



Ararat Rural City

ARARAT RURAL CITY COUNCIL

INSTRUMENT OF DELEGATION

S7 INSTRUMENT OF SUB-DELEGATION FROM CEO TO  
COUNCIL STAFF

18 NOVEMBER 2025

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## Instrument of Sub-Delegation

By this Instrument of Sub-Delegation, in exercise of the power conferred by s 47(1) of the Local Government Act 2020, I, Dr Tim Harrison as Chief Executive Officer of Ararat Rural 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

APO means Assets and Purchasing Officer

BPI means Building and Pool Inspector

CBS means Cadet Building Surveyor

CEO means Chief Executive Officer

COO means Chief Operating Officer

CE1 means Civil Engineer1

CE2 means Civil Engineer2

CE3 means Civil Engineer3

CSO1 means Community Safety Officer 1

CSO2 means Community Safety Officer 2

CSO4 means Community Safety Officer 4

CBI Contract Building Inspector

CSAM means Coordinator Strategic Asset Management

CSIO1 means Customer Service and Information Officer 1

DCEO means Deputy Chief Executive Officer

EMC means Emergency Management Coordinator

EA means Executive Assistant

FSC means Financial Services Coordinator

HRBP means HR Business Partner

MPL means Major Projects Lead

MDR means Development & Regulation

MCHN1 means Maternal and Child Health Nurse1

MCHN2 means Maternal and Child Health Nurse2

MCHN3 means Maternal and Child Health Nurse3

MCHN4 means Maternal and Child Health Nurse4

MCO1 means Media and Communications Officer1

MCO2 means Media and Communications Officer2

MCO3 means Media and Communications Officer3

MBS means Municipal Building Surveyor

MBS1 means Contractor Municipal Building Surveyor

MEMO means Municipal Emergency Management Officer

MFPO means Municipal Fire Prevention Officer

MRM means Municipal Recovery Manager

N/A means Not Applicable

NOT means Not Delegated Below CEO

PAO means Property Administration Officer

PDO1 means Planning and Development Officer 1

PDO2 means Planning and Development Officer 2

PDO3 means Planning and Development Officer 3

PGS means Parks and Gardens Supervisor

PAYO means Payroll Officer

PDO1 means Planning and Development Officer 1

PDO2 means Planning and Development Officer 2

PDO3 means Planning and Development Officer 3

PO3 means Planning Officer 3

RVO means Rates and Valuation Officer

RGL means Risk and Governance Lead

SWC means Structural Works Coordinator

SRC means Supervisor Road Construction

CSIOs means All Customer Service and Information Officers

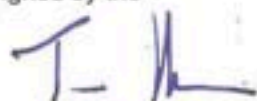
CSOs means All Community Safety Officers

EHOs means All Environmental Health Officers  
MCHNs means All Maternal and Child Health Nurses  
PDOs means All Planning and Development Officers  
POs means All Planning Officers  
TOAs means All Technical Officer Assets

3. record that on the coming into force of this Instrument of Sub-Delegation each delegation under the Instrument of Sub-Delegation dated 4 July 2025 and executed by Dr Tim Harrison is revoked;
4. declare that this Instrument of Sub-Delegation -
  - 4.1 comes into force immediately upon its execution;
  - 4.2 remains in force until varied or revoked;
  - 4.3 is subject to any conditions and limitations set out in paragraph 5, and in the Schedule; and
  - 4.4 must be read in accordance with any guidelines or policies which Council from time to time adopts; and
5. declare that the delegate must not determine the issue, take the action or do the act or thing if:
  - 5.1 the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council; or
  - 5.2 if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a
    - (a) policy; or
    - (b) strategyadopted by Council; or
  - 5.3 if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation, whether on account of ss 11(2)(a) – (n) and 47(2) (inclusive) of the Act or otherwise.

This Instrument of Sub-Delegation is dated 18 November 2025 and is made by the Chief Executive Officer under authority of an instrument of delegation authorised by Resolution of Council made on 26 November 2025.

Signed by the



Dr Tim Harrison  
Chief Executive Officer of Council  
Ararat Rural City Council  
in the presence of:



