period of extension if an extension is granted under section 23(4)(b), to accept information provided by the applicant out of time and to review the decision under section 24 with that late information | CFO/MGOV/CIS/TLINF /AOIM | When this power is exercised by any of the TLINF/PROS/AOIM, it must be done in accordance with criteria for withdrawing an infringement as approved by the CEO. |

| INFRINGEMENTS ACT 2006 | | | |
|------------------------|--|--------------------------|---|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.25(1) | <p>Power, after reviewing a decision, to take the following actions (or any combination of those actions):</p> <ul style="list-style-type: none"> a) confirm the decision to serve an infringement notice; b) withdraw the infringement notice and serve an official warning; c) withdraw the infringement notice d) withdraw the infringement notice and refer the matter to the Court in accordance with Part 2 or, where infringement notice served on a child, withdraw the infringement notice and file a charge and summons in the Children's Court; e) in the case of an infringement offence involving additional steps, alter or vary those steps; f) waive all or any penalty reminder notice fees; or g) approve a payment plan. | CFO/MGOV/CIS/TLINF /AOIM | <p>In accordance with any organisational (CEO approved) policy or procedure. As defined by any other operational delegation or authorisation operating.</p> <p>When this power is exercised by any of the TLINF/PROS/AOIM, it must be done in accordance with criteria for withdrawing an infringement as approved by the CEO.</p> <p>This power can only be exercised by the AOIM in relation to the review of Parking Infringement Notices.</p> |
| s.25(2) | <p>Power, in the case of an application made under section 22(1)(b), to:</p> <ul style="list-style-type: none"> a) confirm the decision b) withdraw the notice and serve an official warning; or c) withdraw the notice. | CFO/MGOV/CIS/TLINF /AOIM | <p>In accordance with any organisational (CEO approved) policy or procedure and, as defined by any other operational delegation or authorisation operating.</p> |

| INFRINGEMENTS ACT 2006 | | | |
|------------------------|---|--|---|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| | | | This power can only be exercised by the AOIM in relation to the review of Parking Infringement Notices. |
| s.25(2A) | Power made under a s.22(1)(d) to grant or refuse application | CFO/MGOV/CIS/TLINF /AOIM | |
| s.29(1) & (2) | Power to serve a penalty reminder notice | CFO/MGOV/CIS/DCPP /DIA/MASS/CCITL/MPLAD /CPUBH/MBS/CTECS /TLINF/AOIM | |
| s.46(4) | Power to offer a payment plan in certain circumstances | CFO/MGOV/CIS/DCPP /DIA/MASS/CCITL/MPLAD /CPUBH/MBS/CTECS /TLINF/AOIM | Note – “certain circumstances” means pursuant to any Guidelines made by the Attorney-General and published in the Victoria Government Gazette When this power is exercised by the TLINF, it must be done in accordance with criteria for withdrawing an infringement as approved by the CEO. |
| 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 | CFO/MGOV/CIS/DCPP /DIA/MASS/CCITL/MPLAD /CPUBH/MBS/CTECS /TLINF/AOIM | |
| s.46(5)(b) | Power to offer a payment plan by referring the infringement penalty and penalty reminder notice fee to the Secretary for management by payment arrangement under the <i>Fines Reform Act 2014</i> | CFO/MGOV/CIS/DCPP /DIA/MASS/CCITL/MPLAD /CPUBH/MBS/CTECS /TLINF/AOIM | |
| s.47(1) | Power to arrange a payment plan | CFO/MGOV/CIS/DCPP /DIA/MASS/CCITL/MPLAD /CPUBH/MBS/CTECS | |

| INFRINGEMENTS ACT 2006 | | | |
|------------------------|--|---|--------------------------|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| | | /TLINF/AOIM | |
| s.49A(2) | Power to vary terms of a payment arrangement | CFO/MGOV/CIS/DCPP /DIA/MASS/CCITL/MPLAD /CPUBH/MBS/CTECS /TLINF/AOIM | |
| s.50(3)(a) | Power to offer to apply the amount of overpayment to outstanding infringement penalties, prescribed costs or enforcement orders, if the person consents and directs Council to do so | CFO/MGOV/CIS/DCPP /DIA/MASS/CCITL/MPLAD /CPUBH/MBS/CTECS /TLINF/AOIM | |
| s.50(3)(b) | Power to refund the amount of overpayment by appropriating the Consolidated Fund or refunding from another fund or account | CFO/MGOV/CIS/DCPP /DIA/MASS/CCITL/MPLAD /CPUBH/MBS/CTECS /TLINF/AOIM | |

| LAND ACT 1958 | | | |
|----------------------|--|-----------------|---|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.134A(2)(a) | Power to be consulted before the Minister grants a lease for stratum of Crown land | DCPP | |
| s.138A(3)(a) | Power to be consulted before a person grants a licence for strata of Crown land | DCPP | |
| s.172(1) | Power to approve the excise of land from certain streets by the Governor in Council | NOT DELEGATED | The power remains with the CEO. |
| s.183A(1) | Power to raise funds by allowing the use of a common for the purposes of agriculture | NOT DELEGATED | The consent of the Minister is required. |
| s.190 | Power to authorise persons to enter onto Crown land and remove materials for the purposes of forming/maintaining a public road | DIA/MASS | The consent of the Minister is required. |
| s.349 | Power to agree to the closure of an unused road on land vested in the Crown | DIA/MASS | |
| s.400 | Power to give notice to the Secretary that a road is an unused road | DIA/MASS | Land Regulations 2016, r 10 For the purposes of section 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 Schedule 4. |
| s.407(1) | Power to inform the Minister it is desirable to re-open a licensed closed road or water frontage | DIA/MASS | |

| LAND ACT 1958 | | | |
|---------------|--|----------|---|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.407(3)(b) | Power to cause any building, hedge, ditch etc to be taken down, filled up or removed | DIA/MASS | Where a licence under Division 8 of Part 1 has been cancelled under section 407(1). |

| LAND ACQUISITION AND COMPENSATION ACT 1986 | | | |
|--|--|---------------|---|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| | | | <p>Certain provisions in this Act apply only to councils in their capacity as acquiring authorities ("authority") or to councils in their capacity as responsible authority ("responsible authority").</p> <p>All powers, duties and powers under this Act exercised under delegation to be reported to the CEO as soon as practicable.</p> |
| s.7(1)(b) | Power to serve statement on person interested in the land in accordance with s.7(1)(b) | NOT DELEGATED | |
| s.14(1) | Power of an authority to agree to amend a notice upon agreement with persons on whom it was served | DCPP/DIA | |
| s.15(1) | Power of an authority to determine not to proceed with the acquisition | DCPP/DIA | |
| s.17 | Power of the authority to agree with the owner to extend operation of the notice | DCPP/DIA | |
| s.18(1) | Power of the authority to acquire an interest in land by agreement | NOT DELEGATED | The power remains with the CEO. |
| s.26(5) | Power of the authority to enter into possession of the land | CFO/DIA | |
| s.27 | Power of the authority to recover any rent due | CFO | |

| LAND ACQUISITION AND COMPENSATION ACT 1986 | | | |
|--|---|---------------|---|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.28(1) | Power of the authority to issue a warrant where refusal to give up possession | DCPP/DIA | |
| s.31(1) and supporting provisions | Power of the authority to make an offer, including the power to determine the amount of the offer | CFO/DIA | Subject to prior consultation with the City Valuer. |
| s.31(7) | Power of the authority to reduce the offer by an amount equal to outstanding interest, rates, taxes etc | CFO/DIA | |
| s.36(2) | Power of the authority to admit, vary or reject the claim under section 36 | DCPP/DIA | |
| s.43(2) | Power of the authority to give notice of intention | DIA/CFO | |
| s.45(1) | Power of the authority to grant a loan to a claimant | NOT DELEGATED | The power remains with the CEO. |
| s.51(8) | Power of the authority to advance compensation to assist a person purchasing another interest in land | CFO | |
| s.68(1) | Power of the authority to purchase or redeem an interest in a mortgage | CFO | |
| s.68(4) | Power of the authority to direct where to convey the release of the mortgagee's interest upon payment under section 68(3) | DCPP/DIA | |

| LAND ACQUISITION AND COMPENSATION ACT 1986 | | | |
|---|---|-----------------|-------------------------------------|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.68(5) | Power of the authority to give notice to the mortgagee that it will pay principal and interest upon six months of the notice | DCPP/DIA | |
| s.68(6) | Power of the authority to direct where to convey the release of a mortgagee's interest upon payment under section 68(5) | DCPP/DIA | |
| s.69(1) | Power of the authority to pay amounts required under sub-ss (c) to (e) to the credit of the Trust Fund where the mortgagee fails to release interest or adduce good title | DCPP/DIA | |
| s.69(2) | Power of the authority to execute a deed poll | DCPP/DIA | |
| s.70(4) | Power of the authority to direct where to convey the release of mortgagee's interest upon payment under section 70(3) | DCPP/DIA | |
| s.71(1) | Power of the authority to pay the amount required by section 70(3) to the credit of the Trust Fund where mortgagee fails to convey interest or adduce good title | DCPP/DIA | |
| s.71(3) | Power of the authority to execute and register a deed poll | DCPP/DIA | |
| s.72(4) | Power of the authority to direct where to convey the release of the mortgagee's interest | DCPP/DIA | |
| s.73(1) | Power of the authority to pay compensation required by section 72 to the credit of the Trust | DCPP/DIA | |

| LAND ACQUISITION AND COMPENSATION ACT 1986 | | | |
|--|---|-----------|--------------------------|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| | Fund where the mortgagee fails to release/adduce good title | | |
| s.73(3) | Power of the authority to execute and register a deed poll | DCPP/DIA | |
| s.74(1) | Power of the authority to enter land and do certain things | DCPP/DIA | |
| 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> | DCPP/DIA | |
| s.75(2)(a) | Power of the authority or authorised person to dig and take from land any clay, soil, etc. | DIA/MINFD | |
| s.75(2)(b) | Power of the authority to deposit any material on land | DIA/MINFD | |
| s.75(2)(c) | Power of the authority to make cuttings or excavations on land | DIA/MINFD | |
| s.75(2)(d) | Power of the authority to take timber from the land | DIA/MINFD | |
| s.75(2)(e) | Power of the authority to make and use roads on land | DIA/MINFD | |
| s.75(2)(f) | Power of the authority to manufacture on the land any materials required | DIA/MINFD | |

| LAND ACQUISITION AND COMPENSATION ACT 1986 | | | |
|---|--|----------------------|-------------------------------------|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.75(2)(g) | Power of the authority to erect workshops, sheds, etc on land | DIA/MINFD | |
| s.80 | Power of the authority to refer a claim to the Court/Tribunal for determination | DCPP/DIA | |
| s.87 | Power of the authority in a compulsory conference to increase the amount of an offer | DCPP/DIA | |
| s.91(4) | Power of the authority to set-off costs of determinations against any compensation award/costs payable to claimant | DCPP/DIA | |
| s.103(1) | Power of the authority to inspect documents by notice in writing | DCPP/DIA | |
| s.104(3) | Power of the authority/authorise a person to accept service on its behalf | DCPP/DIA | |
| s.106(1)(c) | Power of the authority to extend/abridge time limits under the Act by agreement with concerned party | DCPP/DIA | |
| s.109(1) | Power of the authority to sell, lease or deal with an interest in land | NOT DELEGATED | The power remains with the CEO. |
| misc. | Power to serve statements under the Land Acquisition and Compensation Act 1986 | ALL DIRECTORS CFO | |

