

S13A Instrument of Delegation of CEO powers, duties and functions

Macedon Ranges Shire Council

Instrument of Delegation

by

The Chief Executive Officer

Under the Local Government Acts of 1989 and 2020

Instrument of Delegation of CEO powers, duties and functions

By this Instrument of Delegation, in exercise of the power conferred by s 47(2) of the *Local Government Act 2020*, I, as Chief Executive Officer of 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
CAMIP	Coordinator Asset Management and Infrastructure Planning
CBM	Coordinator Building Maintenance
CCOMS	Coordinator Community Support
CC	Contracts Coordinator
CCD	Coordinator Cultural Development
CCS	Coordinator Customer Service
CEco	Coordinator Economic Development
CE	Coordinator Environment
CEDI	Coordinator Engineering Designs and Investigation
CEH	Coordinator Environmental Health
CEM	Coordinator Emergency Management
CEO	Chief Executive Officer
CEYS	Coordinator Early Years Services
CEP	Coordinator Engineering Planning
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
CR	Coordinator Recreation
CSO	Customer Service Officer
CSP	Coordinator Statutory Planning
CSPBS	Coordinator Statutory Planning and Building Support
CStP	Coordinator Strategic Planning

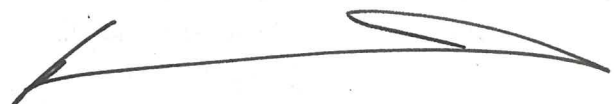
Abbreviation	Means
DAO	Director Assets and Operations
DCS	Director Corporate Services
DPE	Director Planning and Environment
EHO	Environmental Health Officer
EHPO	Environmental Health Project Officer
EP	Environmental Planner
ESPO	Environment Policy and Sustainability Officer
GO	Governance Officer
GROUP B	Directors
GROUP C	Managers
GROUP D	Team Leaders, Foremen, Supervisors and Coordinators (howsoever named)
HRC	Hanging Rock Coordinator
LLAO	Local Laws Administration 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
PLO	Planning Liaison Officer
PO	Parking 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
RIO	Risk and Insurance Officer
RP	Review Panel
RPDO(CD)	Research and Policy Development Officer (Community

Abbreviation	Means
	Development)
SA	Senior Accountant
SLLSO	Senior Local Laws Support Officer
SPCA	Senior People and Culture Advisor
SPSO	Statutory Planning Subdivisions Officer
SSPO	Senior Statutory Planning Officer
SPBSO	Statutory Planning and Building Support Officer
SPBSLO	Statutory Planning and Building Support Liaison Officer
StP (Heritage)	Strategic Planner (Heritage)
SStP	Senior Strategic Planner
SSWA	Senior Safety and Wellbeing Advisor
StP	Strategic Planner
TLLL	Team Leader Local Laws

3. record that nothing in this Instrument of Delegation affects any earlier delegation made except to the extent that it relates to the *Local Government Act 1989*;
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 _____ and is made by the Chief Executive Officer.

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



.....
D. Peter
 Witness

Date: *1/6/20*

SCHEDULE

LOCAL GOVERNMENT ACT 2020			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 32(4)(a)	Duty to ensure that the Councillor induction training is available to be taken by a Councillor from the day the Councillor takes the oath or affirmation of office	DCS, CG	[Commencement date NYP 24 October 2020]
s 32(4)(b)	Duty to provide reasonable assistance to a Councillor to enable them to access the Councillor induction training	DCS, CG	[Commencement date NYP 24 October 2020]
s 46(1)(a)	Function of supporting the Mayor and the Councillors in the performance of their roles	NOT	[Commencement date 1 July 2021]
s 46(1)(b)	Function of ensuring the effective and efficient management of the day to day operations of the Council	NOT	[Commencement date 1 July 2021]
s46(3)(a)	Duty of establishing and maintaining an organisational structure for the Council	MPCP	[Commencement date 1 July 2021]
s 46(3)(b)	Responsibility for appointing, directing, managing and dismissing Council staff and for all other issues relating to Council staff	NOT	[Commencement date 1 July 2021] Subject to section 48(6) prohibiting appointment of a person who has been a Councillor of the Council within 2 years after the person ceases to hold that office
s 46(3)(b)	Power to approve the filling of vacancies or the creation, reclassification, or abolition of positions within budget	MPCP	[Commencement date 1 July 2021] Subject to section 48(6) prohibiting appointment of a person who has been a Councillor of the Council within 2 years after