Witness

## Delegation Sources

- Emergency Services and Volunteers Fund Act 2012
- Unclaimed Money Act 2008
- Aboriginal Heritage Act 2006
- Associations Incorporation Reform Act 2012
- Audit Act 1994
- Building Act 1993
- Catchment and Land Protection Act 1994
- Child Wellbeing and Safety Act 2005
- Children Youth and Families Act 2005
- Children's Services Act 1996
- Circular Economy (Waste Reduction and Recycling) Act 2021
- Climate Action Act 2017
- Conservation, Forests and Land Act 1987
- Country Fire Authority Act 1958
- Cultural and Recreational Lands Act 1963
- Dangerous Goods Act 1985
- Development Victoria Act 2003
- Disability Act 2006
- Domestic Animals Act 1994
- Domestic Building Contracts Act 1995
- Education and Care Services National Law Act 2010
- Education and Training Reform Act 2006
- Electoral Act 2002
- Electricity Safety Act 1998
- Emergency Management Act 2013
- Environment Protection Act 2017
- Environment Protection Regulations 2021
- Estate Agents Act 1980
- Family Violence Protection Act 2008
- Fences Act 1968
- Filming Approval Act 2014
- Fines Reform Act 2014
- Fire Rescue Victoria Act 1958
- Flora and Fauna Guarantee Act 1988
- Food Act 1984
- Freedom of Information Act 1982
- Gambling Regulation Act 2003
- Gender Equality Act 2020
- Graffiti Prevention Act 2007
- Great Ocean Road and Environs Protection Act 2020
- Health Records Act 2001
- Heavy Vehicle National Law 2012
- Heavy Vehicle National Law Application Act 2013
- Heritage Act 2017
- Housing Act 1983
- Impounding of Livestock Act 1994
- Independent Broad-Based Anti-Corruption Commission Act 2011
- Infringements Act 2006
- Land Act 1958
- Land Acquisition and Compensation Act 1986
- Livestock Disease Control Act 1994
- Liquor Control Reform Act 1998
- Local Government Act 2020
- Local Government Act 1989
- Magistrates' Court Act 1989
- Major Transport Projects Facilitation Act 2009
- Marine and Coastal Act 2018
- Mineral Resources and Extraction Act 1990
- National Parks Act 1975
- Pipelines Act 2005
- Privacy and Data Protection Act 2014
- Professional Engineers Registration Act 2019
- Public Interest Disclosures Act 2012
- Public Health and Wellbeing Act 2008
- Public Records Act 1973
- Residential Tenancies Act 1997
- Road Management Act 2004
- Road Safety Act 1986
- Rooming House Operators Act 2016
- Second Hand Dealers and Pawnbrokers Act 1989
- Service Victoria Act 2018
- Sheriff Act 2009
- Sport and Recreation Act 1972
- Subdivision Act 1988
- Summary Offences Act 1966
- Suburban Rail Loop Act 2021
- Taxation Administration Act 1997
- Transfer of Land Act 1958
- Transport Integration Act 2010
- Valuation of Land Act 1960
- Victorian Environmental Assessment Council Act 2001
- Victorian Local Government Grants Commission Act 1976
- Victoria State Emergency Service Act 2005
- Victorian Data Sharing Act 2017



- Victorian Inspectorate Act 2011
- Victorian Planning Authority Act 2017
- Water Act 1989
- Yarra River Protection (Willp-Gin Birrarung Murrn) Act 2017
- Building Regulations 2018
- Country Fire Authority Regulations 2014
- Dangerous Goods (Explosives) Regulations 2022
- Drugs, Poisons and Controlled Substances Regulations 2017
- Electricity Safety (Electric Line Clearance) Interim Regulations 2025
- Infringements Regulations 2016
- Land Acquisition and Compensation Regulations 2021
- Local Government (General) Regulations 2015
- Local Government (Land Information) Regulations 2021
- Local Government (Long Service Leave) Regulations 2021
- Local Government (Planning and Reporting) Regulations 2020
- Occupational Health and Safety Regulations 2017
- Public Health and Wellbeing Regulations 2019
- Public Health and Wellbeing (Prescribed Accommodation) Regulations 2020
- Road Safety Road Rules 2017
- Road Safety (General) Regulations 2019
- Road Safety (Traffic Management) Regulations 2019
- Road Safety (Vehicles) Regulations 2021
- Subdivision (Fees) Regulations 2016
- Subdivision (Procedures) Regulations 2021
- Miscellaneous and Administrative Powers

# **S7 Instrument of Sub-Delegation from CEO to Council staff**

<b>Emergency Services and Volunteers Fund Act 2012</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 9(9)	Power to apportion any levy amount	RVO, FSC, PAO	for 2 or more parcels of land which have a combined valuation and are owned separately
s 19 and 20	Duty to pay levy amount in respect of leviable land owned by Council	RVO, FSC, PAO	Note: Council is only liable to pay the relevant fixed charge in respect of land described in s 20(1)
s 20A(1)	Function of receiving application for single farm enterprise exemption	RVO, FSC, PAO	
s 20A(2)(b)	Power to specify form and timeframe for making applications under s 20A(1)	RVO, FSC, PAO	
s 20A(3)	Power to require further particulars or for applicant to verify particulars regarding application	RVO, FSC, PAO	
s 20A(4)	Duty to grant the exemption if satisfied that the applicant is entitled to an exemption under section 20A	RVO, FSC, PAO	
s 20A(5)	Function of receiving notice of changes in circumstances	RVO, FSC, PAO	
s 21(3)(a)	Function of assessing the amount of levy payable	RVO, FSC, PAO	
s 21(3)(b)	Function of collecting the levy payable	RVO, FSC, PAO	
s 21(4)(a)	Function of assessing the amount of levy payable	RVO, FSC, PAO	If Council has been directed to be a collection agency in respect of non-rateable leviable land not located within its municipal district boundaries

