



Maddocks

Maddocks Delegations and Authorisations

S13 Instrument of Delegation of CEO powers, duties and functions

Macedon Ranges Shire Council

Instrument of Delegation

by

The Chief Executive Officer

Instrument of Delegation of CEO powers, duties and functions

By this Instrument of Delegation, I, as Chief Executive Officer of Macedon Ranges Shire Council –

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

Abbreviation	Means
ALL	All staff
ALLPE	All staff in Planning and Environment Directorate
ALLSTATP	All Statutory Planning staff in Planning and Environment Directorate
BI	Building Inspector
BS	Building Surveyor
CBM	Coordinator Building Maintenance
CCOMS	Coordinator Community Support
CCS	Coordinator Customer Service
CE	Coordinator Environment
CEDI	Coordinator Engineering Designs and Investigation
CEH	Coordinator Environmental Health
CEM	Coordinator Emergency Management
CEYS	Coordinator Early Years Services
CG	Coordinator Governance
CLL	Coordinator Local Laws
CMCH	Coordinator Maternal and Child Health
COP	Coordinator Organisational Performance
CPV	Coordinator Property and Valuations
CPW	Coordinator People and Wellbeing
CSO	Customer Service Officer
CSP	Coordinator Statutory Planning
CSPBS	Coordinator Statutory Planning and Building Support
CStP	Coordinator Strategic Planning
DAO	Director Assets and Operations
DCS	Director Corporate Services
DPE	Director Planning and Environment
EHO	Environmental Health Officer
EP	Environmental Planner
ESPO	Environment Policy and Sustainability Officer
GO	Governance Officer
GROUP A	Chief Executive Officer

Abbreviation	Means
GROUP B	Directors
GROUP C	Managers
GROUP D	Team Leaders, Foremen, Supervisors and Coordinators (howsoever named)
HRO	Human Resources Officer
LLO	Local Laws Officer
MBS	Municipal Building Surveyor
MC	Manager Communications
MCC	Manager Community and Culture
MCS	Manager Community Safety
MCServ	Manager Community Services
MEM	Municipal Emergency Manager
MEP	Manager Engineering and Projects
MERO	Municipal Emergency Resource Officer
MF	Manager Finance
MFPO	Municipal Fire Prevention Officer
MIS	Manager Information Systems
MO	Manager Operations
MPCP	Manager People Culture and Performance
MRM	Municipal Recovery Manager
MRS	Manager Recreation and Sport
MSPE	Manager Strategic Planning and Environment
N/A	Not applicable
NOT	Not delegated below Chief Executive Officer
PORS	Project Officer Risk and Performance
PRO	Planning Resolutions Officer
PSO (MCH)	Program Support Officer (Maternal and Child Health)
RDC	Rates and Debtors Coordinator
RC	Records Coordinator
RP	Review Panel
RPDO(CD)	Research and Policy Development Officer (Community Development)
SPSO	Statutory Planning Subdivisions Officer
SPBSO	Statutory Planning and Building Support Officer
SSP	Senior Statutory Planner
SStP	Senior Strategic Planner
SSWA	Senior Safety and Wellbeing Advisor
StP	Strategic Planner

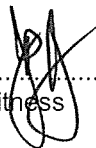
3. record that on the coming into force of this Instrument of Delegation each delegation under the Instrument of Delegation dated 13 December 2019 and executed by Margot Stork is revoked;
4. declare that this Instrument of Delegation -

- 4.1 comes into force immediately upon its execution;
 - 4.2 remains in force until varied or revoked; and
 - 4.3 is subject to any conditions and limitations set out in paragraph 5, and in the Schedule; and
5. declare that the delegate must not determine the issue, take the action or do the act or thing if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation.

This Instrument of Delegation is dated 4.5.20 and is made by the Chief Executive Officer.

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

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)



..... DIRECTOR CORPORATE SERVICES
Witness

Date: 4/5/2020.....