| LIQUOR CONTROL REFORM ACT 1998 | | | |
|---------------------------------------|---|-----------------|---|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.27(1) | Power to apply to the Director for a licence or BYO permit | NOT DELEGATED | Note – “Director” means the Director of Liquor Licensing. |
| s.40(1) | Power to object to a grant variation or relocation of a licence | DCPP/MPLAD | Note – “Tribunal” means VCAT. |
| s.40(1A) | Power to object to a grant variation or relocation of a packaged liquor licence | DCPP/MPLAD | |
| s.91 | Power to apply to the Commission to conduct an inquiry into whether there are grounds to take disciplinary action against the licensee or permittee | NOT DELEGATED | The power remains with the CEO. |
| s.94 | Power to apply to the Commission to conduct an inquiry into amenity or disuse | NOT DELEGATED | The power remains with the CEO. |

| LOCAL GOVERNMENT ACT 1989 | | | |
|----------------------------------|---|-----------------|---|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.154 | Power to determine that land is not rateable land in accordance with section 154 | CFO/MFIN/SVAL | |
| s.158(3) | Power to levy rates by sending a notice to the person liable | CFO/MFIN/CREV | |
| s.158(3A) | Power to send a rate notice to a person specified upon request | CFO/MFIN/CREV | |
| s.159(5) | Power to determine the form of application and the time period in which an application must be made | CFO/MFIN/CREV | Note – section 159 refers to a municipal charge. Sub section 3 allows a person to apply for an exemption from the payment of a municipal charge in certain circumstances (eg: farm land). |
| s.159(6) | Power to require the applicant to give further particulars or verify particulars | CFO/MFIN/CREV | Note – section 159 refers to a municipal charge. Sub section 3 allows a person to apply for an exemption from the payment of a municipal charge in certain circumstances (eg: farm land). |
| s.163(4) | Power to levy a special rate/charge by sending a notice to the person liable | CFO/MFIN/CREV | |
| s.170(1) | Power to defer payment where the applicant shows hardship | CFO/MFIN/CREV | Subject to Council's financial delegations and policy. |
| s.170(3)(a) | Power to require payment where the ratepayer is no longer experiencing hardship | CFO/MFIN/CREV | Subject to Council's financial delegations. |

| LOCAL GOVERNMENT ACT 1989 | | | |
|---------------------------|---|----------------|--|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.171(1) | Power to waive rate/charge to eligible recipient or in accordance with Council determination | CFO/MFIN/CREV | Subject to Council's financial delegations Note – the sub section requires that the resolution of council must include the objectives to be achieved by the waiver |
| s.171(4)(f) | Power to decide to treat a person to whom a waiver is granted as having made continuing application for a waiver | CFO/ MFIN/CREV | Requires the approval of the Minister administering the <i>State Concessions Act</i> 2004. |
| s.171(5A) | Power to waive a rate/charge where the person has the right to recover it from another (upon application of the eligible recipient) | CFO/ MFIN/CREV | <i>Subject to Council's financial delegations.</i> <i>Note – the section refers to situations where the person liable for the rate, charge or interest has a legally enforceable right to recover the amount from an eligible recipient (as defined).</i> |
| s.171A(2) | Power to require information on verification | CFO/ MFIN/CREV | <i>Note – section 171A refers to waivers or any rate, charge or interest in relation to persons suffering financial hardship (not necessarily “eligible recipients” as defined in the Act).</i> |
| s.171A(3) | Power to waive a rate/charge/interest | CFO/ MFIN/CREV | <i>Note – section 171A refers to waivers or any rate, charge or interest in relation to persons suffering financial hardship (not necessarily “eligible recipients” as defined in the Act).</i> |
| s.172(1) | Power to raise interest and require payment from the person liable | CFO/CREV | |

| LOCAL GOVERNMENT ACT 1989 | | | |
|----------------------------------|--|-----------------|---|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.172(3) | Power to exempt a person from paying interest, in whole or in part | CFO/MFIN/CREV | In accordance with any organisational (CEO approved) policy or procedure and as defined by any other operational delegation or authorisation operating. |
| s.172(4) | Power to recover interest due. | CFO/MFIN/CREV | |
| s.175(2) | Power to require current rates, arrears from the person acquiring land. | CFO/MFIN/CREV | |
| s.177(1) | Power to require the occupier to pay rent upon notice. | CFO/MFIN/CREV | |
| s.177(4) | Power to recover unpaid rent as a debt due. | CFO/MFIN/CREV | |
| s.180(1) | Power to recover unpaid rate/charge as a debt due. | CFO/MFIN/CREV | |
| s.181(2) | Power to dispose of land where the rate/charge is unpaid. | CFO/MFIN | |
| s.181(5) | Power to serve and to give notices before Council sells the land. | CFO/MFIN | |
| s.181(7) | Power to deduct expenses incurred in connection with a sale. | CFO/MFIN | |
| s.181C(2) | Power to send notice to person liable to pay environmental upgrade charge. | CFO/MFIN/CREV | |

| LOCAL GOVERNMENT ACT 1989 | | | |
|----------------------------------|---|----------------------|--|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.181H | Power to enter into an environmental upgrade agreement on behalf of Council and declare and levy an environmental upgrade charge. | CFO/MFIN/CREV | |
| s 185I | Power to enter into a cladding rectification agreement in respect of rateable land with an existing building on it. | NOT DELEGATED | Subject to ss 185I(4), 185J(4) and 185J(5) |
| s 185J(8) | Power to enter into a cladding rectification agreement if all the existing mortgagees of the rateable land agree in writing to the proposed cladding rectification charged. | NOT DELEGATED | 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. | NOT DELEGATED | If Council is not satisfied of the matters set out in s 185J(5) |
| s.200(1) | Power to give persons notice that they must carry out drainage works. | DIA/MASS/MWASS/MPLAD | |
| s.200(2) | Power of the Council to carry out works itself where non-compliance with notice. | DIA/MASS/MWASS/MPLAD | Note – section 200 refers to the drainage of land. |
| s.201(2) | Power to carry out any power under the Act for purpose of section 201(1). | DIA/MASS/MWASS/MPLAD | Note – section 201(2) provides that a Council may construct, operate, control, manage or maintain any works or undertakings which form the whole or part of a scheme declared to be an approved scheme under section 216 of the <i>Water Act</i> 1989. |
| s.203(1) | Power to develop and implement a transport plan. | NOT DELEGATED | The power remains with the CEO. |

| LOCAL GOVERNMENT ACT 1989 | | | |
|----------------------------------|--|----------------------|---|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.203(2) | Power to prepare a transport plan jointly with one or more other councils. | NOT DELEGATED | The power remains with the CEO. |
| s.203A | Power to procure, provide or enable transport services within the municipal district. | DCPP/MCOMH | |
| s.204(1) | Power to publish notice in the Victoria Government Gazette of a road to be declared a public highway. | DIA/MASS | |
| s.222(3) | Power to fix reasonable fees for inspection and copying. | NOT DELEGATED | Fees must be determined and approved by Council as part of Council's annual budget. |
| s.223(3) | Power to authorise members of Council staff to carry out administrative procedures. | CFO/MGOV | Note – section 223(3) provides that despite section 98, a Council may authorise the appropriate members of Council staff to carry out administrative procedures necessary to enable the Council to carry out its Powers under this section. (Section 98 refers to delegations). |
| s.224(1) | Power to appoint an authorised officer. | NOT DELEGATED | The power remains with the CEO. |
| s.224(3) | Power to authorise a person to sign identity cards of authorised officers. | NOT DELEGATED | |
| s.224A(2) | Power to publish a notice in the Government Gazette which authorises police officers to enforce provisions of local law. | NOT DELEGATED | |
| Schedule 10 cl.1(a) | Power to make, maintain and repair roads | DIA/MASS/CENVS/CTECS | |

| LOCAL GOVERNMENT ACT 1989 | | | |
|---------------------------|--|---|---|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| sch 10 cl.2 | Power to deviate roads | DIA/MASS | Note – a gazettal is required prior to the deviation. |
| sch 10 cl.3 | Power to discontinue roads | DIA/MASS/CFO/CPROL | |
| sch 10 cl.4 | Power to enter and take any materials necessary from certain land | DIA/MASS | |
| sch 10 cl.5 (1) | a) power to approve, assign or change the name of a road; | NOT DELEGATED | The power in clause 5(1) must be exercised in accordance with the <i>Geographic Place Names Act</i> 1998. |
| | b) to erect signs; | DIA/MASS | |
| | c) to approve, assign and change the number of a road and any premises next to the road; and | CFO/MFIN/CREV | |
| | d) to require people to number their premises and to renew those numbers. | DIA/MASS/CFO/MFIN /MGOV/DCSL/MCITS /CCITL/CTECS | |
| sch 10 cl.6 | Power to cause standard survey marks to be established in roads | DIA/MASS | |
| 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 | DIA/MASS | |
| sch 10 cl.9 | Power to provide for temporary roads | DIA/MASS/MINFD | This delegation is only applicable to the construction phase of a project. |
| sch 10 cl.10 | Power to permit the erection and maintenance of gate and fences; | DIA/MASS | |

| LOCAL GOVERNMENT ACT 1989 | | | |
|----------------------------------|--|--|--|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| | permit the construction of by- passes for unfenced roads; and revoke the permission in (a) and (b). | | |
| sch 10 cl.11(a) | Power to require/cause the filling up of holes or excavations | DIA/MASS | |
| sch 10 cl.11(b) | Power to require/cause the removal of a cause of danger/damage | DIA/MASS/MWASS /MPLAD/CTECS/ | |
| 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 | DIA/MASS | |
| sch 10 cl.12 | Power to make, maintain, repair or reconstruct a bridge or crossing | DIA/MASS/MINFD | |
| Schedule 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 | DIA/CFO/MFIN/MCITS /CCITL/DCSL/MASS | The applicable fees must be determined and approved by Council as part of Council's annual budget. |
| sch 11 cl.2 | Power to issue special parking permits to disabled persons | DCSL/DCUS | |
| sch 11 cl.3 | Power to remove abandoned/unregistered vehicles | DCSL/MCITS/CCITL | |
| sch 11 cl.4 | Power to tow away and impound vehicles which are causing an unlawful obstruction etc and to charge a fee | DCSL/MCITS/CCITL | |

| LOCAL GOVERNMENT ACT 1989 | | | |
|----------------------------------|---|----------------------------|---|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| sch 11 cl.5 | Power to require or cause the removal of any encroachment or obstruction | DCSL/MCITS/CCITL | |
| sch 11 cl.6 | Power to control traffic to enable works to be carried out on, over, or on land next to a road | DCSL/MCITS/MA/MINFD /CCITL | |
| sch 11 cl.7 | Power to close a road, or part of a road for a particular period | DIA/MASS/MINFD | This delegation is only applicable to the construction phase of a project. |
| 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 | DIA/MASS/MINFD | |
| sch 11 cl.9 | Power to block or restrict the passage or access of vehicles on a road by placing a permanent barrier or obstruction on a road | DIA/MASS | This delegation is only to be exercised where a report from the Roads Corporation has been considered. If the road is a freeway or arterial road, consent of Head, Transport for Victoria is required |
| 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 | DIA/MASS/MINFD | This delegation is only applicable to the construction phase of a project. If the road is a freeway or arterial road, consent of the Head, Transport for Victoria is required |
| sch 11 cl.11 | Power to declare a road or part of a road a shopping mall and prohibit or restrict the entry of vehicles | NOT DELEGATED | The power remains with the CEO. |
| sch 11 cl.12(1) | Administrative functions necessary to give effect to the power to prohibit the use of a road by a vehicle over a certain size or weight | DIA/MASS | |