**Emergency Services and Volunteers Fund Act 2012**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 21(4)(b)	Function of collecting the levy payable	RVO, FSC, PAO	If Council has been directed to be a collection agency in respect of non-rateable leviable land not located within its municipal district boundaries
s 22	Power to exercise powers and functions under s 121 of the Local Government Act 2020 (land information certificates) and s 313 of the Local Government Act 2020 (institute proceedings)	RVO, FSC, PAO	
s 24	Duty to keep levy records in accordance with s 24	RVO, FSC, PAO	
s 25(1)	Duty to give a written notice to the owner of leviable land or to another specified person if requested by owner	RVO, FSC, PAO	
s 25(6)	Duty to transfer the amount of levy collected to the Commissioner	RVO, FSC, PAO	
s 27(1)	Power to defer payment of levy in respect of rateable leviable land where applicant shows hardship	RVO, FSC, PAO	s 170 of the Local Government Act 1989 applies, subject to modifications set out in s 27.  Note: may only defer levy if have deferred rates or charges under s 170 of the Local Government Act 1989 for that land
s 27(1)	Power to require payment of levy in respect of rateable leviable land where applicant no longer in hardship or no longer occupies land	RVO, FSC, PAO	s 170 of the Local Government Act 1989 applies, subject to modifications set out in s 27
s 27(1)	Power to waive levy in respect of rateable leviable land	RVO, FSC, PAO	s 171 of the Local Government Act 1989 applies, subject to modifications set out in s 27(4)  Note: may only waive levy if have waived rates or charges under s 171 of the Local Government Act 1989 for that land

**Emergency Services and Volunteers Fund Act 2012**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 27(1)	Duty to waive levy upon receipt of an application which complies with s 171(4) of the Local Government Act 1989, in respect of rateable leviable land	RVO, FSC, PAO	s 171 of the Local Government Act 1989 applies, subject to modifications set out in s 27(4)  Note: may only waive levy if have waived rates or charges under s 171 of the Local Government Act 1989 for that land
s 27(1)	Power to decide to treat a person to whom a waiver is granted as having made a continuing application or waiver in respect of rateable leviable land, in accordance with s 171(4)(f) of the Local Government Act 1989	RVO, FSC, PAO	s 171 of the Local Government Act 1989 applies, subject to modifications set out in s 27(4)  Note: may only waive levy if have waived rates or charges under s 171 of the Local Government Act 1989 for that land
s 27(1)	Function of receiving application for waiver of levy in respect of rateable leviable land	RVO, FSC, PAO	s 171A of the Local Government Act 1989 applies, subject to modifications set out in s 27(4)  Note: may only waive levy if have waived rates or charges under s 171A of the Local Government Act 1989 for that land
s 27(1)	Power to require information or verification in respect of rateable leviable land	RVO, FSC, PAO	s 171A of the Local Government Act 1989 applies, subject to modifications set out in s 27(4)  Note: may only waive levy if have waived rates or charges under s 171A of the Local Government Act 1989 for that land
s 27(1)	Power to waive levy or levy interest in respect of rateable leviable land	RVO, FSC, PAO	s 171A of the Local Government Act 1989 applies, subject to modifications set out in s 27(4)  Note: may only waive levy if have waived rates or charges under s 171A of the Local Government Act 1989 for that land



Emergency Services and Volunteers Fund Act 2012			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 28(1)	Power to defer payment of levy in respect of non-rateable leviable land where applicant shows hardship	RVO, FSC, PAO	s 170 of the Local Government Act 1989 applies, subject to modifications set out in s 28
s 28(1)	Power to require payment of levy in respect of non-rateable leviable land where applicant no longer in hardship or no longer occupies land	RVO, FSC, PAO	s 170 of the Local Government Act 1989 applies, subject to modifications set out in s 28
s 28(1)	Power to waive levy in respect of non-rateable leviable land	RVO, FSC, PAO	s 171 of the Local Government Act 1989 applies, subject to modifications set out in s 28(4)
s 28(1)	Duty to waive levy upon receipt of an application which complies with s 171(4) of the Local Government Act 1989, in respect of non-rateable leviable land	RVO, FSC, PAO	s 171 of the Local Government Act 1989 applies, subject to modifications set out in s 28(4)
s 28(1)	Power to decide to treat a person to whom a waiver is granted as having made a continuing application or waiver in respect of non-rateable leviable land, in accordance with s 171(4)(f) of the Local Government Act 1989	RVO, FSC, PAO	s 171 of the Local Government Act 1989 applies, subject to modifications set out in s 28(4)
s 28(1)	Function of receiving application for waiver of levy in respect of non-rateable leviable land	RVO, FSC, PAO	s 171A of the Local Government Act 1989 applies, subject to modifications set out in s 28(4)
s 28(1)	Power to require information or verification in respect of non-rateable leviable land	RVO, FSC, PAO	s 171A of the Local Government Act 1989 applies, subject to modifications set out in s 28(4)
s 28(1)	Power to waive levy or levy interest in respect of non-rateable leviable land	RVO, FSC, PAO	s 171A of the Local Government Act 1989 applies, subject to modifications set out in s 28(4)
s 30(1)	Duty to require a person to pay levy interest	RVO, FSC, PAO	
s 30(3)	Power to obtain court order requiring payment of levy	RVO, FSC, PAO	
s 30(4)	Power to waive levy interest where court order obtained under s 30(3)	RVO, FSC,	