SCHEDULE

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CHILD WELLBEING AND SAFETY ACT 2005			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	COMMENTS
s 29(2)	function of receiving written notice and consenting to inspection of relevant premises by the Commission for Children and Young People	GROUP B	
s 29(3)	Power to consent to inspection of relevant premises without written notice by the Commission for Children and Young People	GROUP B	
s 36	Duty to ensure that the Commission for Children and Young People is given any assistance reasonably required to perform functions	GROUP B	
s 43	Function of receiving birth notice in certain circumstances	MIS, RC, MCServ, CMCH, SPSO	
s 45	Duty to send a copy of a birth notice to a nurse or the Secretary	MCServ, CMCH, SPSO	
s 46K(1)(g)	Power to authorise, in writing, a person employed or engaged by Council, in relation to childhood services implementation or policy, as a Child Link user	MCServ, CMCH	
s 46K(1)(h)	Power to authorise, in writing, a nurse employed or engaged by Council, to provide maternal and child health programs for a Maternal and Child Health service, as a Child Link user	MCServ, CMCH	



EMERGENCY MANAGEMENT ACT 2013			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	COMMENTS
s 74E(3)	Function of receiving a copy of any Orders made by Governor in Council under this section	DAO, MEP	



ENVIRONMENT PROTECTION ACT 1970			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 50AC	Function of consulting with Sustainability Victoria prior to submission of State-wide Waste and Resource Infrastructure Plan to the Minister	DAO, MO	
s 50BC	Function of consulting with Waste and Resource Recovery Group prior to submission of Regional Waste and Resource Recovery Implementation Plan to Sustainability Victoria	DAO, MO	



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



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



FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 50AB	Function of signing a certificate under this Act	DAO, MCS, CEH, EHO	



FREEDOM OF INFORMATION ACT 1982			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 6W(4)	Duty to ensure that all officers and employees are informed about the requirements of the professional standards	DCS, CG	
s 8(2)	Duty to make certain documents available for inspection and purchase	DCS, CG, GO	
s 8(3)	Duty to cause to be prepared a corresponding document, altered only to the extent necessary to exclude exempt matter	DCS, CG, GO	
s 8(5)	Duty to cause the fact of the existence of a document to be published	DCS, CG	
s 38A	Power to determine that a document has been prepared for, or will be used for, consideration of any matter by the Council at a meeting that is likely to be a closed meeting	DCS, CG	A document will not be exempt if it was not brought into existence for the purpose of submission for and consideration by the closed meeting (s 38A(2))
s 61E	Duty to co-operate with the Information Commissioner in dealing with a complaint	DCS, CG, GO	
s 61G	Function of consulting with the Information Commissioner	DCS, CG, GO	
s 61GA(1)(a)	Function of processing or identifying a reasonable sample of the documents upon notice from the Information Commissioner	DCS, CG, GO	Where the Information Commissioner believes that an agency, principal officer or Minister has failed to undertake an adequate search for documents that relate to a decision that is the subject of



FREEDOM OF INFORMATION ACT 1982			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			the complaint under s 25A(1) or s .25A(5)
s 61GA(1)(b)	Function to undertake a further search, or to cause a further search to be undertaken, for documents in the possession, custody or control of the agency or Minister, upon notice from the Information Commissioner	DCS, CG, GO	Where the Information Commissioner believes that an agency, principal officer or Minister has failed to undertake an adequate search for documents that relate to a decision
s 61GA(2)	Duty to comply with requests under s 61GA(1) within the reasonable time stated in Information Commissioner's notice, being not less than 10 business days	DCS, CG, GO	
s 61GA(3)	Power to apply for extension	DCS, CG	
s 61H	Power to reach an agreement with a complaint	DCS, CG	
s 61I(2)	Power to make submissions in relation to a complaint	DCS, CG	
s 61L(5)	Power to comment on and response to a draft recommendation or draft comment	DCS, CG	
s 61R(4)	Power to respond to adverse material	DCS, CG	
s 63BA(1)	Power to apply to the Supreme Court for a determination	DCS, CG	
s 63BA(4)(a)	Power to make an application	DCS, CG	
s 63E(3)(b)	Power to give written consent to a disclosure	DCS, CG	