| LOCAL GOVERNMENT ACT 1989 | | | |
|----------------------------------|---|-----------------|---|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| 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 | DIA/MASS | Only to be exercised where there is 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 | DIA | Requires VicRoads approval. |
| sch 11 cl.14 | Power to prohibit or restrict traffic on a road if unsafe | DIA/MASS | |

| LOCAL GOVERNMENT ACT 2020 | | | |
|----------------------------------|---|---|---|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s 103 | Power to invest any money in accordance with subsections (a) to (f). | CFO/MFIN | In accordance with any organisational (CEO approved) policy or procedure and As defined by any other operational delegation or authorisation operating. |
| s 115(1) | Power to lease land. | CFO/MGOV | |
| 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). | CFO | |
| s 117(1)(a) | Power to approve another person to carry out the work required under s 117(1). | DIA/MINFD/MWASS/MPLAD /MASS/MGOV/DCSL/MCITS /CCITL/CFO/MFIN | Note – refers to any works which a person is required to carry out under and Act, Regulation or local law. |

| LOCAL GOVERNMENT ACT 2020 | | | |
|---------------------------|--|------------------------------------|---|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s 117(1)(b) | Power to carry out the work required under s 117(1). | ALL DIRECTORS MINFD/MCITS/CCITL | Delegation extends only to area of functional responsibility of delegate MINFD delegation only relates to crossovers where the resident doesn't perform the required work. |
| s 117(3) | Power to recover costs of carrying out work. | DIA/MASS/MWASS/ MPLAD | |
| s 119 | Power to require payment of all or part of money from present owner or occupier. | NOT DELEGATED | |
| s 120(1) | Power to charge interest on unpaid money (other than rates and charges) in accordance with s 120. | CFO/MFIN | |
| 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. | CFO/MFIN/CREV | |
| 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. | NOT DELEGATED | The power remains with the CEO Subject to subsection (2) |

| LOCAL GOVERNMENT ACT 2020 | | | |
|----------------------------------|--|------------------------------------|-------------------------------------|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s 313(1) | Power to institute proceedings in the corporate name of the Council. | CFO/MFIN/MGOV /DCSL/MCITS/CCITL | Subject to subsection (a) – (d) |
| s 313(1) | Power to authorise a person to institute proceedings in the corporate name of the Council. | CFO/MFIN/MGOV /DCSL/MCITS/CCITL | Subject to subsection (a) – (d) |

| MAGISTRATES COURT ACT 1989 | | | |
|-----------------------------------|--|-----------------|--|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.99A(4) | Power to give persons or bodies making a written request under section 99A(3) access to any information that may be of use in the enforcement of court orders and fines. | CFO/MGOV | Note – section 94A (4) provides that on the written request of the infringements registrar, the sheriff or any contractor or sub-contractor supporting the powers of the Infringements Court or the sheriff, a specified agency may give the person or body making the request access to any information held by the agency that may be of use in the enforcement of court orders and fines. |

| MAJOR TRANSPORT PROJECTS FACILITATION ACT 2009 | | | |
|--|--|--------------|--|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.111C(1)(a) | Power to enter into an agreement with project authority | CFO/DCPP/DIA | Council as specified entity Provision inserted under <i>Suburban Rail Loop Act 2021</i> |
| s.146(2) | Power to claim compensation for pecuniary loss or expense incurred | DIA/MASS | |

| MINERAL RESOURCES (SUSTAINABLE DEVELOPMENT) ACT 1990 | | | |
|---|--|-----------------|-------------------------------------|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.77M(3) | Power to consult with the Minister regarding variation, suspension or revocation | DIA | |
| s.77R(1)(c) | Power to act, if specified by the Minister, as a referral authority | DIA | |
| s.80(2)(a) | Power to consult with the Minister regarding amount of rehabilitation bond or further rehabilitation bond if the land is private land | DIA | |
| s.80(2A) | Power to consult with the Minister regarding amount of rehabilitation bond in respect to an extractive industry work authority if the land is private land | DIA | |
| s.82(2) | Power to consult with the Minister before the Minister returns bond if rehabilitation is satisfactory and if the land is private land | DIA | |

| NATIONAL PARKS ACT 1975 | | | |
|--------------------------------|---|-----------------|-------------------------------------|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.19C(1) | Power to enter into an agreement with the Minister for management of land vested in or controlled or managed by the Council | DCPP | |
| s.27(1) | Power to exercise powers in relation to a park with Parks Victoria's consent subject to any conditions it directs | DCPP/MPLAD | |

| PIPELINES ACT 2005 | | | |
|---------------------------|---|----------------------------------|--|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.21(1) | Power to consent to entry onto Crown land for the purposes of conducting a survey | DIA/MWASS/MPLAD /MCIPO/MASS | 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 | DIA/MWASS/MPLAD/MASS /DCPP/MINFD | 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 | DIA/MWASS/MPLAD /MASS/DCPP/MINFD | Where Council is the 'relevant authority'. |
| s.105(1) | Power to refer a dispute under Division 2 Part 7 of the Act to the Governor in Council for determination | NOT DELEGATED | The power remains with the CEO. |

| PRIVACY AND DATA PROTECTION ACT 2014 | | | |
|---|---|-----------------|---|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.22(1) | Power to seek approval of a code of practice or an amendment to a code of practice | CFO/MGOV | |
| 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 | CFO/MGOV | |
| s.29(1) | Power to apply to the Information Commissioner for a public interest determination | CFO/MGOV | |
| s.30(1) | Power to request that an application be for a temporary public interest determination | CFO/MGOV | |
| s.34(1) | Power to apply to the Information Commissioner for approval of an amendment to a public interest determination | CFO/MGOV | |
| s.38(1) | Power to apply to the Information Commissioner for a temporary public interest determination and power to make a submission | CFO/MGOV | |
| s.47(1) | Power to apply for approval of an information usage arrangement | CFO/MGOV | 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 | CFO/MGOV | Where Council is a lead party to an information usage arrangement |
| s.53(2) | Power to request revocation of an approval of an information usage arrangement | CFO/MGOV | Where Council is a party to an information usage arrangement |

| PRIVACY AND DATA PROTECTION ACT 2014 | | | |
|--------------------------------------|---|----------|--|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| | | | |
| s.56 | Power to apply to VCAT for a review of a decision to issue a certificate under section 55 | CFO/MGOV | Where Council's interests are affected by the decision |
| s.62(3) | Power to attend before the Information Commissioner and produce documents | CFO/MGOV | |
| s.67(3) | Power to attend conciliation and settle the matter | CFO/MGOV | |
| s.68 | Power to give information or produce a document | CFO/MGOV | |
| s.69(1) | Power to prepare and sign a conciliation agreement | CFO/MGOV | |
| s.69(2) | Power to lodge a certified conciliation agreement | CFO/MGOV | |
| s.72 | Power to apply to VCAT for an interim order | CFO/MGOV | |
| s.77(1) | Power to administer/ implement an order of VCAT | CFO/MGOV | |
| s.78(3) | Power to apply for an extension in relation to a compliance notice | CFO/MGOV | |
| s.79 | Power to give information or produce a document | CFO/MGOV | |
| s.83(1) | Power to apply to VCAT for a review of a decision of the Information Commission under section 78(1) | CFO/MGOV | |

PUBLIC HEALTH AND WELLBEING ACT 2008

| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
|------------|---|----------------------|---|
| s.27(3) | Power to apply to the Secretary for an exemption from complying with section 26 | DCSL/MCITS/CPUBH | Note – “Secretary” means the Secretary to the Department of Human Services. |
| s.31(4) | Power to give directions to authorised officers | DCSL/MCITS/CPUBH | |
| s.57(2) | Power to disclose certain information to the Secretary, Chief Health Officer or another council | DCSL/MCITS/CPUBH | |
| s.57(4) | Power to disclose certain information to a government department, statutory body or other person responsible for administering another Act or regulations | DCSL/MCITS/CPUBH | |
| s.62(4)(a) | Power to exercise the powers in section 66 where that section applies, for the purposes of section 62(3)(a) | DCSL/MCITS/CPUBH/EHO | |
| s.62(4)(b) | Power to issue an improvement notice or a prohibition notice for the purposes of section 62(3)(a) | DCSL/MCITS/CPUBH/EHO | |
| s.62(4)(c) | Power to bring proceedings under section 219(2) for an offence against this Act for the purposes of section 62(3)(a) | DCSL/MCITS/CPUBH/EHO | |
| s.64 | Power to institute proceedings for an offence under section 61 | DCSL/MCITS/CPUBH | |
| s.65 | Power to investigate nuisances occurring outside the municipal district | DCSL/MCITS/CPUBH/EHO | |

PUBLIC HEALTH AND WELLBEING ACT 2008

| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
|------------|--|----------------------|--|
| s.66(2)(a) | Power to enter and take steps to abate nuisance and do all things necessary for abatement | DCSL/MCITS/CPUBH/EHO | Where the nuisance comes from land for which the occupier and owner are unknown or cannot be found. Unless another council is abating the nuisance under s66(2) |
| s.66(2)(b) | Power to do all things necessary for abatement of a nuisance | DCSL/MCITS/CPUBH/EHO | Where the 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 s66(2) | DCSL/MCITS/CPUBH/EHO | |
| s.73(1)(a) | Power to give the applicant notice requiring specified information before considering the application under section 71 | DCSL/MCITS/CPUBH/EHO | |
| s.73(1)(b) | Power to inspect prescribed accommodation or premises before considering the application under section 71 | DCSL/MCITS/CPUBH/EHO | |
| s.73(1)(c) | Power to require alterations or improvements to prescribed accommodation or premises before considering the application under section 71 | DCSL/MCITS/CPUBH/EHO | |
| s.73(2) | Power to issue, transfer or renew a registration subject to subsection (1)(c) | DCSL/MCITS/CPUBH | |

| PUBLIC HEALTH AND WELLBEING ACT 2008 | | | |
|---|--|----------------------|--|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| | | | |
| s 73A | Duty and Power to enter information in the Rooming House Register | DCSL/MCITS/CPUBH/EHO | |
| s.74 | Power to decide issue, transfer or renew registration | DCSL/MCITS/CPUBH | |
| s.76(1)(a) | Power to refuse to issue a registration | DCSL/MCITS/CPUBH | The decision of the delegate is only valid where Council later ratifies the refusal. |
| s.76(1)(b) | Power to issue a registration subject to a condition imposed on the registration by the Council under section 73(2) | DCSL/MCITS/CPUBH | Subject to section 74. |
| s.76(1)(c) | Power to vary a registration | DCSL/MCITS/CPUBH | |
| s.76(1)(d) | Power to cancel a registration | DCSL/MCITS/CPUBH | |
| s.76(1)(e) | Power to suspend a registration | DCSL/MCITS/CPUBH | |
| s.76(1)(f) | Power to refuse to transfer a registration | DCSL/MCITS/CPUBH | The decision of the delegate is 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 section 73(2) | DCSL/MCITS/CPUBH | Subject to section 74. |
| s.76(1)(h) | Power to refuse to renew a registration | DCSL/MCITS/CPUBH | The decision of the delegate is 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 section 73(2) | DCSL/MCITS/CPUBH | Subject to section 74. |