LOCAL GOVERNMENT ACT 2020			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			the person ceases to hold that office
s 46(3)(b)	Power to fix salaries for vacant positions	MPCP	[Commencement date 1 July 2021]
s 46(3)(b)	Power to approve the appointment, engagement or promotion of full time, part time and casual staff	MPCP	[Commencement date 1 July 2021] Subject to section 48(6) prohibiting appointment of a person who has been a Councillor of the Council within 2 years after the person ceases to hold that office
s 46(3)(b)	Power to approve position descriptions	MPCP, CPW	[Commencement date 1 July 2021]
s 46(3)(b)	Power to create or approve creation of new positions	NOT	[Commencement date 1 July 2021]
s 46(3)(b)	Power to conduct disciplinary action under relevant awards and policies	GROUP B, GROUP C	[Commencement date 1 July 2021]
s 46(3)(b)	Power to terminate or suspend the employment of, or to suspend from duty, a member of Council staff	GROUP B, MPCP	[Commencement date 1 July 2021] GROUP B can only exercise this delegation in conjunction with MPCP approval
s 46(3)(b)	Power to conduct interviews for staff annual review	GROUP B, GROUP C GROUP D, RPDO(CD)	[Commencement date 1 July 2021]
s 46(3)(b)	Power to authorise sick, annual and family leave	GROUP B, GROUP C GROUP D, RPDO(CD)	[Commencement date 1 July 2021]
s 46(3)(b)	Power to approve long service leave and compassionate leave	GROUP B, GROUP C GROUP D	[Commencement date 1 July 2021]

LOCAL GOVERNMENT ACT 2020			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46(3)(b)	Power to authorise all forms of study and training leave and educational assistance	GROUP B, GROUP C GROUP D	[Commencement date 1 July 2021]
s 46(3)(b)	Power to approve leave without pay	GROUP B, GROUP C GROUP D	[Commencement date 1 July 2021]
s 46(3)(b)	Power to authorise time sheets, higher duties, time-in-lieu, overtime and travel expense claims	GROUP B, GROUP C GROUP D	[Commencement date 1 July 2021]
s 46(3)(b)	Power to approve attendance at conferences and seminars by staff	GROUP B, GROUP C GROUP D	[Commencement date 1 July 2021]
s 46(3)(b)	Power to approve attendance at training programs by staff	GROUP B, GROUP C GROUP D	[Commencement date 1 July 2021]
s 46(3)(b)	Power to give approval for staff to travel	GROUP B, GROUP C GROUP D	[Commencement date 1 July 2021]
s 46(3)(b)	Power to approve travel accommodation for staff	GROUP B, GROUP C GROUP D	[Commencement date 1 July 2021]
s 46(3)(b)	Power to sign Notice of Injury and Work Injury Form	GROUP B, GROUP C GROUP D	[Commencement date 1 July 2021]
s 46(3)(b)	Power to approve claims under WorkCover excess	MPCP, CPW	[Commencement date 1 July 2021]
s 46(3)(b)	Power to approve expenses relating to an approved course of study for staff	MPCP	[Commencement date 1 July 2021]

LOCAL GOVERNMENT ACT 2020			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46(3)(b)	Power to approve staff engaging in other employment	MPCP	[Commencement date 1 July 2021]
s 46(3)(b)	Power to determine acceptance or denial of liability in the event of a WorkCover claim	NOT – WorkCover agent determines acceptance or denial of liability, not Council staff	[Commencement date 1 July 2021]
s 46(3)(b)	Power to sign Letter of Acceptance of Resignation	MPCP	[Commencement date 1 July 2021]
s 46(3)(b)	Power to provide references on Council letterhead	MPCP	[Commencement date 1 July 2021]
s 46(3)(b)	Power to authorise access to a staff member's personal file	MPCP , CPW	[Commencement date 1 July 2021]
s 46(4)(a)	Duty to develop and maintain a workforce plan that describes the organisational structure of the Council and specifies the projected staffing requirements for a period of at least 4 years and sets out measures to seek to ensure gender equality, diversity and inclusiveness	MPCP	[Commencement date 1 July 2021]
s 46(4)(b)	Duty to inform the Council before an organisational restructure that will affect the capacity of the Council to deliver the Council Plan is implemented	NOT	[Commencement date 1 July 2021]
s 46(4)(c)	Duty to consult members of Council staff affected by a proposed organisational restructure, before the organisational restructure is implemented	MPCP	[Commencement date 1 July 2021]
s 46(5)	Duty to, in giving effect to gender equality, diversity and inclusiveness, comply with any processes and	ALL	[Commencement date 1 July 2021]