FREEDOM OF INFORMATION ACT 1982			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 64B	Duty to give the Information Commissioner any information referred to in s 64(2)	DCS, CG	



INDEPENDENT BROAD-BASED ANTI-CORRUPTION COMMISSION ACT 2011			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 41	Power of receiving information acquired by the Independent Broad-based Anti-corruption Commission (IBAC)	DCS, CG, MPCP, GO	
s 57	Duty to notify IBAC of any matter believed to constitute corrupt conduct	DCS, CG, MPCP, GO	Subject to any exemption notices issued under s 57B
s 57A(5)	Duty to comply with Directions made by IBAC under s 57A	DCS, CG, MPCP, GO	
s 59D(2)	Duty to comply with request by IBAC under s 59D for relevant information	DCS, CG, MPCP, GO	
s 73	Power of receiving a complaint pertaining to Council staff, under circumstances in which it would be more appropriate for Council to conduct the investigation	DCS, CG, MPCP, GO	
s 159	Power of receiving IBAC recommendations about the action to be taken following an IBAC investigation	DCS, CG, MPCP, GO	
s 162	Power of receiving and responding to an IBAC special report that includes matters pertaining to Council	DCS, CG, MPCP, GO	
s 163(3)	Power of receiving written information about the commencement, conduct or results of an IBAC investigation pertaining to Council	DCS, CG, MPCP, GO	
s 165	Power of receiving and responding to IBAC material	DCS, CG, MPCP, GO	



INDEPENDENT BROAD-BASED ANTI-CORRUPTION COMMISSION ACT 2011			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	that includes matters pertaining to Council, to be published in the IBAC annual report		



LOCAL GOVERNMENT ACT 1989			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 13(4)	Duty to enrol certain persons (where it appears that there are more than 2 owners)	DCS, MF, RDC	
s 13(5)	Duty to give effect to request regarding enrolment on voters' roll	DCS, MF, RDC	
s 13(7)	Duty to choose one rateable property in respect of which the ratepayer entitlement to be enrolled is to be exercised	DCS, MF, RDC	
s 15(6)	Duty to notify the owner or joint owners that the Council has received an application under s 15(1)	DCS, MF, RDC,	
s 17(1)	Duty to enrol person on voters' roll unless belief of non-entitlement	DCS, MF, RDC	
s 17(2)(a)	Duty to refuse to enrol person	DCS, MF, RDC	
s 17(2)(b)	Duty to advise person of refusal to enrol in writing, and to give person the reason for the refusal	DCS, CG, MF, RDC	
s 17(3)	Power to request orally, or in writing, any person or corporation to provide information to enable determination of enrolment eligibility	DCS, MF, CG, RDC	
s 17(4)	Power to require information be given in writing and signed by the person giving the information	DCS, CG, MF, RDC	
s 20(1)	Power to determine request that address of person not be shown on voters' roll and notify person accordingly	DCS, MF, CG, RDC	



LOCAL GOVERNMENT ACT 1989			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 20(3)	Duty to prevent publication of a person's details on any voters' roll if it would place the person or their family at risk	DCS, MF, CG, RDC	
s 20(4)	Duty to notify the person in writing of a decision to grant or refuse a request under s 20(1)	DCS, MF, CG, RDC	
s 22(1)	Function of being responsible for preparation of the voters' list of ratepayers and the maintenance of any records to facilitate preparation of an accurate and complete voters' list	DCS, MF, CG, RDC	
s 22(2)	Duty to prepare and supply voters' list of ratepayers to Registrar within 7 days of general election	DCS, MF, CG, RDC	
s 23A(1)	Duty to give a letter to a person or a corporation as specified	DCS, MF, CG, RDC	
s 24(5)	Duty to provide Registrar sufficient information to update exhibition roll in respect to ratepayer entitlements under ss 13 - 16	DCS, MF, CG, RDC	
s 24(6)	Duty to certify that voters' roll had been prepared in accordance with the Act	DCS, MF, CG, RDC	
s 24A(2)	Power to approve voter's roll enrolment amendment	DCS, MF, CG, RDC	
s 24B	Duty to ensure voters' roll is available for public inspection	DCS, MF, CG, RDC	
s 24C(4)	Power to provide voters' roll to any person or	DCS, MF, CG, RDC	