PUBLIC HEALTH AND WELLBEING ACT 2008

| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
|-------------|--|----------------------|------------------------------|
| s.78 | Power to issue a replacement certificate of registration | DCSL/MCITS/CPUBH/EHO | |
| 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 | NOT DELEGATED | |
| s.181(1) | Power to take any step in paragraphs (a)-(d) with respect to items seized by an authorised officer appointed by Council | DCSL/MCITS/CPUBH/EHO | |
| s.182 | Power to destroy or otherwise dispose of forfeited item | DCSL/MCITS/CPUBH/EHO | |
| s.185(2) | Power to approve the form in which a complaint is made | DCSL/MCITS/CPUBH/EHO | |
| s.194(2)(a) | Power to issue an improvement notice | DCSL/MCITS/CPUBH/EHO | In accordance with s 194(3). |
| s194(2)(b) | Power to issue a prohibition notice | DCSL/MCITS/CPUBH/EHO | 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) | DCSL/MCITS/CPUBH | |
| 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) | DCSL/MCITS/CPUBH | |

| PUBLIC HEALTH AND WELLBEING ACT 2008 | | | |
|---|--|----------------------|--|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| 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 | DCSL/MCITS/CPUBH/EHO | |
| s.197(5)(b) | Power to recover costs and expenses incurred | DCSL/MCITS/CPUBH | |
| s.197(6) | Power to recover costs and expenses in court | DCSL/MCITS/CPUBH | |
| s.205(5) | Power to agree a period greater than 28 days for review of a decision with the applicant | DCSL/MCITS/CPUBH | |
| s.205(6)(a) | Power to make a decision affirming, varying or revoking a decision | DCSL/MCITS/CPUBH | |
| s.205(6)(b) | Power to make any other decision where original decision is revoked | DCSL/MCITS/CPUBH | Where the decision is to refuse an application, the decision of the delegate is only valid where Council later ratifies the refusal. |
| s.209(2) | Power to serve an infringement notice | DCSL/MCITS/CPUBH/EHO | Subject to the delegate being an authorised officer. |
| s.219(2)(a) | Power to bring proceedings for an offence against Part 6, 9 or 10 (or any regulations under Part 6, 9 or 10) | DCSL/MCITS/CPUBH | |
| s.219(2)(b) | Power to bring proceedings for an offence relating to an improvement notice or a prohibition notice | DCSL/MCITS/CPUBH | |
| s.228(1) | Power to seek reimbursement of costs incurred where person is found guilty of an offence | DCSL/MCITS/CPUBH | |

| PUBLIC HEALTH AND WELLBEING ACT 2008 | | | |
|--------------------------------------|--|----------------------|---|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.228(2) | Power to seek payment for the cost of work conducted by Council where awarded legal costs | DCSL/MCITS/CPUBH | 'Work' is defined in subsection s228(3). Section 228(2) provides that if a council is awarded legal costs in any proceedings for an offence against the Act or the Regulations, the council may seek payment for the cost of any work conducted by the council. |
| s.229(3) | Power to take the actions necessary to ensure compliance with the direction, requirement, improvement notice or prohibition notice | DCSL/MCITS/CPUBH/EHO | Where Council is so authorised by Chief Health Officer under subsection s229(2). |
| s.230(2)(b) | Power to recover, in court, costs incurred under section 229 | DCSL/MCITS/CPUBH | |

| PUBLIC INTEREST DISCLOSURES ACT 2012 | | | |
|--------------------------------------|---|----------|--------------------------|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.23 | Power to provide information in respect of the disclosure | PIDC | |
| 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 section 54(2) | PIDC | |

| RESIDENTIAL TENANCIES ACT 1997 | | | |
|---------------------------------------|--|-----------------|--|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s 91ZU(1) | Power to give a renter a notice to vacate rented premises | NOT DELEGATED | Where Council is a public statutory authority engaged in the provision of housing |
| s 91ZZC(1) | Power to give a renter a notice to vacate rented premises | NOT DELEGATED | 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 | NOT DELEGATED | 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 | NOT DELEGATED | Where Council is a public statutory authority engaged in the provision of housing |
| s 142G(2) | Power to enter certain information in the Rooming House Register | CPUBH/EHO | |
| s 142I(2) | Power to amend or revoke an entry in the Rooming House Register if necessary to maintain the accuracy of the entry | CPUBH/EHO | |

| ROAD MANAGEMENT ACT 2004 | | | |
|---------------------------------|--|-----------------|--|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.14(7) | Power to appeal to the Minister regarding a decision of Head, Transport for Victoria | NOT DELEGATED | The power remains with the CEO. |
| s 87(2)(a) | Power to investigate complaint | DIA/MASS | Where Council is the appointing entity |
| s 87(2)(b) | Power to provide written report | DIA/MASS | 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 | DIA/MASS | Where Council is the appointing entity |
| Schedule 2 Clause 4 | Power to make submissions on Head, Transport for Victoria proposal to act under section 42 and clause 3 | DIA/MASS/CTECS | |
| Schedule 5A Clause 51 | Power to claim from 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 | DIA/MASS/CTECS | Council must have sustained pecuniary loss or incurred an expense. |

ROAD SAFETY ACT 1986

| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
|-------------------------|--|------------------|---|
| s.59(1)(a) and (d) | Power to authorize an officer or other person to request or signal a driver or person in charge of motor vehicle to do certain things, such as stop the motor vehicle | NOT DELEGATED | Where Council is the enforcement official. Note – refers to the mass or dimensions of a motor vehicle or trailer or to the number of hours during which a person may drive a motor vehicle or to the carrying of a log book. |
| s.77(2)(b) | Power to prosecute and authorise a staff member to prosecute | DCSL/MCITS/CCITL | |
| 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 | DCSL/MCITS/CCITL | |
| s.84BE(4), (5) and (5A) | Power to decide to accept statements as effective statements for the purposes of this Part | DCSL/MCITS/CCITL | Where Council is the enforcement official. |
| s.84BF | Power to cancel acceptance of a statement | DCSL/MCITS/CCITL | Where Council is the enforcement official. |
| s.87(1) | Power to serve, or cause to be served, a parking infringement notice | DCSL/MCITS/CCITL | |
| s.87(1E) | Power to authorise a member of staff to sign an identity card | NOT DELEGATED | The appointment of authorised officers, the preparation of Instruments of Authorisation and the issue of identity cards is a centralized process – only the CEO can appoint authorized officers. |
| s.87(8) | Power to authorise a person for the purpose of | NOT DELEGATED | The appointment of authorised officers, the |

| ROAD SAFETY ACT 1986 | | | |
|----------------------|---|----------|--|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| | serving parking infringement notices in accordance with section 87(1C) | | preparation of Instruments of Authorisation and the issue of identity cards is a centralized process – only the CEO can appoint authorized officers. |
| s.90D(1) | Power to enter into an agreement with the owner or occupier or land for the provision of parking services | DIA/MASS | |
| 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) | CUSO | |
| s.98(1) | Power to request the Minister to extend application of the Act | DIA | |
| s.99A(4) | Power to establish requirements for a traffic management plan | DIA/MASS | Applies where Council is the coordinating road authority under the <i>Road Management Act 2004</i> . |
| s.99B(1) | Power to issue a permit to conduct a non-road activity (including on conditions specified in section 99B{3}) | DIA/MASS | Applies where Council is the coordinating road authority under the <i>Road Management Act 2004</i> . |
| s.99B(2) | Power to authorise the closure of a highway to traffic | DIA/MASS | Applies where Council is the coordinating road authority under the <i>Road Management Act 2004</i> . |

| SALE OF LAND ACT 2000 | | | |
|-----------------------|---|----------------------|--------------------------|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| | power to authorise the release of deposit moneys under the <i>Sale of Land Act</i> 1962 | ALL DIRECTORS CFO | |

| SERVICE VICTORIA ACT 2018 | | | |
|----------------------------------|---|-----------------|-------------------------------------|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.7(5) | Power to perform a customer service function in accordance with the enactment that confers the function on the service agency | NOT DELEGATED | |
| s.12(5) | Power to perform an identity verification function in accordance with the enactment that confers the function on the service agency | NOT DELEGATED | |
| s 47E | Power to make changes to information in database | NOT DELEGATED | |
| s 54A(2) | Power to disclose regulated information in certain circumstances in (a) - (g) | NOT DELEGATED | |
| s.58(3) | Power to provide agreement to Minister | NOT DELEGATED | |

| SPORT AND RECREATION ACT 1972 | | | |
|-------------------------------|--|----------|--------------------------|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.6(3) | Power to enter into agreement with the Minister and to agree to conditions for the Minister to carry out works or undertakings or provide services | DCPP | |

SUBDIVISION ACT 1988

| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
|------------|---|----------------------------|--|
| s.3(5) | Power to require a variation of an easement or a restriction in compliance with the planning scheme or permit | DCPP/MPLAD/SSUBO /SUBO | |
| s.5(3)(d) | Power to provide a statement of compliance | DCPP/MPLAD/SSUBO /SUBO | |
| s.5(4) | Power to accept and consider plans | DIA/DCPP/MPLAD/SSUBO /SUBO | |
| s.5(4A) | Power to consider and certify plans before a <i>Transfer of Land Act 1958</i> application is determined | DCPP/MPLAD/SSUBO /SUBO | |
| s.10(1) | Power to require the applicant to alter a plan | DCPP/MPLAD/SSUBO /SUBO | |
| s.10(2) | Power to agree to an alteration at the request of the applicant | DCPP/MPLAD/SSUBO /SUBO | |
| s.11(2A) | Power to amend without referral if a minor amendment | DCPP/MPLAD/SSUBO /SUBO | |
| s.11A(1) | Power to require more information | DCPP/MPLAD/SSUBO /SUBO | |
| s.15(1) | Power to require an engineering plan | DIA/MINFD/DCPP/MPLAD /MASS | Does not apply where section 14 applies. |
| s.15(6) | Power to charge for engineering plans prepared by it | DIA/MINFD/DCPP/MPLAD /MASS | Does not apply where section 14 applies. |
| s.17(2)(a) | Power to appoint a supervisor of works | DIA/MINFD/DCPP/MPLAD /MASS | Does not apply where section 14 applies. |
| s.17(2)(b) | Power to charge for supervision | DIA/MINFD/DCPP/MPLAD /MASS | Does not apply where section 14 applies. |