LOCAL GOVERNMENT ACT 2020			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	requirements prescribed by the regulations for the purposes of this section of this Act		
s 46(6)	Duty to ensure that the Mayor, Deputy Mayor, Councillors and members of Council staff have access to the workforce plan	NOT	[Commencement date 1 July 2021]
s 47(6)	Duty to submit an annual report to the Council in relation to the activities and performance of a Community Asset Committee in respect of which the members have been given a delegation under this section	DCS, CG	[Commencement 1 May 2020]
s 47(7)	Duty to keep a register of delegations under section 47 of this Act	DCS, CG, GO	[Commencement 1 May 2020]
s 48(1)	Power to appoint as many members of Council staff as are required to enable the functions of the Council under this Act or any other Act to be performed	NOT	[Commencement date 1 July 2021] Subject to section 48(6) prohibiting appointment of a person who has been a Councillor of the Council within 2 years after the person ceases to hold that office
s 48(2)	Duty to adopt and maintain a recruitment policy addressing the matters listed in s 48(2)	MPCP	[Commencement date 1 July 2021]
s 49(1)	Duty to develop and implement a code of conduct for members of Council staff	MPCP	Must develop and implement the first code of conduct within 6 months of commencement of this section [Commencement date 1 July 2021]

LOCAL GOVERNMENT ACT 2020			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 49(4)	Duty to ensure that members of Council staff have access to the code of conduct for members of Council staff	MPCP	[Commencement date 1 July 2021]
s 54(6)	Duty to ensure the preparation and maintenance of agendas, minutes and reports of the Audit and Risk Committee	DCS, CG	[Commencement date 1 May 2020]
s 97(1)	Duty to ensure that a quarterly budget report is presented to the Council at a Council meeting which is open to the public	DCS, MF	[Commencement date NYP 24 October 2020]
s 109(2)	Duty to ensure that any report of the Council that recommends entering into a procurement agreement includes information in relation to any opportunities for collaboration with other Councils or public bodies which may be available	DCS, MF, CC	[Commencement date 1 July 2021]
s 121	Function of receiving application for land information certificate	MF, RDC	[Commencement date 1 July 2021]
s 130(7)	Duty to notify the Chief Municipal Inspector as soon as practicable after the Chief Executive Officer becomes aware that a relevant person, who is a member of Council staff, has failed to disclose a conflict of interest	DCS, CG	[Commencement date NYP 24 October 2020]
s 130(8)	Duty to notify the Council if a relevant person, who is not a Councillor or member of Council staff, fails to	DCS, CG	[Commencement date NYP 24 October 2020]

LOCAL GOVERNMENT ACT 2020			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	disclose a conflict of interest and make a recommendation to the Council as to the action that is to be taken		
s 132(1)	Power to nominate a 'nominated officer'	NOT	[Commencement date NYP 24 October 2020]
s 133	Function of receiving an initial personal interests return	DCS, CG, GO	[Commencement date NYP 24 October 2020]
s 134	Function of receiving a biannual personal interests return	DCS, CG, GO	[Commencement date NYP 24 October 2020]
s 135(1)	Duty to prepare a summary of the personal interests information disclosed in the last personal interests return lodged with the Chief Executive Officer	DCS, CG	[Commencement date NYP 24 October 2020]
s 135(3)	Duty to ensure the summary of personal interests is published on the Council's Internet site and available for inspection at the Council office	DCS, CG	[Commencement date NYP 24 October 2020]
s 136(1)	Duty to ensure that personal interests return are kept in accordance with the Public Records Act 1973	DCS, CG	[Commencement date NYP 24 October 2020]
s 136(2)	Duty to ensure that only the 'specified persons' have access to or can inspect a personal interests return	DCS, CG	[Commencement date NYP 24 October 2020]
s 150(1)	Duty to appoint the Councillor Conduct Officer and	NOT	[Commencement date NYP 24 October