LOCAL GOVERNMENT ACT 1989			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	organisation, subject to the requirements in subsections (a)-(c)		
s 24C(7)	Duty to forward a request for a 'permitted purpose' to the Information Commissioner	DCS, MF, CG, RDC	
s 24C(10)	Duty to reject a request for a copy of the voters' roll to be used for a public interest purpose, if the Information Commissioner does not approve the proposed use	DCS, MF, CG, RDC	
s 24C(12)	Duty to not provide particulars of a person whose request to keep their address anonymous has been accepted	DCS, MF, CG, RDC	
s 28(1B)	Function of receiving notice of any change to any entitlement relating to enrolment of a Councillor	DCS, CG	
s 37(2)	Duty to notify the Minister of decision to fill an extraordinary vacancy within 6 months before a general election, within 3 working days of the Council making the decision	DCS, CG	
s 38(1B)	Duty to notify the Minister and the Victorian Electoral Commission that an extraordinary vacancy has occurred within 3 working days	DCS, CG	
s 62	Function of receiving election campaign donation return	DCS, CG	
s 62A(1)	Duty to submit report to Minister specifying names of persons who were candidates in the election and those who submitted an election donation return within 14	DCS, MF, CG	



LOCAL GOVERNMENT ACT 1989			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	days of election		
s 62A(2)	Duty to ensure that a summary of each election campaign donation return to the CEO is published on Council's website within 14 days	DCS, CG, GO	
s 62A(2A)	Duty to publish election campaign donation returns on Council's website	DCS, CG	
s 62A(2C)	Duty to ensure election campaign donation returns are published until entitlement date for the next general election	DCS, CG	
s 62A(3)	Duty to ensure election campaign donation return is available for inspection at Council offices	DCS, CG	
ss 68A(1) & 69(1)(c)	Function of receiving resignation from a Councillor	DCS, CG	
s 68A(4)	Power to commence the holding of an election to fill extraordinary vacancy	DCS, CG	
s 72(1)(c)	Function of receiving resignation from the Mayor	DCS, CG	
s 77(2)(c)	Power to designate information to be 'confidential information' for the purposes of s 77A	DCS, CG	
ss 79(2)(a)(ii) & (3)	Function of receiving advice of a conflict of interest of a Councillor or member of a special committee	DCS, CG, GO	
s 79(5)(a)	Duty to keep written disclosures given to him or her	DCS, CG, GO	



LOCAL GOVERNMENT ACT 1989			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	under this section in a secure place for 3 years after the date the Councillor or member of a special committee who made the disclosure ceases to be Councillor or member of a committee		
s 79(5)(b)	Duty to destroy the written disclosure when the 3 year period referred to in section 79(5)(a) has expired	DCS, CG, GO	
s 79(8)	Duty to record a conflict of interest in the minutes of a meeting	DCS, CG, GO	
s 80(1)(b)	Power to apply, in writing, to the Minister, after receiving written declarations of conflicts of interest from a majority of Councillors, for an exemption of those Councillors from any or all of the provisions of section 79	DCS, CG	
s 80(1A)	Function of providing additional information regarding an application made under section 80(1)(b)	DCS, CG, GO	
s 80A(1)	Duty to ensure that at an assembly of Councillors, a written record is kept of the names of all Councillors and members of Council staff attending, the matters considered and any conflict of interest disclosures made by a Councillor attending under section 80A(3) and whether a Councillor who discloses a conflict leaves the assembly	ALL	
s 80A(2)(a)	Duty to ensure a written record of an assembly of Councillors is reported at an ordinary meeting of the Council as soon as practicable	DCS, CG	