SUBDIVISION ACT 1988

| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
|------------|---|----------------------------|--|
| s.17(2)(c) | Power to enter into an agreement with the owner or applicant in anticipation of the applicant becoming the owner | DIA/MINFD/DCPP/MPLAD /MASS | Does not apply where section 14 applies. |
| s.17(2A) | Power to request the Minister to nominate authority to consider what works are required | DIA/DCPP | Does not apply where section 14 applies. |
| s.17(2D) | Power to transfer works/interest in land relating to the works by agreement from Council to a relevant authority | DIA/MINFD/DCPP/MPLAD /MASS | Does not apply where section 14 applies. |
| s.18(1) | Power to require the applicant to set aside land for public open space and/or pay a percentage | DCPP/MPLAD/SSUBO /SUBO/ | Does not apply where sections 14 and 18(8) apply. The delegate must have regard to the matters in section 18(1A) - 2. |
| s.18(1B) | Power to vary the time of payment by agreement with the applicant | DCPP/MPLAD/MCST | |
| s.18(4) | Power to agree with the applicant to set aside/pay different percentage | DCPP/MPLAD | Does not apply where section 14 applies. |
| s.18(7) | Power to refund the amount paid under section 18(1) where it is no longer intended to subdivide | DCPP/MPLAD | Does not apply where section 14 applies. |
| s.18(8) | Power to consider it unlikely that each lot will be further subdivided. | DCPP/MPLAD | |
| 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 | DCPP/MPLAD | |

| SUBDIVISION ACT 1988 | | | |
|----------------------|--|------------------------|--|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.19(1) | Power to obtain a valuation where the value is not agreed | DCPP/MPLAD | Does not apply where section 14 applies. |
| s.19(5) | Power to obtain a 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. | DCPP/MPLAD | Does not apply where section 14 applies. |
| 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 | DCPP/MPLAD/SSUBO /SUBO | Does not apply where section 14 applies. |
| s.24A(1) | Duty to do any of the things listed in the table in this section where so required by planning scheme with respect to reserves, etc | DCPP/MPLAD/SSUBO /SUBO | |
| s.24A(2) | Power to certify a plan prepared under section 24A(1) where the applicant certifies the land is no longer reserved | DCPP/MPLAD/SSUBO /SUBO | |
| s.34E | Power to apply to VCAT for an order compelling an owners corporation to carry out a requirement or perform a duty | DCPP/MPLAD/SSUBO /SUBO | |
| s.35(2) | Power to require an acquiring authority to submit certification new/amended plan | DCPP/MPLAD/SSUBO /SUBO | Section 35(3)-(5) applies. |

| SUBDIVISION ACT 1988 | | | |
|-----------------------------|---|-----------------|--|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.35(8) | Power of acquiring authority to submit for certification and registration of any land vested/registered in its own name | DIAMPLAD | Section 35(9) applies. |
| s.38 | Power to provide written consent | DCPP/MPLAD | |
| s.38A(1) | Power to provide written consent | DCPP/MPLAD | |
| s.38B | Power to provide written consent | DCPP/MPLAD | |
| s.38C | Power to provide written consent | DCPP/MPLAD | |
| s.39(1) | Power to refer disputes to VCAT | DCPP/MPLAD | Unless section 39(2) applies. |
| s.39(3) | Power to apply to the County Court to order registration of plan be stopped in certain circumstances | DCPP/MPLAD | |
| Schedule 2 – clause 11(1) | Power to apply to a court for an order regarding a scheme of development | DCPP/MPLAD | Note – “scheme of development” means a scheme of development accompanying a registered cluster plan under section 21 of the <i>Cluster Titles Act 1974</i> . |

| SUMMARY OFFENCES ACT 1966 | | | |
|----------------------------------|--|--|--|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.4 | Power to give permission or consent to certain things | DIA/CFO/MGOV/MASS /DCSL/MCITS/CTECS /CCITL | Delegation to be used in accordance with any Council policy, local law and associated codes. |
| s.50A(3)(a) | Power to apply to the Governor in Council for a declaration that the municipal district be a “district” (ie: used for primary production) for the purposes of section 50A offences | CFO/MGOV | Note – refers to trespass of land used for primary production. |
| s.50A(3)(b) | Power to apply to the Governor in Council for revocation/variation of a declaration under section 50A(3)(a) | NOT DELEGATED | Note – refers to trespass of land used for primary production. |

| TRANSFER OF LAND ACT 1958 | | | |
|----------------------------------|--|-----------------|--|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.45(1) | Power to consent to the creation of an easement or the transfer of land | CFO | Power is only delegated to consent to the creation of an easement where Council is the landowner. Power to transfer land is not delegated |
| s.54 | Power to make application to be a registered proprietor | DIA/CFO/CPROL | Applies only where the Council is an 'acquiring authority' as defined in section 53. |
| s.57(2) | Power to withdraw notice of intention to acquire | DIA/CFO/CPROL | Applies only where the Council is an 'acquiring authority' as defined in section 53. |
| s.73B | Power to consent to the creation or surrender of the right of carriageway | CFO | Where land is located in Council's municipal district |
| s.88(1B) | Power to consent to the varying or releasing of a restrictive covenant | CFO | 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 | DIA/CFO/CPROL | Applies only where the Council is an 'acquiring authority' as defined in section 53. Note – “Registrar” means the Registrar of Titles |
| s.106(1)(b) | Power to consent to the registration of a dealing or plan | DIA/CFO/CPROL | |

| TRANSPORT INTEGRATION ACT 2010 | | | |
|--------------------------------|--|----------|--------------------------|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.26 | Power to determine the weight to give to each transport system objective under ss24 and 25 | DIA/MASS | |
| s.27 | Power to determine the weight to give to each decision making principle under ss 24 and 25 | DIA/MASS | |

| TRANSPORT (SAFETY SCHEMES COMPLIANCE AND ENFORCEMENT) ACT 2014 | | | |
|--|---|----------------|---|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| | | | <p><i>Note:</i> The purpose of this Act is to provide a scheme for the enforcement of transport system safety legislation by:</p> <ul style="list-style-type: none"> a) re-enacting, with modifications, provisions of the scheme under the <i>Transport (Compliance and Miscellaneous) Act</i> 1983 for the enforcement of transport system safety legislation; and b) adopting and adapting provisions from the Rail Safety National Law. |
| s.100 | Power to apply to the Safety Director for a review of the Safety Director's decision | NOT APPLICABLE | <p>Not applicable – section 91(3) refers to rail transport operators.</p> <p>Where council is the responsible road authority and its interests are affected by a decision of the Safety Director which is made under section 91(3) of the Act.</p> |
| s.102 | Power to apply to the Victorian Civil and Administrative Tribunal (VCAT) for a review of the Safety Director's decision | DIA | Where council is the responsible road authority and its interests are affected by a decision of the Safety Director which is made under section 91(3) of the Act. |

| VALUATION OF LAND ACT 1960 | | | |
|----------------------------|--|--------------------|--|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.6(2) | Power to require the general valuation prepared by the valuation authority to show items in paragraphs (a) – (c) | CFO/SVAL/MFIN | Where Council is a rating authority. |
| s.7AB(2) | Power to adjust the rate or fire services property levy payable retrospectively for any period it considers just | CFO/SVAL/CREV/MFIN | |
| s.7A(1) | Power to pay a valuer subject to the requirements of this s7A(1) | CFO/CPROL/MFIN | <i>Note – section 7A refers to payments to contract valuers.</i> |
| s.7A(2) | Power to make a payment, irrespective of s 7A(1), if the council satisfies paragraphs (a) and (b) | CFO/CPROL/MFIN | <i>Note – section 7A refers to payments to contract valuers.</i> |
| s.8AA(2)(a) | Power to agree the fees in respect of servicing of a valuation | NOT DELEGATED | The power remains with the CEO |
| 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 | NOT DELEGATED | The power remains with the CEO |
| s.10(6) | Power to revoke a nomination made under s.10(1) | NOT DELEGATED | The power remains with the CEO. |
| s.13DA(1) | Power to appoint people to carry out valuations | CFO/MFIN | Where Council is the valuation authority The person(s) to be appointed must hold the qualifications or experience specified by the Minister |

| VALUATION OF LAND ACT 1960 | | | |
|----------------------------|--|---------------------|--|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.13DC(2) | Power to use in force valuations in certain circumstances | CFO/SVAL/MFIN | Note – refers to valuations “in force” prior to the constitution of the municipality. |
| s.13DF(3A) | Power to use a supplementary valuation before it is certified to levy or adjust the municipal rate or fire services property levy | CFO/SVAL/MFIN | |
| s.13DF(5) | Power to adjust a rate or fire services property levy payable retrospectively where a supplementary valuation has been made in the circumstances referred to in section 13DF(2)(o) | CFO/SVAL/MFIN | |
| s.13DFB(1) | Power to request the Valuer-General to carry out a supplementary valuation | CFO/CPROL/SVAL/MFIN | |
| 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 | CFO/MFIN | Where Council is the collection agency. |
| s.13G(7) | Power to revoke a nomination made under section 13G(1) | CFO/MFIN | Where Council is the collection agency |
| s.13J | Power to appoint people to carry out valuation | CFO/MFIN | <p>the person(s) to be appointed must hold the qualifications or experience specified by the Minister</p> <p>Applies when Council is making a valuation for the purposes of the <i>Fire Services Property Levy Act 2012</i>.</p> |

| VALUATION OF LAND ACT 1960 | | | |
|----------------------------|--|--------------------|---|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| | | | |
| s.13L(4) | Power to use a supplementary valuation before it is certified by the Valuer-General | CFO/SVAL/CREV/MFIN | Where Council is the collection agency. |
| s.13L(6) | Power to adjust the fire services property levy payable retrospectively for any period considered just | CFO/SVAL/CREV/MFIN | Where Council is the collection agency. |
| s.13N(1) | Power to request the Valuer-General to make a supplementary valuation | CFO/MFIN | Where Council is the collection agency |
| s.13Q(4) | Power to adjust a rate or fire services property levy | CFO/SVAL/MFIN | Provision commences on 1 July 2023, unless proclaimed earlier |

| VICTORIA GRANTS COMMISSION ACT 1976 | | | |
|-------------------------------------|--|----------|--------------------------|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.15 | Function of representing Council at a Commission hearing | CFO | |

| VICTORIA STATE EMERGENCY SERVICE ACT 2005 | | | |
|---|---|-----------------|--------------------------|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.34(1) | Power to apply for registration of a group of persons as a unit of the Service | DIA/MWASS/MPLAD | |
| s.35(2) | Power to consult with Director of Operations regarding removal of controller of a registered unit from office | DIA/MWASS/MPLAD | |

| VICTORIAN DATA SHARING ACT 2017 | | | |
|--|--|-------------------|---|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.10(a) | Power to provide some, or all, of the specified data to the Chief Data Officer | CFO/MGOV/CIO/CGOV | if the Chief Data Officer gives a notice under s.8 |
| s.10(b) | Power not to respond to the request | CFO/MGOV/CIO | 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 | CFO/MGOV/CIO/CGOV | if the Chief Data Officer gives a notice under s.11 |
| s.13(b) | Power not to respond to the request | CFO/MGOV/CIO | if the Chief Data Officer gives a notice under s.11 |

| VICTORIAN INSPECTORATE ACT 2011 | | | |
|---------------------------------|--|---------------|---------------------------------|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.28(2) | Power to enter into agreements or arrangements for use of services with the Victorian Inspectorate | NOT DELEGATED | The power remains with the CEO. |

| WATER ACT 1989 | | | |
|-----------------------|---|---------------------------------|--|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| 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 | DCPP/MINFD/MPLAD /SSUBO/SUBO | |
| s.122ZC | Power to contribute money to an environmental or recreational area for improving or maintaining the area | DIA | |
| s.165(1) | Power to require an Authority to fix fire plugs to works | DIA/MASS/DCPP/MPLAD /SSUBO/SUBO | |
| s.171D(1) | Power to require Melbourne Water Corporation to fix fire plugs to works | DIA/MASS | |
| s.179 | Power to submit a proposal to the Minister for declaration of a sewerage district | NOT DELEGATED | The power remains with the CEO. |
| s.217 | Power to apply for an order for removal or modification of works | DIA/MINFD/MASS | |
| 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 | DIA/MINFD/MASS/MWASS /MPLAD | Subject to the limitations set out in section 218. |
| 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 | DIA/MINFD/MASS/MWASS /MPLAD | |

| WATER ACT 1989 | | | |
|-----------------------|---|-----------------|-------------------------------------|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| s.244(8)(b) | Power to consent to community agreement where it involves the construction of a drain across a road reserve | DIA/MINFD/MASS | |
| 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 | DIA/MINFD | |
| s.281A(1) | Power to enter into agreement with Melbourne Water Corporation to collect money owing to Melbourne Water Corporation under the Act | DIA/MINFD | |

