

S13 Instrument of Delegation of CEO powers, duties and functions

Whittlesea City Council

Instrument of Delegation

by

Chief Executive Officer

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 Whittlesea City 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

Title	Position
AO	Authorisation Officer
CLAO	Claims Administration Officer
CEO	Chief Executive Officer
CER	Coordinator Employee Relations
CGA	Coordinator Governance Administration
CO	Chief Customer Officer
CFO	Chief financial Officer
COR	Coordinator
CAO	Compliance and Audit Officer
CPO	Chief People Officer
CXM	Manager CX-DX Program
DCCS	Director Customer and Corporate Services
DCW	Director Community Wellbeing
DIE	Director Infrastructure and Environment
DIR	Director
DPD	Director Planning and Development
EAMC	EA to Mayor and Council
ELT	Executive Leadership Team
EM	Executive Manager
FOIPO	Freedom of Information and Privacy Officer
EMOCC	Executive Manager Office of Council and CEO
EMPA	Executive Manager Public Affairs
GO	Governance Officer
IMA	Injury Management Advisor
MAN	Manager
MCEH	Manager Compliance and Environmental Health
MCF	Manager Children and Families
MEMRP	Manager Emergency Management & Regulatory Programs
MMO	Manager Maintenance and Operations
ND	Not Delegated
OLT	Operational Leadership Team
UM	Unit Manager
UMAP	Unit Manager Appeals and Prosecutions
UMEH	Unit Manager Environmental Health
UMG	Unit Manager Governance

Title	Position
UMHR	Unit Manager Human Resources
UMOD	Unit Manager Organisational Development
UMP	Unit Manager Procurement
UMR	Unit Manager Risk
UMSP	Unit Manager Strategic Property
UMSR	Unit Manager Strategic Revenue
UMSW	Unit Manager Safety and Wellbeing
WP	Workforce Plan
WPC	Workforce Planning Committee

3. record that on the coming into force of this Instrument of Delegation each delegation under the Instrument of Delegation dated 4 June 2024 and executed by Craig Lloyd 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 26 September 2024 and is made by the Chief Executive Officer.

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




.....Jacinta Stevens

INDEX

CHILD WELLBEING AND SAFETY ACT 2005 1

EMERGENCY MANAGEMENT ACT 2013 3

FINES REFORM ACT 2014..... 3

FIRE SERVICES PROPERTY LEVY ACT 2012 4

FOOD ACT 1984..... 4

FREEDOM OF INFORMATION ACT 1982 5

INDEPENDENT BROAD-BASED ANTI-CORRUPTION COMMISSION ACT 2011 7

LOCAL GOVERNMENT ACT 2020..... 9

LOCAL GOVERNMENT ACT 1989..... 20

PLANNING AND ENVIRONMENT ACT 1987 20

PUBLIC HEALTH AND WELLBEING ACT 2008 20

PUBLIC INTEREST DISCLOSURES ACT 2012 21

ROOMING HOUSE OPERATORS ACT 2016 21

SERVICE VICTORIA ACT 2018..... 22

SHERIFF ACT 2009..... 24

TOBACCO ACT 1987..... 24

VALUATION OF LAND ACT 1960..... 24

VICTORIAN DATA SHARING ACT 2017 25

VICTORIAN INSPECTORATE ACT 2011..... 25

LOCAL GOVERNMENT (ELECTORAL) REGULATIONS 2020 26

LOCAL GOVERNMENT (GOVERNANCE AND INTEGRITY) REGULATIONS 2020 27

LOCAL GOVERNMENT (LAND INFORMATION) REGULATIONS 2021 27

CHILD WELLBEING AND SAFETY ACT 2005			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 29(2)	Function of receiving written notice and consenting to inspection of relevant premises by the Commission for Children and Young People	DCW, MCF	
s 29(3)	Power to consent to inspection of relevant premises without written notice by the Commission for Children and Young People	DCW, MCF	
s 36	Duty to ensure that the Commission for Children and Young People is given any assistance reasonably required to perform functions	DCW, MCF	
s 43	Function of receiving birth notice in certain circumstances	DCW, MCF	
s 45	Duty to send a copy of a birth notice to a nurse or the Secretary	DCW, MCF	
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	DCW, MCF	
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	DCW, MCF	
s 46N	Duty to notify the Secretary, if there is reasonable belief, that the person authorised under s 46K has ceased (a) to be a registered teacher and (b) hold a	DCW, MCF	

CHILD WELLBEING AND SAFETY ACT 2005			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	current Working With Children clearance under the Worker Screening Act 2020		