LOCAL GOVERNMENT ACT 1989			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 80A(2)(b)	Duty to ensure a written record of an assembly of Councillors is incorporated in the minutes of that Council meeting as soon as practicable	DCS, CG	
s 80B(2)(b)	Duty to disclose type and nature of conflict of interest to the Mayor or the Council	DCS, CG	
s 80B(2)(c)	Function of receiving written disclosure of conflict of interest from staff member	DCS, CG, GO	
s 81(1)	Power to nominate a 'nominated officer'	DCS	
s 81(2)	Function of receiving a primary return from a Councillor or a member of a special committee	DCS, CG, GO	
s 81(4)	Function of receiving a primary return from a nominated person	DCS, CG, GO	
s 81(5)	Function of receiving an ordinary return from a Councillor, member of a special committee or a nominated officer	DCS, CG, GO	
s 81(9)	Duty to maintain a register of the interests of Councillors, members of special committees and nominated officers	DCS, CG, GO	
s 81(10)	Duty to allow a person to inspect the register following a written request to the Chief Executive Officer	DCS, CG, GO	
s 81(12)	Duty to take all reasonable steps to ensure that only persons who made written applications may inspect the	DCS, CG, GO	



LOCAL GOVERNMENT ACT 1989			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	register		
s 81(13A)	Duty to maintain a record of the names of persons who have inspected the register of interests under section 81(10)	DCS, CG, GO	
s 81(16)	Duty to remove all the returns submitted by a Councillor or a member of a special committee or a nominated officer from the register, as soon as practicable after a person ceases to hold that position	DCS, CG, GO	
s 81Y	Duty to appoint, in writing, a Principal Conduct Officer	NOT	
s 84(3)	Duty to call the special meeting as specified in a notice or resolution	DCS, CG	
s 84A	Power to call a special meeting within 14 days after the results of a general election are publicly declared	DCS, CG	
s 85(1)	Power to call require all Councillors to attend a call of the Council meeting if a quorum cannot be formed or maintained	DCS, CG	
s 85(4)	Duty to immediately advise the Minister if a Councillor does not remain at or attend a call of the Council meeting within 30 minutes after the fixed time	DCS, CG	
s 94A(2)	Power to appoint members of Council staff to enable the statutory functions of Council or the Chief Executive Officer to be carried-out	DCS, CG	



LOCAL GOVERNMENT ACT 1989			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 94A(3)*	responsibility for appointing, directing, managing and dismissing Council staff and for all other issues relating to Council staff	NOT	
s 94A(3)	Power to approve the filling of vacancies or the creation, reclassification, or abolition of positions within budget	MPCP	
s 94A(3)	Power to fix salaries for vacant positions	MPCP	
s 94A(3)	Power to approve the appointment, engagement or promotion of full time, part time and casual staff	MPCP	
s 94A(3)	Power to approve position descriptions	MPCP, CPW	
s 94A(3)	Power to create or approve creation of new positions	NOT	
s 94A(3)	Power to conduct of disciplinary action under relevant awards and policies	GROUP B, GROUP C	
s 94A(3)	Power to terminate or suspend the employment of, or to suspend from duty, a member of Council staff	GROUP B, MPCP	GROUP B can only exercise this delegation in conjunction with MPCP approval
s 94A(3)	Power to conduct interviews for staff annual review	GROUP B, GROUP C, GROUP D, RPDO(CD)	
s 94A(3)	Power to authorise sick, annual and family leave	GROUP B, GROUP C, GROUP D, RPDO(CD)	



LOCAL GOVERNMENT ACT 1989			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 94A(3)	Power to approve long service leave and compassionate leave	GROUP B, GROUP C, GROUP D	
s 94A(3)	Power to authorise all forms of study and training leave and educational assistance	GROUP B, GROUP C, GROUP D	
s 94A(3)	Power to approve leave without pay	GROUP B, GROUP C, GROUP D	
s 94A(3)	Power to authorise time sheets, higher duties, time-in-lieu, overtime and travel expense claims	GROUP B, GROUP C, GROUP D	
s 94A(3)	Power to approve attendance at conferences and seminars	GROUP B, GROUP C, GROUP D	
s 94A(3)	Power to approve attendance at training programs	GROUP B, GROUP C, GROUP D	
s 94A(3)	Power to give approval for officers to travel	GROUP B, GROUP C, GROUP D	
s 94A(3)	Power to approve travel accommodation	GROUP B, GROUP C, GROUP D	
s 94A(3)	Power to sign Notice of Injury and Work Injury Form.	GROUP B, GROUP C, GROUP D	