**Emergency Services and Volunteers Fund Act 2012**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		PAO	
s 30(5)	Power to exempt any person from paying the whole or part of levy interest, in accordance with s 30(5)(a) or (b)	RVO, FSC, PAO	
s 30(6)	Power to recover levy interest due in the same way as Council recovers the levy amount	RVO, FSC, PAO	
s 31(1)	Power to recover the whole of the levy from either all, any or one persons jointly liable to pay levy	RVO, FSC, PAO	Where 2 or more persons jointly liable to pay levy
s 31A(2)(a)	Duty to refund amount of levy proportionate to the part of levy year remaining where land ceases to be leviable land and levy payment has already been made	RVO, FSC, PAO	
s 31A(2)(b)	Duty to only require proportionate amount of levy to be paid where land ceases to be leviable land and levy payment has not already been made	RVO, FSC, PAO	
s 32(7)	Power to recover amount in arrears, in accordance with s 32(7)	RVO, FSC, PAO	
s 33(1)	Power to send notice where levy due and unpaid	RVO, FSC, PAO	
s 33(5)	Power to recover unpaid amount due	RVO, FSC, PAO	
s 34	Duty to make adjustment and apply or refund overpayment in accordance with s 34 and give a revised assessment notice to the owner or specified person	RVO, FSC, PAO	Where an objection, review or appeal results in the alteration of a valuation or a decision to attribute a different AVPCC
s 35(1)	Power to recover unpaid levy amount	RVO, FSC, PAO	
s 35(4)(b)	Power to request occupier to disclose the amount of	RVO,	

**Emergency Services and Volunteers Fund Act 2012**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	rent and name and address of person to whom rent is payable	FSC, PAO	
s 36(1)	Function of receiving application for refund of amounts overpaid	RVO, FSC, PAO	
s 36(4)	Duty to refund overpayment, if determined that the payment was in excess of amount owed	RVO, FSC, PAO	
s 36(5)	Power to refund overpayment, if determined that the payment was in excess of amount owed	RVO, FSC, PAO	
s 37(1)	Duty to separately account for levy amounts and levy interest collected	RVO, FSC, PAO	
s 37(3)	Power to retain any interest earned on levy amounts and levy interest	RVO, FSC, PAO	
s 37(5)	Duty to refund over payment	RVO, FSC, PAO	
s 38(1)	Power to cancel assessment of person's liability to pay levy if satisfied that an assessment has been made in error	RVO, FSC, PAO	
s 38(2)	Duty to comply with requirements in s 38(2) where Council has made an assessment in error	RVO, FSC, PAO	
s 39(2)	Duty to conduct another assessment of the levy amount and, if applicable, give the owner or specified person a revised assessment notice, in accordance with s 39(2)	RVO, FSC, PAO	
s 39(3)	Duty to refund payment in excess of amount owed and any interest accrued	RVO, FSC, PAO	
s 40	Duty to submit a return to the Commissioner	RVO,	In a form approved by the



### Emergency Services and Volunteers Fund Act 2012

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		FSC, PAO	Commissioner and in accordance with any directions issued by the Minister
s 41(1)	Duty to pay all levy amounts and levy interest received to the Commissioner in 4 instalments	RVO, FSC, PAO	
s 41(4)	Power to decide to forward late payments of levy amounts and levy interest to the Commissioner at the same time as the next instalment is payable	RVO, FSC, PAO	
s 71(1)	Function of receiving application for alteration of levy records	RVO, FSC, PAO	
s 71(2)	Power to specify the manner and form of applications under s 71(1)	RVO, FSC, PAO	
s 72	Duty to comply with any Ministerial directions issued under s 72	RVO, FSC, PAO	

### Unclaimed Money Act 2008

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 11(1)(a)	Duty to established a business register of unclaimed money	FSC	Where Council is operating as a business.
s 11(1)(b)	Duty to by 31 March each year enter in the business register the prescribed details in relation to unclaimed money held as at 1 March in that year.	FSC	Where Council is operating as a business.
s 11(3)	Power to deduct out of unclaimed money payable to an owner an amount in respect of the reasonable expenses of a business in holding unclaimed money and locating the owner.	FSC	Where Council is operating as a business.
s 12(1)(a)	Duty to pay to the Registrar an amount equal to all amounts of unclaimed money held on that 1 March less any amounts that have been paid to	FSC	Where Council is operating as a business.