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	notify the Principal Councillor Conduct Registrar of the appointment		2020]
s 240(10)	Duty to send notice	DCS, CG, MF, RDC	[Commencement date 6 April 2020]
s 240(11)	Duty to send notice	DCS, CG, MF, RDC	[Commencement date 6 April 2020]
s 240(12)	Duty to send notice	DCS, CG, MF, RDC	[Commencement date 6 April 2020]
s 246(1)	Duty to enrol a person following receipt of a written application for enrolment unless she or he believes the personal is not entitled to be enrolled	DCS, CG, MF, RDC	[Commencement date 6 April 2020]
s 246(2)	Power to refuse enrolment and duty to give written reasons for refusal application for enrolment	DCS, CG, MF, RDC	[Commencement date 6 April 2020]
s 246(3)	Power to request information orally or in writing to enable her or him to determine a person's eligibility for enrolment	DCS, CG, MF, RDC	[Commencement date 6 April 2020]
s 246(4)	Power to require information to be given in writing and signed by the person giving the information	DCS, CG, MF, RDC	[Commencement date 6 April 2020]
s 247(3)	Power to decide whether address should be placed on voters' roll and to then take action accordingly	DCS, CG, MF, RDC	[Commencement date 6 April 2020]
s 247(4)	Duty to notify the person in writing of a decision to grant or refuse a request to remove the person's address from Council voters' roll	DCS, CG, MF, RDC	[Commencement date 6 April 2020]

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PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 248(1)	Duty to supply to the Victorian Electoral Commission list of voters who appear to be entitled to be enrolled as ratepayers or corporation representatives and any information required by the Victorian Electoral Commission to compile or amend the voters' roll	DCS, CG, MF, RDC	[Commencement date 6 April 2020]
s 248(2)	Power to include in the list supplied to the Victorian Electoral Commission people whose address on the rate notice is outside of the municipal district	DCS, CG, MF, RDC	For the purposes of section 243 [Commencement date 6 April 2020]
s 254(1)	Power to use the Council voters' roll for communicating or consulting the local community on the performance of the Council's functions	DCS, CG, MF, RDC	Subject to section 254(2)(a) and (b) [Commencement date 6 April 2020]
s 254(2)	Duty to obtain undertaking	DCS, CG	[Commencement date 6 April 2020]
s 254(4)	Power to request the Victorian Electoral Commission to provide a copy of the voters' roll	DCS, CG, MF, RDC	[Commencement date 6 April 2020]
s 258(8)	Duty to notify the Minister and the Victorian Electoral Commission that an extraordinary vacancy has occurred within 3 days of receiving a written resignation from a Councillor or becoming aware of an extraordinary vacancy	DCS, CG	[Commencement date 6 April 2020]
s 306(1)	Function of receiving election campaign donation return	DCS, CG, MF, GO	[Commencement date 6 April 2020]
s 307(1)(a)	Duty to submit a report to the Minister specifying details of the candidates in the election and who	DCS, CG, MF	[Commencement date 6 April 2020]

LOCAL GOVERNMENT ACT 2020			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	submitted an election campaign donation return within 14 days after the period specified in section 360(1)		
s 307(2)	Duty to provide a summary of each election campaign donation return given to the Chief Executive Officer on the Council's Internet site	DCS, CG	[Commencement date 6 April 2020]
s 307(3)	Duty to ensure that a summary of the return is made available on the Council's Internet	DCS, CG	[Commencement date 6 April 2020]
s 308(2)	Duty to ensure that a summary of an election campaign donation return is made available on the Council's Internet site until the close of the roll for the next general election	DCS, CG	[Commencement date 6 April 2020]
s 308(3)	Duty to ensure that a copy of an election campaign donation return is available for inspection at the Council's office for a period of 4 years from the date specified in section 360(1)	DCS, CG	[Commencement date 6 April 2020]
s 313(2)	Power to represent the Council in all respects as though the person was the party concerned in any proceedings in which the Council is a party or has an interest	GROUP B, MPCP	[Commencement date 1 May 2020]
s 324(2)	Power to sign a certificate certifying any matter relating to the contents of any document kept by a Council	NOT	[Commencement date 1 May 2020]