BUILDING REGULATIONS 2018

| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
|-----------|---|--------------------|---|
| r.5(2) | Power to designate an area liable to flooding | DIA/MASS/AME/MPLAD | where Council is the 'relevant Council' |
| r.73(2) | Power of providing report and consent - maximum street setback. | MBS/DMBS | where Council is the 'relevant Council' |
| r.74(4) | Power of providing report and consent - minimum street setbacks | MBS/DMBS | where Council is the 'relevant Council' |
| r.75(4) | Power of providing report and consent - building height | MBS/DMBS | where Council is the 'relevant Council' |
| r.76(4) | Power of providing report and consent – site coverage | MBS/DMBS | where Council is the 'relevant Council' |
| r.77(3) | Power of providing report and consent - permeability | MBS/DMBS | where Council is the 'relevant Council' |
| r.78(6) | Power of providing report and consent – car parking | MBS/DMBS | where Council is the 'relevant Council' |
| r.79(6) | Power of providing report and consent - side and rear setbacks | MBS/DMBS | where Council is the 'relevant Council' |
| r.80(6) | Power of providing report and consent - walls and carports on boundaries | MBS/DMBS | where Council is the 'relevant Council' |
| r.81(6) | Power of providing report and consent - daylight to existing habitable room windows | MBS/DMBS | where Council is the 'relevant Council' |

| BUILDING REGULATIONS 2018 | | | |
|----------------------------------|--|-----------------|---|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| r.82(5) | Power of providing report and consent - solar access to existing north-facing habitable room windows | MBS/DMBS | where Council is the 'relevant Council' |
| r.83(3) | Power of providing report and consent - overshadowing of recreational private open space | MBS/DMBS | where Council is the 'relevant Council' |
| r.84(9) | Power of providing report and consent - overlooking | MBS/DMBS | where Council is the 'relevant Council' |
| r.85(3) | Power of providing report and consent - daylight to habitable room windows | MBS/DMBS | where Council is the 'relevant Council' |
| r.86(3) | Power of providing report and consent – private open space | MBS/DMBS | where Council is the 'relevant Council' |
| r.87(2) | Power of providing report and consent - siting of Class 10a buildings | MBS/DMBS | where Council is the 'relevant Council' |
| r.89(3) | Power of providing report and consent – front fence height | MBS/DMBS | where Council is the 'relevant Council' |
| r.90(2) | Power of providing report and consent - fence setbacks from side and rear boundaries | MBS/DMBS | where Council is the 'relevant Council' |
| r.91(5) | Power of providing report and consent - fences on or within 150 mm of side or rear boundaries | MBS/DMBS | where Council is the 'relevant Council' |
| r.92(2) | Power of providing report and consent - fences on intersecting street alignments | MBS/DMBS | where Council is the 'relevant Council' |

BUILDING REGULATIONS 2018

| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
|-----------|---|----------|---|
| r.94(6) | Power of providing report and consent - fences and daylight to habitable room windows in existing dwelling | MBS/DMBS | where Council is the 'relevant Council' |
| r.95(3) | Power of providing report and consent - fences and solar access to existing north-facing habitable room windows | MBS/DMBS | where Council is the 'relevant Council' |
| r.96(3) | Power of providing report and consent - fences and overshadowing of recreational private open space | MBS/DMBS | where Council is the 'relevant Council' |
| r.97(2) | Power of providing report and consent - masts, poles etc. | MBS/DMBS | where Council is the 'relevant Council' |
| r.109(1) | Power of providing report and consent - to construct any of the following parts of a building if the part projects beyond the street alignment at a different height or distance to that specified in this Part— <ul style="list-style-type: none"> (a) an architectural feature; (b) a window; (c) a balcony; (d) a verandah; (e) a sunblind; (f) an awning; (g) a service pipe; (h) a rainwater head; (i) a service installation; (j) a window shutter; (k) a sign or similar Class 10b structure; (l) a service cabinet door. | MBS/DMBS | where Council is the 'relevant Council' |
| r.109(2) | Power of providing report and consent - if any part of the building not specified in sub regulation (1) would project beyond the street alignment. | MBS/DMBS | where Council is the 'relevant Council' |

BUILDING REGULATIONS 2018

| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
|-----------|--|--------------|--|
| r.109(3) | Power to give consent under rr.109(1) or 109(2) - | MBS/DMBS | 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 - protection of the public | MBS/DMBS | where Council is the 'relevant Council' |
| r.130(1) | Power of providing report and consent - for building over easements | DIA/MBS/DMBS | where Council is the relevant 'service authority' |
| r.132(1) | Power of providing report and consent - for septic tank systems | MBS/DMBS | where Council is the 'relevant Council' |
| r.133(2) | Power of providing report - stormwater drainage | DIA/MASS/AME | where Council is the 'relevant Council' |
| r.134(2) | Power of providing report and consent - buildings above or below certain public facilities | MBS/DMBS | where Council is the 'relevant Council' |
| r 147K | Duty of maintaining a register in accordance with s 216D(4) of the Act | MBS/DMBS | Where Council is the 'relevant Council' |
| r 147L(2) | Function of receiving an application for registration | MBS/DMBS | Where Council is the 'relevant Council' |
| r 147M(2) | Function of receiving an application for registration | MBS/DMBS | Where Council is the 'relevant Council' |

BUILDING REGULATIONS 2018

| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
|-----------|---|----------|---|
| r 147N(2) | Function of receiving an application for registration | MBS/DMBS | Where Council is the 'relevant Council' |
| r 147O(1) | Power to give notice to apply for registration | MBS/DMBS | Where Council is the 'relevant Council' |
| r 147O(2) | Power to give notice | MBS/DMBS | where Council is the 'relevant Council' |
| r 147Q | Duty to enter information relating to a swimming pool or spa into Council's register | MBS/DMBS | Where Council is the 'relevant Council' Application must comply with regulations |
| r 147R(1) | Duty to give notice of the matters in r 147R(1)(a) – (g) | MBS/DMBS | Where Council is the 'relevant Council' |
| r 147R(4) | Duty to specify a date for the purposes of r147R(1)(g) | MBS/DMBS | Where Council is the 'relevant Council' |
| r 147R(5) | Power to specify date | MBS/DMBS | Where Council is the 'relevant Council' |
| r 147S(1) | Duty to remove from the register information about the swimming pool or spa set out in r 147J, as soon as practicable | MBS/DMBS | 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 | MBS/DMBS | Where Council is the 'relevant Council' |
| r 147T(1) | Power to determine the date of construction of the swimming pool or spa | MBS/DMBS | Where Council is the 'relevant Council' |
| r 147U(1) | Duty to determine the date of construction of the swimming pool or spa | MBS/DMBS | Where Council is the 'relevant Council' |

| BUILDING REGULATIONS 2018 | | | |
|----------------------------------|---|-----------------|---|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| r 147V(1) | Duty of receiving a certificate of pool or spa barrier compliance | MBS/DMBS | 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 | MBS/DMBS | Where Council is the 'relevant Council' |
| 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 | MBS/DMBS | 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)(a) and the date by which the next certificate of pool and spa barrier compliance is required to be lodged | MBS/DMBS | 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) | MBS/DMBS | 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 | MBS/DMBS | Where Council is the 'relevant Council' |
| r 147ZD | Duty to update the applicable barrier standard in the register to include the applicable barrier standard referred to in the certificate | MBS/DMBS | 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 of the items in r 147ZE (a) – (c) | MBS/DMBS | Where Council is the 'relevant Council' |

BUILDING REGULATIONS 2018

| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
|------------|---|---|---|
| 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 in respect of the relevant fee | MBS/DMBS | Where Council is the 'relevant Council' |
| r 147ZL(1) | Duty to update the register with details of the name of the new owner of the land as soon as practicable | MBS/DMBS | Where Council is the 'relevant Council' |
| r 147ZL(2) | Duty to give a notice, in writing, to the new owner of the land | MBS/DMBS | Where Council is the 'relevant Council' |
| r 147ZM | Duty to submit the requested information to the Victorian Building Authority | MBS/DMBS | Where Council is the 'relevant Council' |
| r.150 | Power to designate areas within Council's municipal district in which buildings are likely to be subject to attack by termites | Hume City Council is already designated as a Termite Probe Area | Where Council is the 'relevant Council' |
| r.152(1) | Power to designate areas in Council's municipal district that are likely to be subject to significant snowfalls | NOT DELEGATED | Where Council is the 'relevant Council' |
| r.153(2) | Power of providing report and consent - for building in areas liable to flooding | MBS/DMBS | 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 | MBS/DMBS | Where Council is the 'relevant Council' |
| r.154(1) | Power of providing report and consent - for construction on designated land or designated works | MBS/DMBS | Where Council is the 'relevant Council' |

| BUILDING REGULATIONS 2018 | | | |
|----------------------------------|---|---------------------|---|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| 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 | MBS/DMBS | Where Council is the 'relevant Council' |
| r.166B(c)(ii) | Power to approve floor area size greater than 60m ² | MBS/DMBS | |
| r.187(2) | Power of providing report and consent - occupancy permit | MBS/DMBS | Where Council is the 'relevant Council' |
| 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 | DCPP/MPLAD/MBS/DMBS | Where Council is the 'relevant Council' |

| DRUGS, POISONS AND CONTROLLED SUBSTANCES REGULATIONS 2017 | | | |
|---|---|------------------|--------------------------|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| R 7 (1) | Power to have possession of 'Schedule 4 poisons' that are necessary for immunisation programs coordinated by the Council in accordance with the <i>Public Health and Wellbeing Act 2008</i> . | DCSL/MCOMH/CPOPH | |