### Unclaimed Money Act 2008

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	the owner and any amounts deducted under subsection (3) or section 11(3)		
s 12(1)(b)	Duty to lodge a return with the Registrar.	FSC	Where Council is operating as a business.
s 29(1)	Power to apply to the Registrar for repayment of an overpayment of unclaimed money.	FSC	Where Council is operating as a business  Application must be made within 5 years after the payment of unclaimed money to the Registrar.  Application under this section cannot be made for money paid to the Registrar under s 12 or 14 of this Act if the Registrar has previously served a notice of assessment or reassessment on the business or trustee that relates to the payment that would be the subject of the application.
s 43	Function of being liable to pay interest on the amount payable that remains unpaid if a default occurs	FSC	Where Council is operating as a business.
s 48	Function of being liable to pay a penalty in addition to the amount payable that remains unpaid.	FSC	Where Council is operating as a business.
s 53	Duty to pay the penalty within the period specified for that purpose in a notice of assessment or reassessment.	FSC	Where Council is operating as a business.
s 56(1)	Power to lodge a written objection with the Registrar.	FSC	Where Council is operating as a business.

### Aboriginal Heritage Act 2006

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Parts 4, 6 and 8	Powers, functions and duties of a sponsor of a cultural heritage management plan under Parts 4, 6 and 8 of the Aboriginal Heritage Act 2006.	MDR	
s 74A(1)	Power to enter into an Aboriginal cultural heritage land	MDR	

Aboriginal Heritage Act 2006			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	management agreement with a registered Aboriginal party		
s 74E(1)	Duty to give copy of Aboriginal cultural heritage land management agreement to Secretary of the Department of Premier and Cabinet	MDR	

Associations Incorporation Reform Act 2012			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 132	Power to nominate a body to which assets should be returned	CEO	Where a wound up incorporated association has assets consisting of property supplied by Council (which includes the unexpended portion of a grant)

Audit Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 13(1)	Duty to pay, to the Consolidated Fund, an amount determined by the Auditor-General to defray the reasonable costs and expenses incurred by or on behalf of the Auditor-General in conducting an audit of the financial statements of the public body and expressing an audit opinion on Council under s 11	FSC	
s 13(4)	Power to dispute the reasonableness of an amount to be paid	FSC	
s 17(1)	Function of being consulted by the Auditor-General	FSC	
s 18(1)	Function of receiving a final specification of a performance audit	FSC	
s 18(4)(a)	Function of receiving an amended specification	FSC	
s 18(4)(b)	Function of being consulted by the Auditor-General	FSC	
s 23(1)	Power to enter into an agreement with the Auditor-General for the provision of other auditing services	FSC	
s 44	Function of receiving a written notice and power to give consent to entry	FSC	
s 45	Power to consent to earlier entry	FSC	
s 46(1)	Power to request that the Auditor-General, or authorised person,	FSC	

Audit Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	produce proof of identity		
s 47	Duty to provide all reasonable assistance necessary to each of the people listed in s 47(a) – (c) who attends for the purposes of the Auditor-General, or authorised person, exercising the power to enter and inspect Council's premises	FSC	
s 48	Power to request that the Auditor-General or authorised person serve an information gathering notice	FSC	
s 58(2)(a)(i) & (ii)	Duty to give Council's officer or employee a reasonable opportunity to respond in relation to the adverse material	FSC	
s 65(2)	Duty to give Council's officer or employee a reasonable opportunity to respond in relation to the adverse material	FSC	
s 68(1)	Function of receiving information acquired by the Auditor General	NOT	Where Council is a specified entity

Building Act 1993			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 3(1)	Power to appoint municipal building surveyor	MDR	The person must be a registered building surveyor (unlimited) as required by s 213
s 11(2)	Duty to publish notice in a newspaper if regulation under Part 2 ceases to have effect	MDR	
s 25AD(1)	Function of receiving written notice of the occurrence of each prescribed event and the prescribed information relating to that event	MDR, PDOs	
s 25BE	Function of receiving the building permit number and the information given to the Victorian Building Authority (Authority) by the relevant building surveyor under s 18AA in relation to the application for the building permit number	MDR, PDOs	
s 29A	Function of giving consent to building permit for demolition in its capacity as responsible authority under the Planning and Environment Act 1987	MDR	