EMERGENCY MANAGEMENT ACT 2013			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 54(1)(a)(vii)	Power to nominate a person, position or role to be a member of the Regional Emergency Management Planning Committee	ND	
s 59B(1)(b)	Power to nominate a member of Council staff to be the chairperson of the Municipal Emergency Management Planning Committee	ND	Delegates cannot nominate themselves
s 74E(3)(d)	Function of receiving a copy of any Orders made by Governor in Council under this section	DIE, MMO	

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	DPD, MEMRP, UMAP	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	DCCS, CFO, UMSPR	s 66 does not apply if the disclosure is permitted by, or is necessary for the administration of, this Act
s 68(1)(b)	Power to authorise the secondary disclosure of information obtained under, or in relation to the administration of, this Act	DCCS, CFO, UMSPR	

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	DPD, MCEH, UMEH	

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	EMOCC, UMG, FOIPO	
s 8(2)	Duty to make certain documents available for inspection and purchase	EMOCC, UMG, FOIPO, CGA, GO	
s 8(3)	Duty to cause to be prepared a corresponding document, altered only to the extent necessary to exclude exempt matter	EMOCC, UMG, FOIPO	
s 8(5)	Duty to cause the fact of the existence of a document to be published	EMOCC, UMG, FOIPO	
s 61E	Duty to co-operate with the Information Commissioner in dealing with a complaint	EMOCC, UMG, FOIPO	
s 61G	Function of consulting with the Information Commissioner	EMOCC, UMG, FOIPO	
s 61GA(1)(a)	Function of processing or identifying a reasonable sample of the documents upon notice from the Information Commissioner	EMOCC, UMG, FOIPO	Where the Information Commissioner believes that an agency, principal officer or Minister has failed to undertake an adequate search for documents that relate to a decision that is the subject of the complaint under s 25A(1) or s .25A(5)
s 61GA(1)(b)	Function to undertake a further search, or to cause a further search to be undertaken, for documents in the possession, custody or control of the agency or	EMOCC, UMG, FOIPO	Where the Information Commissioner believes that an agency, principal officer or Minister has failed to undertake an adequate

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

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)	EMOCC, DCCS, CPO	
s 57	Duty to notify IBAC of any matter believed to constitute corrupt conduct	EMOCC	Subject to any exemption notices issued under s 57B
s 57A(5)	Duty to comply with Directions made by IBAC under s 57A	EMOCC	All officers have a duty to report corrupt conduct, however this specific duty relates to the Principal Officer.
s 59D(2)	Duty to comply with request by IBAC under s 59D for relevant information	EMOCC	All officers have a duty to report corrupt conduct, however this specific duty relates to the Principal Officer.
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	EMOCC, DCCS, CPO	
s 159	Power of receiving IBAC recommendations about the action to be taken following an IBAC investigation	EMOCC	
s 162(2)	Power of receiving and responding to an IBAC special report that includes matters pertaining to Council	EMOCC	
s 163(3)	Power of receiving written information about the commencement, conduct or results of an IBAC investigation pertaining to Council	ND	

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

LOCAL GOVERNMENT ACT 2020			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 27A(5)(a)	Duty to ensure that the Mayoral training is available to be taken within the relevant period as per s 27A(1)	CEO, EMOCC	Provision commences on 26 October 2024
s 27A(5)(b)	Duty to provide reasonable assistance to a Mayor, Deputy Mayor or Acting Mayor to enable them to access the Mayoral training	CEO, EMOCC	Provision commences on 26 October 2024
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	EMOCC	
s 32(4)(b)	Duty to provide reasonable assistance to a Councillor to enable them to access the Councillor induction training	EMOCC, UMG, CGA	
s 33A(5)(a)	Duty to ensure that the Councillor professional development training is available to be undertaken annually within the relevant period	CEO, EMOCC	Provision commences on 26 October 2024
s 33A(5)(b)	Duty to provide reasonable assistance to a Councillor to enable them to access the professional development training	CEO, EMOCC	Provision commences on 26 October 2024
s 46(1)(a)	Function of supporting the Mayor and the Councillors in the performance of their roles	DIR, EM, EAMC	
s 46(1)(b)	Function of ensuring the effective and efficient management of the day to day operations of the Council	ELT	