ELECTRICITY SAFETY (ELECTRIC LINE CLEARANCE) REGULATIONS 2020

| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
|----------------|---|-----------|--|
| sch 1 cl 20 | Power to consult relating to safety of cutting or removal of trees close to an electric line | DIA/MCIPO | This regulation replaces the Electricity Safety (Electric Line Clearance) Regulations 2015 |
| sch 1 cl 21(1) | Power to consult relating to assisting to determine an additional distance that allows for conductor sag and sway | DIA/MCIPO | This regulation replaces the Electricity Safety (Electric Line Clearance) Regulations 2015 |

| ENVIRONMENT PROTECTION REGULATIONS 2021 | | | |
|--|--|-----------------|-------------------------------------|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| r.21(2) | Power to require an applicant to provide additional information | CPUBH/EHO | |
| r.25 | Power to administer prescribed permit activities | CPUBH/EHO | |
| r.162(2) | Power to inspect records under sub regulation 1 | CPUBH/EHO | |
| s.171 | Power to take proceedings for specified offences relating to on-site wastewater management systems | CPUBH/EHO | |
| s.215 | Power to (a) waive the fee, in whole or parts; or (b) refund the fee paid, in whole or part | CPUBH | |

| LOCAL GOVERNMENT (GENERAL) REGULATIONS 2015 | | | |
|---|--|----------|--------------------------|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| r.13(2) | Power to sign a land information certificate | CFO/CREV | |

| LOCAL GOVERNMENT (LONG SERVICE LEAVE) REGULATIONS 2021 | | | |
|---|---|-------------------------------|-------------------------------------|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| 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 | MPEO/CPAY | |
| r.14(2) | Power to agree on a mutually convenient time with the member | ALL DIRECTORS ALL MANAGERS | |
| r.15 | Power to agree on a mutually convenient time with the member to take all or part of long service leave entitlement | ALL DIRECTORS ALL MANAGERS | |
| r.16 | Power to approve long serve leave entitlement at half the salary for twice the period | ALL DIRECTORS ALL MANAGERS | |
| r.17 | Power to approve a member to engage in any employment for hire or reward while the member is on long service leave | ALL DIRECTORS | |
| 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 | NOT DELEGATED | |

| PUBLIC HEALTH AND WELLBEING (PRESCRIBED ACCOMMODATION) REGULATIONS 2020 | | | |
|---|---|------------|--|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & 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 | DCPP/MPLAD | Confirmation that a building is of cultural heritage significance must be sought from an appropriately qualified person from Council's Statutory Planning department |

| PUBLIC HEALTH AND WELLBEING REGULATIONS 2019 | | | |
|--|------------------------------|------------------|--------------------------|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| r 112(1) | Power to request information | DCSL/MCITS/CPUBH | |

| ROAD SAFETY RULES 2017 | | | |
|------------------------|---|----------|--------------------------|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & 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 | DIA/MASS | |
| r.289(1)(d) | Power to prohibit drivers riding bicycles or animals on the nature strip | DIA/MASS | |

| ROAD SAFETY (GENERAL) REGULATIONS 2019 | | | |
|--|--|-------------------------------|--------------------------|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| r 79(1)(b) | power to authorise staff member to file a charge | DIA/DCSL/MCITS /CCITL/MASS | |

| ROAD SAFETY (TRAFFIC MANAGEMENT) REGULATIONS 2019 | | | |
|---|--|----------------------|--|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| r 10(2) | Power to disagree, in writing, with the proposal | NOT DELEGATED | |
| r 11(1) | Power to erect, display, place, remove or alter traffic control devices on roads or road related areas | DIA/MASS/CTECS | 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) | DIA/MASS/CTECS | 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 | DIA/MASS | |
| r 11(2)(c) | Power to erect, display, place, remove or alter a traffic control device installed in accordance with r 15 | DIA/MASS/MINFD | |
| r 11(2)(d) | Power to erect, display, place, remove or alter any other minor traffic control device or a major traffic control device | DIA/MASS | With the authorisation of the Head, Transport for Victoria Subject to r 11(3) |
| r 12(1)(d) | Power to authorise an authorised works manager, or a person acting on behalf of an authorised works manager, to erect, display, place, remove or alter any other minor traffic control device | DIA/MASS/MINFD/CTECS | Where Council is the coordinating road authority for that road or road related area Note: see r 23(b) |

| ROAD SAFETY (TRAFFIC MANAGEMENT) REGULATIONS 2019 | | | |
|---|--|-------------------------|--|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| | | | |
| 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 | DIA/MASS/ DCSL/MCITS | 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 | DIA/MASS/CTECS | 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 | DIA/MASS DCSL/MCITS | Where Council is the coordinating road authority for that road |
| r 30(4) | Power to approve, in writing, a police-controlled rolling road closure | DIA/MASS DCSL/MCITS | Where Council is the coordinating road authority |
| r 32(2)(d)(ii) | Power to approve a highway collection being conducted | DCSL/MCITS | |
| r 34(4) | Power to reduce, waive or refund the fee for a permit | DCSL/MCITS | 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 | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| r 122(3) | Power to enter into an agreement with Secretary to provide for extracts for fees | DCSL/MCITS/CCITL | |

| SUBDIVISION (FEES) REGULATIONS 2016 | | | |
|-------------------------------------|--|------------|--------------------------|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| r.9 | Power to fix a fee for considering an engineering plan submitted under s.15 of the <i>Subdivision Act 1988</i> | DCPP/MPLAD | |
| r.12 | Power to waive or rebate the payment of a fee payable under the <i>Subdivision Act 1988</i> | DCPP/MPLAD | |

| MISCELLANEOUS – Human Resources | | | |
|--|---|---|---|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| Section A – Human Resource Issues | | | |
| | Approve the filling of vacancies within budget. | ALL EXECUTIVE ALL MANAGERS ALL COORDINATORS | |
| | Approve the reclassification of positions within budget | ALL EXECUTIVE ALL MANAGERS | Subject to approval by HR |
| | Power to fix salaries for vacant positions | ALL EXECUTIVE | Within budget |
| | Approve the appointment, engagement or promotion of full time, part time and casual staff. | ALL EXECUTIVE | |
| | Power to approve position descriptions. | ALL EXECUTIVE ALL MANAGERS | In consultation with HR who review all new and revised Position Descriptions. |
| | Conduct of disciplinary action under relevant awards and policies, excluding Show Cause and Termination letters. | ALL EXECUTIVE ALL MANAGERS | |
| | Power to terminate or suspend the employment of, or to suspend from duty, a member of Council staff for all staff other than Senior Executive Officers. | ALL EXECUTIVE | Subject to consultation with HR. |
| | Power to conduct interviews for staff annual | ALL EXECUTIVE | |

| MISCELLANEOUS – Human Resources | | | |
|--|--|---|---|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| | review. | ALL MANAGERS ALL COORDINATORS MBS | |
| | Power to authorise sick, annual and family leave. | ALL EXECUTIVE ALL MANAGERS ALL COORDINATORS ALL TEAM LEADERS SVAL/MBS | |
| | Power to approve long service leave | ALL EXECUTIVE ALL MANAGERS | |
| | Power to approve compassionate leave | ALL EXECUTIVE ALL MANAGERS ALL COORDINATORS ALL TEAM LEADERS | |
| | Power to authorise all forms of study and training leave and educational assistance. | ALL EXECUTIVE ALL MANAGERS SLOC | The CPO to approve post graduate courses. CPO or SLOC must approve financial support from the HR budget, in line with the financial delegation limits for each of those roles. |

| MISCELLANEOUS – Human Resources | | | |
|--|--|---|---|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| | Power to approve leave without pay – 3 months or more. | ALL EXECUTIVE | |
| | Power to approve leave without pay – less than 3 months. | ALL MANAGERS | |
| | Power to authorise time sheets. | ALL EXECUTIVE ALL MANAGERS ALL COORDINATORS ALL TEAM LEADERS | |
| | Power to authorise higher duties | ALL EXECUTIVE ALL MANAGERS ALL COORDINATORS | |
| | Power to authorise time-in-lieu | ALL EXECUTIVE ALL MANAGERS ALL COORDINATORS | |
| | Power to authorise overtime | ALL EXECUTIVE ALL MANAGERS ALL COORDINATORS | |
| | Power to authorise travel expense | ALL EXECUTIVE ALL MANAGERS ALL COORDINATORS ALL TEAM LEADERS | Airfares, accommodation or interstate travel requires Director approval. International airfares, accommodation and travel requires CEO approval. |

| MISCELLANEOUS – Human Resources | | | |
|--|---|---|---|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| | | | |
| | Power to approve attendance at conferences and seminars. | ALL EXECUTIVE ALL MANAGERS ALL COORDINATORS | If involving airfares, accommodation or interstate travel expense claims – Director only. |
| | Power to approve attendance at training programs. | ALL EXECUTIVE ALL MANAGERS ALL COORDINATORS ALL TEAM LEADERS | |
| | Power to sign a notice of injury and work injury form. | ALL EXECUTIVE ALL MANAGERS RTWO | |
| | Power to approve claims under Workcover excess | MPEO/RTWO | |
| | Power to approve expenses relating to an approved course of study. | ALL EXECUTIVE ALL MANAGERS | |
| | Power to approve staff engaging in other employment. | ALL EXECUTIVE | |
| | Power to determine acceptance or denial of liability in the event of a Workcover claim. | DCUS/MPEO | |
| | Power to sign a Letter of acceptance of a | ALL EXECUTIVE | |

| MISCELLANEOUS – Human Resources | | | |
|--|---|---|---|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| | resignation | ALL MANAGERS | |
| | Power to provide references on Council letterhead | ALL EXECUTIVE ALL MANAGERS | |
| | Power to access staff member's personal* Personnel file | ALL EXECUTIVE ALL MANAGERS CPAY/PAYO/SHRA /HRA/HRG | |
| | Power to approve applications to the sick leave bank. | Chief People Officer | In accordance with responsibilities described in 6.17 of the EBA. Power is limited to approval only where all other leave entitlements are exhausted. |

| MISCELLANEOUS - Finance | | | |
|-----------------------------------|---|-------------------------------|---|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| Section B – Finance Issues | | | |
| | Power to enter into contracts, sign and issue Council order forms and approve invoices and accounts for payment up to the value of \$500,000 | DIA/CFO | In accordance with the Procurement Policy, Procurement Guidelines and Purchasing and Accounts Payable Guidelines" Includes contracts for consultancies and agreements. |
| | Power to enter into contracts and sign and issue Council order forms and approve invoices and accounts for payment up to the value of \$300,000 (inc GST) | DCUS/DCSL/DCPP | In accordance with the Procurement Policy, Procurement Guidelines and Purchasing and Accounts Payable Guidelines" Includes contracts for consultancies and agreements. |
| | Power to enter into contracts, sign and issue Council order forms and approve invoices and accounts for payment up to the value of \$200,000 (inc GST) | MASS/MINFD/MFIN /CPO/MMAJP | In accordance with the Procurement Policy, Procurement Guidelines and Purchasing and Accounts Payable Guidelines" Includes contracts for consultancies and agreements. |
| | Power to enter into contracts, sign and issue Council order forms and approve invoices and accounts for payment up to the value of \$100,000 (inc GST) | MCITS | In accordance with the Procurement Policy, Procurement Guidelines and Purchasing and Accounts Payable Guidelines" Includes contracts for consultancies and agreements. |
| | Power to enter into contracts, sign and issue Council order forms and approve invoices and accounts for payment up to the value of \$50,000 (inc GST) | ALL MANAGERS PMO | In accordance with the Procurement Policy, Procurement Guidelines and Purchasing and Accounts Payable Guidelines" Includes contracts for consultancies and agreements. |

| MISCELLANEOUS - Finance | | | |
|--------------------------------|---|---|--|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| | | | |
| | Power to enter into contracts, sign and issue Council order forms and approve invoices and accounts for payment up to the value of \$30,000 (inc GST) | CDEVW/CBUIM/CCIVR /CCAPW/CPROJ/CFLEE /CWASC/ CACE/CENVS /CPUBH/ /AME/GMHL | In accordance with the Procurement Policy, Procurement Guidelines and Purchasing and Accounts Payable Guidelines" Excludes contracts for consultancies, includes agreements |
| | Power to enter into contracts, sign and issue Council order forms and approve invoices and accounts for payment up to the value of \$10,000 (inc GST) | ALL COORDINATORS SNBM /MBS/EXECO /SHRA/SENG/EXECS/SIO /SMAYC/SIAA/SVEA | In accordance with the Procurement Policy, Procurement Guidelines and Purchasing and Accounts Payable Guidelines" Excludes contracts for consultancies, includes agreements |
| | Power to enter into contracts, sign and issue Council order forms and approve invoices and accounts for payment up to the value of \$2,500 (inc GST) | ALL TEAM LEADERS RESPO/ADS/AMSA /AOP/SSEO/NAGAO /LANDP/SGO/RMO | In accordance with the Procurement Policy, Procurement Guidelines and Purchasing and Accounts Payable Guidelines" Excludes contracts for consultancies, includes agreements |
| | Power to authorise financial delegations to staff for amounts below \$2,500 | CFO/MFIN | List of delegations to be maintained in Finance One |
| | Power to authorise progress payments | CFO ALL STAFF | In accordance with Contract Variation Policy |
| | Power to authorise bonding agreements, the | DIA/CFO/MFIN/MINFD | |