### Building Act 1993

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 29B(1)	Duty to give notice where amendment of planning scheme sought in its capacity as responsible authority under the Planning and Environment Act 1987	MDR	
s 29B(3)	Duty to give notice where request for amendment withdrawn, refused etc. in its capacity as responsible authority under the Planning and Environment Act 1987	MDR	
s 30	Function of receiving copy permit, plans and other documents	CBS, MDR, PDOs	
s 30B	Function of receiving checklist confirming all relevant documents to be provided by building surveyor	CBS, MDR, PDOs	
s 31(1)	Duty to keep register of building permits	CBS, MDR, PDOs	
s 31(2)	Duty to make register available for inspection	CBS, MDR, PDOs	
s 32	Duty to keep documents	CBS, MDR, PDOs	
s 32A(2)	Duty to provide Development Victoria notice setting out information in s 32A(3) and a copy of any relevant planning permit within 14 days after being given a copy of building permit under s 30(1), in certain circumstances where s 32A(1) applies	MDR	
s 66(b)(i)	Function of determining fees	CBI, MDR	
s 73	Function of receiving copy permit, plans and other documents	CBI, MDR, PDOs	
s 74(1)	Duty to keep register of occupancy permits, temporary approvals and amendments	CBI, MDR, PDOs	
s 74(2)	Duty to make register available for inspection	CBI, MDR,	



**Building Act 1993**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		PDOs	
s 75	Duty to keep documents	CBI, MDR, PDOs	
s 80	Function of receiving notification of appointment	CBI, MDR, PDOs	
s 80A(3)(a)	Function of receiving written notice of designated building surveyor referred to in s 80A(2)	CBS, MDR, PDOs	
s 80A(4)(a)	Function of receiving notice of the new designated building surveyor	CBS, MDR, PDOs	
s 80C(4A)	Function of receiving notification of the transfer under 80C(1)	CBS, MDR, PDOs	
s 80D(6)(b)	Function of receiving notification of functions being transferred from an employee building surveyor or a designated building surveyor in accordance with a direction under s 80D(1) or (2)	CBS, MDR, PDOs	
s 81(2)	Function of receiving notification for work terminated	MBS, CBI, MDR, MBS1, PDOs	
s 83F	Function of receiving notice of appointment of manager for private building surveyor's business from the Authority	MBS, CBI, MDR, MBS1, PDOs	
s 84A(2)	Function of receiving a written request from an owner for the name and address of the owner of the adjoining property	MBS, CBS, MDR, MBS1, PDOs	Provision comes into operation on a day to be proclaimed, or on 13 August 2025 if it does not come into operation prior.
s 84B	Power to disclose the name and address of the owner of an adjoining property to the person who have the request if satisfied that the person will use the name and address for the purpose serving a	MBS, CBS, MDR, MBS1, PDOs	Provision comes into operation on a day to be proclaimed, or on 13 August 2025 if it does not come into operation prior.

### Building Act 1993

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	notice of proposed building work under s 84(1)		
s 101(2)	Function of receiving copy documents	CBI, MDR, PDOs	
s 120(2)(a)	Function of receiving notification that an order is complied with	MBS, CBI, BPI, MDR, MBS1, PDOs	
s 123(1)	Power to determine whether to recover from the owner the costs of work carried out or action taken under Part 8 Division 3 of the Act by the municipal building surveyor as a debt due to Council pursuant to s 123(1) of the Act	MDR	
s 123(2)	Power to determine whether to apply any sum or part of any sum for which a bond or undertaking is deposited with Council under a condition imposed on a permit under s 22 of the Act towards the costs of carrying out work or taking action pursuant to s 123(2) of the Act	MDR	
s 125(1)	Function of receiving copy notice or order	MBS, CBI, BPI, MDR, MBS1, PDOs	
s 125(2)	Function of receiving written notice of the compliance, amendment or cancellation	MBS, CBI, BPI, MDR, MBS1, PDOs	
s 126(1)	Duty to keep register of emergency orders, building notices and building orders	CBI, MDR, PDOs	
s 126(2)	Duty to make register available for inspection	CBI, MDR, PDOs	
s 138(5)	Power to appeal to the Building Appeals Board	MDR	Where Council is a 'prescribed reporting authority'
s 160(3)(d)	Power to make application to the Building Appeals Board	MDR	

Building Act 1993			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 162(1)(a)(i)	Function of being consulted by the Building Appeals Board	CBS, BPI, MDR	
s 162(4)(b)	Function of entering into an agreement when directed by Building Appeals Board	MDR	
s 164(1)	Power to agree to terminate or vary agreement	MDR	
s 164(2)	Power to terminate or vary agreement	MDR	
s 164(4)	Power to apply for approval	MDR	
s 165(1)(a)	Duty to lodge copy or give notice	MDR	
s 165(1)(b)	Duty to apply to agreement made in the Register	MDR	
s 192(1)	Function of consulting with Minister regarding Alpine resorts	N/A, MDR	
s 192A(7)	Function of receiving a copy of the map prepared by the Minister	MDR	
s 192A(8)	Duty to make a copy of the most recent map available for inspection by members of the public without charge, during business hours, at Council's offices	CBS, MDR, PDOs	
s 214(1)	Power to enter into agreement	MDR	
s 215(1)	Power to enter into agreements with a private building surveyor	MDR	
s 216A	Power to apply to the Minister for exemption	MDR	
s 216C	Power to appoint a municipal building surveyor to carry out certain functions outside of the municipal district	MDR	
s 216D(2)	Duty to establish and maintain a register of swimming pools located in Council's municipal district	CBI, MDR, PDOs	
s 216D(5)(a)	Duty to submit, on request, all or any part of the information, record and document recorded in the register to the Authority	CBI, MDR	