LOCAL GOVERNMENT ACT 1989			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 94A(3)	Power to approve claims under WorkCover excess	MPCP, CPW	
s 94A(3)	Power to approve expenses relating to an approved course of study.	MPCP	
s 94A(3)	Power to approve staff engaging in other employment	MPCP	
s 94A(3)	Power to determine acceptance or denial of liability in the event of a WorkCover claim	NOT – WorkCover agent determines acceptance to denial of liability NOT Council staff	
s 94A(3)	Power to sign Letter of Acceptance of Resignation	MPCP	
s 94A(3)	Power to provide references on Council letterhead	MPCP	
s 94A(3)	Power to authorise access to a staff member's personal file	MPCP, CPW	
s 94A(3A)	responsibility for managing interactions between Council staff and Councillors, including by ensuring that appropriate policies, practices and protocols are in place defining appropriate arrangements for interaction between Council staff and Councillors	DCS, CG	
s 94B(1)	Power to appoint a senior officer	NOT	Subject to prescribe notice requirements Notice requirements do not apply when appointing an acting senior officer for a period of less than 12 months (s 94B(2))
s 94B(3)	Duty to ensure that a person who has filled a senior	NOT	



LOCAL GOVERNMENT ACT 1989			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	officer's position on an acting basis for 12 months is not remunerated in any way for anything the person does in respect of that position after that 12 month period (unless subsection (1) applies).		
s 94D	Duty to give Council staff an opportunity to apply for any vacant permanent full-time Council staff position	MPCP	
s 95AA(1)	Duty to develop and implement a code of conduct for Council staff in accordance with 'any matters which are prescribed for the purposes of this section' (s 95AA(2))	MPCP	
s 95AA(3)	Duty to ensure members of Council staff have access to the code of conduct for Council staff	MPCP	
s 95B(5)	Duty to comply with a notice under s 95B(3)(b)	MPCP	
s 95B(6)	Duty to employ a person on an acting basis where the Council or the Chief Executive officer is forbidden to fill a vacancy by a notice	MPCP	
s 97A(2)	Duty to review the performance of every senior officer at least once each year	NOT	
s 105	Duty to advise the mayor, and a closed meeting of the Council, of a complaint about the conduct of the CEO, or upon the initiation of any court or tribunal proceedings against the CEO	DCS, CG, MPCP	
s 106(1)	Power to appoint a probity auditor in relation to a complaint referred to in s 105	DCS, CG, MPCP	



LOCAL GOVERNMENT ACT 1989			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 106(2)	Duty to immediately advise the Mayor of the probity auditor's appointment	DCS, CG, MPCP	
s 107(3)	Duty to advise closed Council meeting that probity auditor has been appointed by the Secretary	DCS, CG, MPCP	
s 108(4)	Function of receiving report that a Councillor or member of staff have refused to comply with probity auditor's request to produce a document, provide information or provide assistance.	DCS, CG, MPCP	
s 109(3)	Function of receiving probity officer's report	DCS, CG, MPCP	
s 132(5)(b)	Duty to certify Council performance statement and financial statements	DCS, MF, CG	The CEO must certify: the performance statement pursuant to r 18(1)(a) of the <i>Local Government (Planning and Reporting) Regulations 2014 (Reporting Regulations)</i> , and; the financial statements pursuant to r 21(1)(a) of the Reporting Regulations
s 138	Duty to give quarterly statements at a Council meeting that is open to the public	DCS, MF	
s 181G	Duty to ensure that quarterly statement prepared under section 138 of <i>Local Government Act 1989</i> includes relevant details of environmental upgrades and charges	DCS, MF	
s 219(12)	Duty to summon a Council meeting within 14 days after the public declaration of the election result	DCS, CG	