| MISCELLANEOUS - Finance | | | |
|--------------------------------|--|---|--|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| | order, release, refund, or return of securities, bank guarantees and bonds, relating to property and subdivision transactions only. | DCPP/MPLAD/CSEL | Delegation to CSEL is limited to amounts of \$100,000 or less. |
| | Power to authorise the order, release, refund, or return of securities, bank guarantees and bonds relating to leasing, licensing and facility hire only. | ALL STAFF | In accordance with above power to enter into contracts financial limits. |
| | Power to authorise the order, release, refund, or return of securities, bank guarantees and bonds, relating to contracts. | ALL STAFF | In accordance with above power to enter into contracts financial limits. |
| | Power to approve electronic payments and transfers | CFO/MGOV/MFIN/CFINA /CPROL/CREV/CPROC /MANA | This includes contract payments; payments of wages and salaries; contract variations |
| | Power to authorise the enforcement of overdue debts | CFO/CREV/MFIN/MCITS /MGOV/MPLAD | In accordance with above power to enter into contracts financial limits. |
| | Power to appoint a collection agency | CFO/MFIN | |
| | Power to sign cheques | CFO/MFIN | |

| MISCELLANEOUS - Finance | | | |
|--------------------------------|--|---|--|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| | Power to authorise petty cash reimbursement | ALL STAFF WITH A FINANCAL DELEGATION | Petty cash reimbursements can only be authorised by a member of staff with a financial delegation to enter into contracts, in line with that staff member's role's financial delegation limit. |
| | Power to authorise to sign contracts of sale and vendor statements for land approved for sale. | DCOR/CFO | |
| | Power to sign contracts of sale for the approved acquisition of real estate. | CFO/MGOV | |
| | Approve the sale or disposal of assets other than land. | ALL DIRECTORS CFO | |
| | Power to write off bad debts | CFO/MGOV/MPLAD /MCITS/MFIN | In accordance with the Debtor Write Off Policy |
| | Power to authorise the allocation or change over of garbage bins. | MASS/MWASS/CFO /CENVIS/MFIN/CREV /CWASC | |
| | Power to apply for a Withholding Tax Exemption from the Australian Tax Office (ATO) | CFO/MFIN/CFINA | |

| MISCELLANEOUS - Finance | | | |
|--------------------------------|---|--------------------|--|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| | Power to waive rates and charges | CREV/MFIN/CFO | In accordance with the Financial Hardship Policy |
| | Power to approve expenditure requests submitted by Community Asset Committees that must be referred to the Chief Executive Officer, as per each committee's instrument of delegation from the Chief Executive Officer | CFO/MFIN/MGOV/CGOV | Expenditure can be approved in line with financial delegations |

| MISCELLANEOUS - Building | | | |
|------------------------------------|--|----------------|--------------------------|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| Section C – Building Issues | | | |
| | Power to determine fees required under section 66(b) (i) of the <i>Building Act</i> 1993 for approval to occupy a building on a temporary basis. | DCPP/MPLAD/MBS | |
| | Power to determine fees required under clause 1(c)(i) of Schedule 2, subsections 18, 42 and 54 of the <i>Building Act</i> 1993 for building permit, application for an occupancy permit (building work), application for an occupancy permit (places of public entertainment) and under rr 147P(3), 147X and 147ZJ of the <i>Building Regulations 2018</i> in relation to swimming pool or spa barriers. | DCPP/MPLAD/MBS | |
| | Power to determine fees payable, person responsible for payment of fees and method of payment and recovery of fees for any application, approval, permit, consent, referral, request, information, inspection, consultation, advice, report, the keeping of documents and records or other power, service or work performed or provided under the <i>Building Act</i> 1993, <i>Building Regulations 2018</i> or for the purposes of any other building control or related power of the Council by the Council or its delegate or any member of staff of the Council. | DCPP/MPLAD/MBS | |

| MISCELLANEOUS - Building | | | |
|---------------------------------|--|---|-------------------------------------|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| | Power to determine: <ul style="list-style-type: none"> a) whether there should be any and if so what permits, approvals, authorisations or consents to be granted, issued or given for or in relation to: <ul style="list-style-type: none"> i) the crossing of footpaths, nature strips, kerbs and channels, right of ways, laneways, footways or other property under the ownership, control or maintenance of the Council for or in connection with any building work; | DIA/DCPP/MASS /MPLAD/CTECS /MINFD | |
| | <ul style="list-style-type: none"> ii) road openings and reinstatement; iii) hoardings to protect the public where building work is to be or is being carried out; iv) hoardings, gantries and site offices or site sheds located beyond the street alignment of any land; | DIA/MWASS/MPLAD /MINFD/MASS/CTECS | |
| | <ul style="list-style-type: none"> v) use or occupation of any road, street, footpath, nature strip, right of way, laneway, footway or other property under the ownership, control or maintenance of the Council; | DIA/MASS/CFO /MINFD/CTECS | |
| | <ul style="list-style-type: none"> vi) carrying out of any work where there may be any risk of damage to any property under the ownership, control or maintenance of the Council; | DIA/MWASS/MPLAD /MASS/MINFD | |

| MISCELLANEOUS - Building | | | |
|---------------------------------|---|--------------------------------|-------------------------------------|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| | | | |
| | or any combination of the above. | DIA/MWASS/MPLAD /MASS/MINFD | |
| | b) any conditions of, or procedures for, any permit, approval, authorisation or consent referred to in paragraph (a) of this item. | DIA/MASS/MPLAD /CTECS | |
| | (d) power to designate the person(s) responsible for the payment of the fees, charges or deposits payable and the method of payment and recovery of these fees, charges and deposits. | DIA/MASS/MPLAD /CTECS | |

| MISCELLANEOUS - Various | | | |
|---|---|---|---|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| Section D – Miscellaneous Issues | | | |
| | Power to obtain legal advice | ALL EXECUTIVE ALL MANAGERS CPROL/CGOV/CIS | |
| | Power to manage processing of insurance claims. | CFO/MGOV/CRISM/SIO | |
| | Power to settle insurance claims including those not covered by Council's insurer, including under excess claims. | CFO/MGOV/CRISM/SIO | Conditional upon the officer negotiating the claim not authorising settlement. In accordance with the below insurance policy excess limits and above power to enter into contracts financial limits: |

| MISCELLANEOUS - Various | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---------------------------------|--|---------------|--|------------------|-------------------------------|--------------------------|-----------------------------------|-----------|--------|-------|----------|--------------------------|----------|-----------------|-----------|---------------|--------|---------------------------|-----|-------------------|-----|----------------------|--------|---------------------|-------|-------------------------|----------|---------------------------------|-------|---------------------------|----------|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | <table><tr><td>Insurance Policy</td><td>Excess (each and every claim)</td></tr><tr><td>Industrial Special Risks</td><td>\$25,000 (for unspecified damage)</td></tr><tr><td>Fine Arts</td><td>\$1500</td></tr><tr><td>Crime</td><td>\$50,000</td></tr><tr><td>Councillors and Officers</td><td>\$50,000</td></tr><tr><td>Cyber liability</td><td>\$200,000</td></tr><tr><td>Motor Vehicle</td><td>\$1000</td></tr><tr><td>Personal Journeys (staff)</td><td>Nil</td></tr><tr><td>Voluntary workers</td><td>Nil</td></tr><tr><td>HCC Enviro Champions</td><td>\$1000</td></tr><tr><td>Community Liability</td><td>\$250</td></tr><tr><td>Environmental Liability</td><td>\$25,000</td></tr><tr><td>Plumbers Liability (2 policies)</td><td>\$500</td></tr><tr><td>MAV LMI General Liability</td><td>\$20,000</td></tr></table> | Insurance Policy | Excess (each and every claim) | Industrial Special Risks | \$25,000 (for unspecified damage) | Fine Arts | \$1500 | Crime | \$50,000 | Councillors and Officers | \$50,000 | Cyber liability | \$200,000 | Motor Vehicle | \$1000 | Personal Journeys (staff) | Nil | Voluntary workers | Nil | HCC Enviro Champions | \$1000 | Community Liability | \$250 | Environmental Liability | \$25,000 | Plumbers Liability (2 policies) | \$500 | MAV LMI General Liability | \$20,000 |
| Insurance Policy | Excess (each and every claim) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Industrial Special Risks | \$25,000 (for unspecified damage) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Fine Arts | \$1500 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Crime | \$50,000 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Councillors and Officers | \$50,000 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Cyber liability | \$200,000 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Motor Vehicle | \$1000 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Personal Journeys (staff) | Nil | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Voluntary workers | Nil | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| HCC Enviro Champions | \$1000 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Community Liability | \$250 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Environmental Liability | \$25,000 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Plumbers Liability (2 policies) | \$500 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| MAV LMI General Liability | \$20,000 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Power to endorse the settlement of insurance claims referred to Council's insurer. | CFO/MGOV | Settlement of insurance claims is managed by Council's insurer. Excess payment is authorised in accordance with above power to enter into contracts financial limits. | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Power to execute funding and service agreements with other levels of government. | ALL EXECUTIVE | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Power to execute non-financial contracts. | ALL EXECUTIVE | Includes agreements and confidentiality | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

| MISCELLANEOUS - Various | | | |
|--------------------------------|---|--------------------------------|---|
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| | | ALL MANAGERS | agreements. |
| | Power to execute applications for government grants. | ALL EXECUTIVE ALL MANAGERS | Subject to consultation with the CEO. |
| | Power to determine suitability and value of "in kind" local contributions toward \$ for \$ capital works. | DIA/MPLAD/MWASS /MASS/MINFD | |
| | Power to assess and determine applications for HACC services. | DCSL/MCOMH /CHOMS/CACS | |
| | Power to make seasonal and casual allocation of sporting grounds. | MCD/MAL | |
| | Power to enter into licenes, leases, work licences, access agreements, rental agreements and occupancy agreements | ALL EXECUTIVE CFO/MGOV | |
| | Power to execute licences, work licences, access agreements and occupancy agreements | ALL EXECUTIVE CFO/MGOV | |
| | Power to make a decision for an application Council has received as the owner and/or manager of land, including but not limited to applications for works, creation of easements, covenants | CFO/CPROL | Delegation is limited to properties with a Capital Improved valuation of less the \$500,000 and where the application is neither controversial nor likely to result in Councillor or public interest. The CPROL cannot use this power to |

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| | | | make a decision on the creation of an easement |
| MISCELLANEOUS - Various | | | |
| PROVISION | THING DELEGATED | DELEGATE | CONDITIONS & LIMITATIONS |
| | | | |
| | Power to approve, as the owner of Council land, the submission of an application for a permit under Victorian legislation, including but not limited to the Building Act 1993, Environmental Protection Act 1970, Food Act 1984 | CFO | Delegation is limited to properties where the application is neither controversial nor likely to result in Councillor or public interest. The MGOV can only use this power for an application for certification of plans. |
| | Power to make statements to the press | ALL EXECUTIVE MSTRC | |