LOCAL GOVERNMENT ACT 2020			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46(3)(a)	Duty of establishing and maintaining an organisational structure for the Council	ND	
s 46(3)(b)	Responsibility for appointing, directing, managing and dismissing Council staff and for all other issues relating to Council staff	DIR, EM, MAN, CPO, WPC	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	DIR, EM, MAN, CPO, WPC	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 Power to approve filling of approved vacancies is down to Managers, Reclassification and abolition sits with Workforce Planning Committee under CEO. Authorisation of direct appointments sits with CPO.
s 46(3)(b)	Power to fix salaries for vacant positions	ND	
s 46(3)(b)	Power to approve the appointment, engagement or promotion of full time, part time and casual staff	DIR, EM, MAN, WPC	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	DIR, EM, MAN, CPO, UMHR	
s 46(3)(b)	Power to create or approve creation of new positions	WPC	

LOCAL GOVERNMENT ACT 2020			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46(3)(b)	Power to conduct disciplinary action under relevant awards and policies	DIR, EM, MAN, UM, COR	
s 46(3)(b)	Power to terminate or suspend the employment of, or to suspend from duty, a member of Council staff	DIR	
s 46(3)(b)	Power to conduct interviews for staff annual review	DIR, EM, MAN, OLT	OLT – All staff have direct reports
s 46(3)(b)	Power to authorise sick, annual and family leave	DIR, EM, MAN, UM, COR	
s 46(3)(b)	Power to approve long service leave and compassionate leave	DIR, EM, MAN, UM, COR	
s 46(3)(b)	Power to authorise all forms of study and training leave and educational assistance	DIR, EM, MAN, CPO, UMOD	
s 46(3)(b)	Power to approve leave without pay	DIR, EM, MAN, CPO, UMHR	
s 46(3)(b)	Power to authorise time sheets, higher duties, time-in-lieu, overtime and travel expense claims	DIR, EM, MAN, UM, COR	
s 46(3)(b)	Power to approve attendance at conferences and seminars by staff	DIR, EM, MAN, UM	
s 46(3)(b)	Power to approve attendance at training programs by staff	DIR, EM, MAN, UM	
s 46(3)(b)	Power to give approval for staff to travel	DIR, EM, MAN	Interstate and overseas travel requires DIR/EM approval.

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 travel accommodation for staff	DIR, EM, MAN	
s 46(3)(b)	Power to sign Notice of Injury and Work Injury Form	DCCS, CPO, UMHR, IMA, UMSW	
s 46(3)(b)	Power to approve claims under WorkCover excess	DCCS, CPO, UMHR, IMA	
s 46(3)(b)	Power to approve expenses relating to an approved course of study for staff	DCCS, CPO	
s 46(3)(b)	Power to approve staff engaging in other employment	DIR, EM	
s 46(3)(b)	Power to determine acceptance or denial of liability in the event of a WorkCover claim	DCCS, CPO, UMHR, IMA	
s 46(3)(b)	Power to sign Letter of Acceptance of Resignation	ELT, DIR, EM, MAN	
s 46(3)(b)	Power to provide references on Council letterhead	ELT, DIR, EM, MAN	
s 46(3)(b)	Power to authorise access to a staff member's personal file	EMOCC, DCCS, CPO	EMOCC's delegated power is subject and related to IBAC, Ombudsman, LGI, and investigations.
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	DCCS, CPO	

LOCAL GOVERNMENT ACT 2020			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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	ND	
s 46(4)(c)	Duty to consult members of Council affected by a proposed organisational restructure, before the organisational restructure is implemented	DIR, EM	
s 46(5)	Duty to, in giving effect to gender equality, diversity and inclusiveness, comply with any processes and requirements prescribed by the regulations for the purposes of this section of this Act	DCCS, CPO	
s 46(6)	Duty to ensure that the Mayor, Deputy Mayor, Councillors and members of Council staff have access to the workforce plan	ND	
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	DIR	
s 47(7)	Duty to keep a register of delegations under section 47 of this Act	EMOCC, UMG, CAO	
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	DIR, EM, WPC, WP	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

LOCAL GOVERNMENT ACT 2020			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 48(2)	Duty to adopt and maintain a recruitment policy addressing the matters listed in s 48(2)	DCCS, CPO, UMHR	
s 49(1)	Duty to develop and implement a code of conduct for members of Council staff	DCCS, CPO, UMHR	Must develop and implement the first code of conduct within 6 months of commencement of this section
s 49(4)	Duty to ensure that members of Council staff have access to the code of conduct for members of Council staff	ELT, DIR, EM, MAN, CPO, UMHR	
s 54(6)	Duty to ensure the preparation and maintenance of agendas, minutes and reports of the Audit and Risk Committee	EMOCC, UMG, CAO	
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	DCCS, CFO	
s 105	Power to designate a person as a Principal Accounting Officer	DCCS	
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	DCCS, CFO, UMP	