**Building Act 1993**

<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 216D(5)(b)	Duty to submit, on request, all or any part of the information, record and document recorded in the register to any other prescribed person, agency or body	CBI, MDR	
s 222	Function of receiving order from Minister	MDR	
s 230(2)	Duty to keep a register containing the prescribed information relating to the exercise of a power of entry under Subdivision 5 by any of the authorised persons referred to in s 230(2)(a) and (b)	CBS, MDR, PDOs	
s 230(7)(a)	Duty to keep the prescribed information relating to each exercise of a power of entry under Subdivision 5 for 10 years after the date of the entry	CBS, MDR, PDOs	
s 230(7)(b)	Duty to make the register required under s 230(2) available for inspection by the Authority on request, and at a time agreed to between Council and the Authority	CBS, MDR, PDOs	
s. 230(7)(c)	duty to provide an extract under s 230(6), if requested	MBS, MDR, MBS1	
s 232	Power to receive complaints about the exercise of a power under Part 13 Division 2 by Council's municipal building surveyor, or a person authorised by Council's municipal building surveyor to act on behalf of the municipal building surveyor	MDR	
s 234A	Duty to consider the complaint and give a written report to the complainant of the person's consideration of the complaint	MDR	If the complaint is brought under Part 13 Division 2 of the Act
s 236(7)	Power to consent to remove or deface an order or notice put up under s 236(4) or 236(4A)	MDR	
s 241(1)&(4)	Power to authorise a person or persons to bring proceedings for a summary offence against Part 3, 4, 5, 7 or 8 of the Act or the building regulations within Council's municipal district pursuant to s 241(1) and 241(4)	MDR	



Building Act 1993			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 242	Function of receiving funds recovered through prosecution	FSC, MDR	
s 252(1)	Power to determine whether to apply to the Magistrates' Court for a warrant under s 252 of the Act if a person refuses to vacate a building or land when required to do so by order under the Act pursuant to s 252(1) of the Act	MDR	
s 259AB(1)	Function of entering an information sharing arrangement with the Authority	MDR	Subject to s 259AB(2) Where Council is a relevant agency
s 259AB(3)	Power to request and receive information held by the Authority, and power to disclose information to the Authority	MDR	Only to the extent that the information is reasonably necessary to assist in the exercise of functions under this Act, or the functions of Council Where Council is a relevant agency
s 259AB(4)(a)	Function of being referred, by the Authority, any matter (including any complaint) with respect to building work, plumbing work or architectural services	MDR	Where Council is a building regulator
s 259AB(4)(b)	Function of receiving from the Authority any matter of a type described in s 259AB(4)(a)	MDR	Where Council is a building regulator
s 259AB(4)(c)	Function of conducting a joint investigation with the Authority into any matter of a type described in s 259AB(4)(a)	MDR	Where Council is a building regulator
s 259AB(5)	Power to, despite any other Act or law of the State, refer a matter referred to in s 259AB(4) to the Authority, or to conduct an investigation into the matter jointly with the Authority	MDR	Where Council is a building regulator
sch 2 cl 1(c)(i)	Function of determining fees	MDR	
sch 2 cl 4(2)	Function of receiving copy application	CBI, MDR, PDOs	
sch 2 cl 4(3)	Function of receiving fees	CBI, MDR, PDOs	
sch 2 cl 4(4)	Power to fix fees in accordance with cl 4(5)	MDR	

### Building Act 1993

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
sch 2 cl 4A(2)(b)	Duty to give the owner of the allotment an opportunity to make a submission in respect of the possible detriment	MDR	Where Council is the 'reporting authority'

### Catchment and Land Protection Act 1994

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 22A(4)	Function of receiving a copy of the Minister's declaration	MDR	
s 22B	Duty to prepare a roadside weed and pest animal management plan	MDR	Where a declaration has been made in respect of Council's municipal district, under s 22A  See also s. 22C for the contents of the plan
s 22C(3)	Function of determining which additional information to include in a roadside weed and pest animal management plan	MDR	
s 22D	Duty to have regard to matters in s22D(a) - (c) when preparing a roadside weed and pest animal management plan	MDR	
s 22E(1)	Duty to submit proposed roadside weed and pest animal management plan within 120 days of Minister's declaration	MDR	
s 22E(2)	Power to apply in writing to the Minister to request an extension of time to submit the proposed roadside weed and pest animal management plan	MDR	
s 22F	Duty to comply with procedure described in s 22F before preparing roadside weed and pest animal management plan	MDR	
s 22G	Duty to comply with request of Minister to provide a revised roadside weed and pest animal management plan	MDR	
s 22H	Function of receiving notice from the Minister of approval of roadside weed and pest animal	MDR	