LOCAL GOVERNMENT ACT 1989			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 229(2)(b)	Function of receiving an application for a land information certificate	MF, RDC	
s 230	Function of receiving notice in relation to the disposition of any land	MF, RDC	
s 231	Function of receiving notice in relation to the acquisition of any land	RDC	The CEO is the prescribed person pursuant to r 15(1)(b) of the <i>Local Government (General) Regulations 2015</i>
s 242(2)	Power to sign a certificate certifying any matter relating to the contents of any document kept by a Council	DCS, CG	
cl 14(1) sch 3	Function of receiving returning officer's report	DCS, MF	
cl 14(3) sch 3	Duty to ensure that the returning officer's report is submitted to the Council at the earliest meeting of Council that is practicable	DCS, CG	
cl 7A(1)(a) sch 3A	Function of receiving notice of failure of the countback or the returning officer's failure to fill an extraordinary vacancy	DCS, CG	



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 140	Power to certify copies of instruments, documents, maps or plans under this Act	DPE, MSPE, CStP, ALLSTATP	Where the Council is the relevant responsible authority
s 141	Power to provide evidentiary statement pertaining to land use and permits under this Act	DPE, MSPE, StP, SP, SSP, CE, CStP, CSP	Where the Council is the relevant responsible authority
s 143	Power to provide evidentiary statement pertaining to s 173 agreements under this Act	DPE, MSPE, StP, SP, SSP, CE, CStP, CSP	Where the Council is the relevant responsible authority



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



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



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



SERVICE VICTORIA ACT 2018			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 5(2)	Function of receiving a copy of the agreement made under s 5(1)	DCS, CCS	
s 5(4)	Function of receiving a copy of a notice under s 5(3)	DCS, CCS	
s 6	Duty to use best endeavours to give effect to a notice under s 5(3) which applies to Council	DCS, CCS	
s 7(3)	Function of receiving a copy of the agreement made under s 7(1)	DCS, CCS	
s 7(4)	Function of receiving a copy of a notice under s 7(3)	DCS, CCS	
s 8(2)	Power to delegate the transferred customer service function to any person or class of person employed by, or acting on behalf of, the service agency from which the function is transferred	DCS, CCS	Where Council's CEO has been transferred a transferred customer service function
s 10(2)	Function of receiving a copy of the agreement made under s 10(1)	DCS, MIS, CCS	
S 10(4)	Function of receiving a copy of a notice under s 10(3)	DCS, MIS, CCS	
s 11	Duty to use best endeavours to give effect to a notice under s 10(3) which applies to Council	DCS, MIS, CCS	
s 12(3)	Function of receiving a copy of the agreement made under s 12(1)	DCS, MIS, CCS	



SERVICE VICTORIA ACT 2018			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 12(4)	Function of receiving a copy of a notice under s 12(2)	DCS, MIS, CCS	
s 13(2)	Power to delegate the transferred identity verification function to any person or class of person employed by, or acting on behalf of, the service agency from which the function is transferred	DCS, MIS, CCS	Where Council's CEO has been transferred a transferred identity verification function



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



VALUATION OF LAND ACT 1960			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 3(5)(ba)	Power to request valuations of land	DCS, MF, RDC, CPV	



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



VICTORIAN INSPECTORATE ACT 2011			
Column 1	Column 2		Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 87(2)	Function of responding to adverse material the Victorian Inspectorate intends to include in a report	NOT	The function remains with the CEO.
s 91(2)	Function of responding to adverse material the Victorian Inspectorate intends to include in annual report	NOT	The function remains with the CEO.



LOCAL GOVERNMENT (ELECTORAL) REGULATIONS 2016			
Column 1	Column 2		Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 14(1)	Duty to provide details of a person's entitlement to be enrolled as a ratepayer	MF, RDC	
r 16(1)	Duty to maintain a list of silent voters	MF, RDC	
r 17(1)	Duty to ensure that only authorised persons have access to details of silent voters	MF, RDC	