LOCAL GOVERNMENT ACT 2020			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 121	Function of receiving application for land information certificate	DCCS, CFO, UMSPR	
s 122	Function of receiving acquisition notice	DCCS, CFO, UMSPR	See prescribed information under r 7 of the <i>Local Government (Land Information) Regulations 2021</i>
s 130(7)	Duty to notify the Chief Municipal Inspector as soon as practicable after the Chief Executive Officer becomes aware that a relevant person, who is a member of Council staff, has failed to disclose a conflict of interest	EMOCC	
s 130(8)	Duty to notify the Council if a relevant person, who is not a Councillor or member of Council staff, fails to disclose a conflict of interest and make a recommendation to the Council as to the action that is to be taken	ND	
s 132(1)	Power to nominate a 'nominated officer'	EMOCC	
s 133	Function of receiving an initial personal interests return	EMOCC, UMG, CGA, GO	In general, personal interest forms will be managed by the Office of Council and CEO department.
s 134	Function of receiving a biannual personal interests return	EMOCC, UMG, CGA, GO	In general, personal interest forms will be managed by the Office of Council and CEO department.

LOCAL GOVERNMENT ACT 2020			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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	EMOCC, UMG, CGA, GO	
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	EMOCC, UMG, CGA	
s 136(1)	Duty to ensure that personal interests return are kept in accordance with the Public Records Act 1973	EMOCC, UMG, CGA	
s 136(2)	Duty to ensure that only the 'specified persons' have access to or can inspect a personal interests return	EMOCC, UMG, CGA	
s 150(1)	Duty to appoint the Councillor Conduct Officer and notify the Principal Councillor Conduct Registrar of the appointment	ND	
s 230(16)	Duty to summon a Council Meeting within 14 days after the public declaration of the election result	ND	
s 240(10)	Duty to send notice which includes the information prescribed by the regulations to each person who was enrolled on the previous voters' roll under section 244 or 245	DCCS, CFO, UMSPR	
s 240(11)	Duty to send notice which includes the information prescribed by the regulations to each person who was enrolled on the previous voters' roll under section 14, 15 or 16 of the Local Government Act 1989	DCCS, CFO, UMSPR	

LOCAL GOVERNMENT ACT 2020			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 240(12)	Duty to send notice which includes the information prescribed by the regulations to each person who was enrolled on the previous voters' roll under section 243.	DCCS, CFO, UMSPR	
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	DCCS, CFO, UMSPR	
s 246(2)	Power to refuse enrolment and duty to give written reasons for refusal application for enrolment	DCCS, CFO, UMSPR	
s 246(3)	Power to request information orally or in writing to enable her or him to determine a person's eligibility for enrolment	DCCS, CFO, UMSPR	
s 246(4)	Power to require information to be given in writing and signed by the person giving the information	DCCS, CFO, UMSPR	
s 247(3)	Power to decide whether address should be placed on voters' roll and to then take action accordingly	DCCS, CFO, UMSPR	
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	DCCS, CFO, UMSPR	
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	DCCS, CFO, UMSPR	

LOCAL GOVERNMENT ACT 2020			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 248(2)	Power to include in the list supplied to the Victorian Electoral Commission people whose address on the rate notice is outside of the municipal district	DCCS, CFO, UMSPR	For the purposes of section 243
s 254(1)	Power to use the Council voters' roll for communicating or consulting the local community on the performance of the Council's functions	EMOCC	Subject to section 254(2)(a) and (b)
s 254(2)	Duty to obtain undertaking	EMOCC	
s 254(4)	Power to request the Victorian Electoral Commission to provide a copy of the voters' roll	EMOCC	
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	EMOCC	
s 306(1)	Function of receiving election campaign donation return	EMOCC, UMG	
s 307(1)(a)	Duty to submit a report to the Minister specifying details of the candidates in the election and who submitted an election campaign donation return within 14 days after the period specified in section 360(1)	ND	
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	EMOCC, UMG, CGA	

LOCAL GOVERNMENT ACT 2020			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 307(3)	Duty to ensure that a summary of the return is made available on the Council's Internet	EMOCC, UMG, CGA	
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	EMOCC, UMG, CGA	
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)	EMOCC, UMG, CGA	
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	AO	
s 324(2)	Power to sign a certificate certifying any matter relating to the contents of any document kept by a Council	EMOCC	

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

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	DPD, MBP	Where the Council is the relevant responsible authority
s 141	Power to provide evidentiary statement pertaining to land use and permits under this Act	DPD, MBP	Where the Council is the relevant responsible authority
s 142	Power to provide evidentiary statement pertaining to s 173 agreements under this Act	DPD, MBP	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	DIE, DPD, MCEH, UMEH	