LOCAL GOVERNMENT ACT 1989			
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PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 28(1B)	Function of receiving notice of any change to any entitlement relating to enrolment of a Councillor	DCS, CG	[To be repealed on 24 October 2020]
ss 68A(1) & 69(1)(c)	Function of receiving resignation from a Councillor	DCS, CG	[To be repealed on 24 October 2020]
s 68A(4)	Power to commence the holding of an election to fill extraordinary vacancy	DCS, CG	[To be repealed on 24 October 2020]
s 72(1)(c)	Function of receiving resignation from the Mayor	DCS, CG	[To be repealed on 24 October 2020]
s 77(2)(c)	Power to designate information to be 'confidential information' for the purposes of s 77	DCS, CG	[To be repealed on 24 October 2020]
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	[To be repealed on 24 October 2020]
s 79(5)(a)	Duty to keep written disclosures given to him or her 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	DCS, CG, GO	[To be repealed on 24 October 2020]
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	[To be repealed on 24 October 2020]

LOCAL GOVERNMENT ACT 1989			
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PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 79(8)	Duty to record a conflict of interest in the minutes of a meeting	DCS, CG, GO	[To be repealed on 24 October 2020]
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	[To be repealed on 24 October 2020]
s 80(1A)	Function of providing additional information regarding an application made under section 80(1)(b)	DCS, CG, GO	[To be repealed on 24 October 2020]
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	[To be repealed on 24 October 2020]
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	[To be repealed on 24 October 2020]
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	[To be repealed on 24 October 2020]
s 80B(2)(b)	Duty to disclose type and nature of conflict of interest to the Mayor or the Council	DCS, CG	[To be repealed on 24 October 2020]

LOCAL GOVERNMENT ACT 1989			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 80B(2)(c)	Function of receiving written disclosure of conflict of interest from staff member	DCS, CG, GO	[To be repealed on 24 October 2020]
s 81(1)	Power to nominate a 'nominated officer'	DCS	[To be repealed on 24 October 2020]
s 81(2)	Function of receiving a primary return from a Councillor or a member of a special committee	DCS, CG, GO	[To be repealed on 24 October 2020]
s 81(4)	Function of receiving a primary return from a nominated person	DCS, CG, GO	[To be repealed on 24 October 2020]
s 81(5)	Function of receiving an ordinary return from a Councillor, member of a special committee or a nominated officer	DCS, CG, GO	[To be repealed on 24 October 2020]
s 81(9)	Duty to maintain a register of the interests of Councillors, members of special committees and nominated officers	DCS, CG, GO	[To be repealed on 24 October 2020]
s 81(10)	Duty to allow a person to inspect the register following a written request to the Chief Executive Officer	DCS, CG, GO	[To be repealed on 24 October 2020]
s 81(12)	Duty to take all reasonable steps to ensure that only persons who made written applications may inspect the register	DCS, CG, GO	[To be repealed on 24 October 2020]
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	[To be repealed on 24 October 2020]
s 81(16)	Duty to remove all the returns submitted by a Councillor	DCS, CG, GO	[To be repealed on 24 October 2020]

LOCAL GOVERNMENT ACT 1989			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	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		
s 81Y	Duty to appoint, in writing, a Principal Conduct Officer	NOT	[To be repealed on 24 October 2020]
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	[To be repealed 1 July 2021]
s 94A(3)*	responsibility for appointing, directing, managing and dismissing Council staff and for all other issues relating to Council staff	NOT	[To be repealed 1 July 2021]
s 94A(3)	Power to approve the filling of vacancies or the creation, reclassification, or abolition of positions within budget	MPCP	[To be repealed 1 July 2021]
s 94A(3)	Power to fix salaries for vacant positions	MPCP	[To be repealed 1 July 2021]
s 94A(3)	Power to approve the appointment, engagement or promotion of full time, part time and casual staff	MPCP	[To be repealed 1 July 2021]
s 94A(3)	Power to approve position descriptions	MPCP, CPW	[To be repealed 1 July 2021]
s 94A(3)	Power to create or approve creation of new positions	NOT	[To be repealed 1 July 2021]
s 94A(3)	Power to conduct of disciplinary action under relevant awards and policies	GROUP B, GROUP C	[To be repealed 1 July 2021]
s 94A(3)	Power to terminate or suspend the employment of, or to	GROUP B, MPCP	[To be repealed 1 July 2021]