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	EMOCC, DCCS, CO, CPO, UMHR, CER	

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	DPD, MCEH, UMEH	
s 15(1)	Duty to provide information to Business Licensing Authority on request	DPD, MCEH, UMEH	
s 15(2)	Duty to give a report to Business Licensing Authority on inquiries made in response to request under s 15(1)	DPD, MCEH, UMEH	
s 24(2)	Duty to give a report to Business Licensing Authority on inquiries made in response to request under s 24(1)	DPD, MCEH, UMEH	

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)	DIR, EM	
s 5(4)	Function of receiving a copy of a notice under s 5(3)	DIR, EM	
s 6	Duty to use best endeavours to give effect to a notice under s 5(3) which applies to Council	DIR, EM	
s 7(3)	Function of receiving a copy of the agreement made under s 7(1)	DIR, EM	
s 7(4)	Function of receiving a copy of a notice under s 7(3)	DIR, EM	
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	DIR, EM	Where Council's CEO has been transferred a transferred customer service function
s 9A(1)	Power to agree in writing for the Service Victoria CEO to perform a customer service function	DIR, EM	
s 10(2)	Function of receiving a copy of the agreement made under s 10(1)	DIR, EM	
s 10(4)	Function of receiving a copy of a notice under s 10(3)	DIR, EM	
s 11	Duty to use best endeavours to give effect to a notice under s 10(3) which applies to Council	DIR, EM	
s 12(3)	Function of receiving a copy of the agreement made under s 12(1)	DIR, EM	

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)	DIR, EM	
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	DCCS, CPO	Where Council's CEO has been transferred a transferred identity verification function
s 14A(1)	Power to agree in writing for the Service Victoria CEO to perform an identity verification function	DIR, EM	
s 24A(2)(a)	Function of agreeing on form of delivery	DIR, EM	
s 47A(1)	Power to enter into an agreement with Service Victoria CEO for Service Victoria CEO to establish and maintain a database for the purpose of recording information for the purpose of recording information	DIR, EM	Note: Minister must approve the establishment and maintenance of a database

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	ND	

TOBACCO ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 36	Power to nominate a person to be appointed as an inspector	DPD, MCEH	

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	DCCS, CFO	

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	DCCS, DCW, MCF	
s 11(1)	Function of receiving a written notice to provide information about Council's data holding	DCCS, DCW, MCF	
s 15(1)	Power to disclose identifiable data to the Chief Data Officer in response to a request under s 8	DCCS, DCW, MCF	In accordance with s 5
s 15(2)	Power to disclose identifiable data to a data analytics body for the purpose of data integration	DCCS, DCW, MCF	In accordance with s 5
s 21	Duty to inform the Chief Data Officer of the secrecy provisions which apply to the disclosed data	DCCS, DCW, MCF	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 3	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	EMOCC	
s 91(2)	Function of responding to adverse material the Victorian Inspectorate intends to include in annual report	EMOCC	

LOCAL GOVERNMENT (ELECTORAL) REGULATIONS 2020			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 15(1)	Duty to provide details of a person's entitlement to be enrolled as a ratepayer on the voters' roll	EMOCC, UMG, CGA, DCCS, CFO, UMSR	
r 15(2)	Power to exchange relevant information to enrolment entitlements with the VEC	EMOCC, DCCS, CFO, UMSR	
r 18	Duty to maintain a list of silent voters	EMOCC, UMG	
r 19	Duty to ensure that only authorised persons have access to details of silent voters	EMOCC, UMG	
r 33	Duty to cause the Local Government Candidate Training to be conducted	EMOCC, UMG	
r 34	Function of receiving prescribed information from person undertaking Local Government Candidate Training	EMOCC	
r 35	Duty to keep a register of attendance	EMOCC, UMG	
r 36(2)	Duty to comply with notice under subsection (1)	EMOCC, UMG	
r 83	Duty to submit report on election received by the VEC to Council	EMOCC, UMG	

LOCAL GOVERNMENT (GOVERNANCE AND INTEGRITY) REGULATIONS 2020			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 5(b)	Power to approve the taking of the oath or affirmation of office by means of an audio visual link for the purposes of s 30 of the <i>Local Government Act 2020</i>	EMOCC	

LOCAL GOVERNMENT (LAND INFORMATION) REGULATIONS 2021			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 5(2)	Power to sign a land information certificate	DCCS, CFO, UMSR	