LOCAL GOVERNMENT ACT 1989			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	suspend from duty, a member of Council staff		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)	[To be repealed 1 July 2021]
s 94A(3)	Power to authorise sick, annual and family leave	GROUP B, GROUP C, GROUP D, RPDO(CD)	[To be repealed 1 July 2021]
s 94A(3)	Power to approve long service leave and compassionate leave	GROUP B, GROUP C, GROUP D	[To be repealed 1 July 2021]
s 94A(3)	Power to authorise all forms of study and training leave and educational assistance	GROUP B, GROUP C, GROUP D	[To be repealed 1 July 2021]
s 94A(3)	Power to approve leave without pay	GROUP B, GROUP C, GROUP D	[To be repealed 1 July 2021]
s 94A(3)	Power to authorise time sheets, higher duties, time-in-lieu, overtime and travel expense claims	GROUP B, GROUP C, GROUP D	[To be repealed 1 July 2021]
s 94A(3)	Power to approve attendance at conferences and seminars	GROUP B, GROUP C, GROUP D	[To be repealed 1 July 2021]
s 94A(3)	Power to approve attendance at training programs	GROUP B, GROUP C, GROUP D	[To be repealed 1 July 2021]
s 94A(3)	Power to give approval for officers to travel	GROUP B, GROUP C, GROUP D	[To be repealed 1 July 2021]
s 94A(3)	Power to approve travel accommodation	GROUP B, GROUP C, GROUP D	[To be repealed 1 July 2021]

LOCAL GOVERNMENT ACT 1989			
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PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 94A(3)	Power to sign Notice of Injury and Work Injury Form.	GROUP B, GROUP C, GROUP D	[To be repealed 1 July 2021]
s 94A(3)	Power to approve claims under WorkCover excess	MPCP, CPW	[To be repealed 1 July 2021]
s 94A(3)	Power to approve expenses relating to an approved course of study.	MPCP	[To be repealed 1 July 2021]
s 94A(3)	Power to approve staff engaging in other employment	MPCP	[To be repealed 1 July 2021]
s 94A(3)	Power to determine acceptance or denial of liability in the event of a WorkCover claim	NOT – WorkCover agent determines acceptance or denial of liability, NOT Council staff	[To be repealed 1 July 2021]
s 94A(3)	Power to sign Letter of Acceptance of Resignation	MPCP	[To be repealed 1 July 2021]
s 94A(3)	Power to provide references on Council letterhead	MPCP	[To be repealed 1 July 2021]
s 94A(3)	Power to authorise access to a staff member's personal file	MPCP, CPW	[To be repealed 1 July 2021]
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	[To be repealed 1 July 2021]
s 94B(1)	Power to appoint a senior officer	NOT	[To be repealed 1 July 2021] Subject to prescribe notice requirements Notice requirements do not apply when appointing an acting senior officer for a

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			period of less than 12 months (s 94B(2))
s 94B(3)	Duty to ensure that a person who has filled a senior 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).	NOT	[To be repealed 1 July 2021]
s 94D	Duty to give Council staff an opportunity to apply for any vacant permanent full-time Council staff position	MPCP	[To be repealed 1 July 2021]
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	[To be repealed 1 July 2021]
s 95AA(3)	Duty to ensure members of Council staff have access to the code of conduct for Council staff	MPCP	[To be repealed 1 July 2021]
s 95B(5)	Duty to comply with a notice under s 95B(3)(b)	MPCP	[To be repealed 1 July 2021]
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	[To be repealed 1 July 2021]
s 97A(2)	Duty to review the performance of every senior officer at least once each year	NOT	[To be repealed 1 July 2021]
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

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			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	[To be repealed 1 July 2021]
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	[To be repealed 24 October 2020]
s 229(2)(b)	Function of receiving an application for a land information certificate	MF, RDC	[To be repealed 1 July 2021]
s 230	Function of receiving notice in relation to the disposition of any land	MF, RDC	[To be repealed 1 July 2021]
s 231	Function of receiving notice in relation to the acquisition of any land	RDC	[To be repealed 1 July 2021] The CEO is the prescribed person pursuant to r 15(1)(b) of the <i>Local Government (General) Regulations 2015</i>