**Catchment and Land Protection Act 1994**

<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
	management plan		
s 22I(1)	Duty to publish the approved roadside weed and pest animal management plan on Council's website as soon as practicable after plan is approved	MDR	
s 22I(2)	Duty to ensure that copies of the approved roadside weed and pest animal management plan are available for inspection during normal office hours	MDR	
s 22J	Duty to implement measures set out in approved roadside weed and pest animal management plan	MDR	
s 22K(1),(2)&(3)	Power to request, in writing, that the Minister approve a variation of its approved roadside weed and pest animal management plan	MDR	
s 22K(4)	Function of receiving notice of Minister's decision to approve or refuse to approve the request for a variation of roadside weed and pest animal management plan	MDR	
s 22L	Function of receiving Minister's request to vary approved roadside weed and pest animal management plan	MDR	
s 22M(1)	Duty to publish a consolidated version of its approved roadside weed and pest animal management plan on its website as soon as practicable after variation under s 22K or 22L	MDR	
s 22M(2)	Duty to ensure that a consolidated version of its approved roadside weed and pest animal management is available for inspection	MDR	
s 22N(2)	Function of receiving notice of Minister's intention to suspend the approval of a roadside weed and pest animal management plan	MDR	
s 22N(2)	Function of submitting to the Minister reasons why the approval of the roadside weed and pest animal management plan should not be suspended	MDR	
s 22N(3)	Function of receiving notice of Minister's decision	MDR	



Catchment and Land Protection Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 22O(2)	Function of receiving notice of Minister's intention to revoke his or her approval of a roadside weed and pest animal management plan	MDR	
s 22O(2)(b)	Function of submitting to the Minister reasons why the approval of the roadside weed and pest animal management plan should not be revoked	MDR	
s 22O(3)	Function of receiving notice of Minister's decision to revoke his or her approval of a roadside weed and pest animal management plan	MDR	
s 22P(1)	Function of receiving request to provide the Minister with specified information or documentation	MDR	
s 22P(2)	Duty to provide Minister with requested information or documentation	MDR	
s 22Q	Duty to provide Minister with a written report setting out the outcomes of the measures set out in the plan within 30 days after the plan ceases to operate	MDR	

Child Wellbeing and Safety Act 2005			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
ss 19 & 23A	Duty to comply with the Child Safe Standards	HRBP, MDR	Where Council is a Schedule 1 entity
s 25	Function of receiving education, information and advice from the Commission for Children and Young People regarding the Child Safe Standards	HRBP, MDR	
s 29A(2)(a)	Function of receiving notice of inspection of the relevant premises by an authorised officer	RGL, EA	
s 30	Duty to comply with notice to provide documents given under s 30(1A)	HRBP	
s 31	Duty to comply with notice to comply given under s 31(1)	HRBP	
s 34C	Duty to comply with an adverse publicity order	NOT	



**Child Wellbeing and Safety Act 2005**

<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 36	Duty to ensure that the Commission, a sector regulator or authorised person is given any assistance reasonably required to perform functions	HRBP, MDR	
s 36A	Function of receiving an official warning from the sector regulator	NOT	
s 36B	Function of receiving infringement notice	NOT	
s 36C(1)	Power to make an enforceable undertaking	NOT	
s 36C(3)	Power to withdraw or vary an enforceable undertaking	NOT	Must be in writing.
s 41I	Power to seek review by the sector regulator of decision by the Commission to issue a notice to produce or a notice to comply, or to issue an official warning or to publish information	HRBP	
s 41J	Power to apply to VCAT for a review of the sector regulator to issue a notice to comply or to publish information	HRBP	Must have first exhausted all available avenues for review under s 41I
s 41M	Function of being given opportunity to comment on adverse comment or opinion to be included in annual report or further report	HRBP	
s 41V	Power to, on Council's own initiative, disclose confidential information, other than excluded information, to another information sharing entity	HRBP, MCHNs	Where Council is an 'information sharing entity' and a 'disclosing entity'
s 41V	Function of receiving confidential information, other than excluded information	HRBP, MCHNs	Where Council is an 'information sharing entity' and a 'receiving entity'
s 41W(1)	Power to request another information sharing entity to disclose confidential information, other than excluded information	HRBP, MCHNs	Where Council is an 'information sharing entity' and a 'requesting entity'
s 41W(1)	Function of receiving confidential information, other than excluded information	HRBP, MCHNs	Where Council is an 'information sharing entity' and a 'requesting entity'
s 41W(1)	Function of receiving a request for confidential information, other than excluded information	HRBP, MCHNs	Where Council is an 'information sharing entity' and a 'responding entity'
s 41W(2)	Power to disclose to the responding entity any	HRBP,	Where Council is an 'information sharing

### Child Wellbeing and Safety Act 2005

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	confidential information that may assist the responding entity	MCHNs	entity' and a 'requesting entity'
s 41W(2)	Function of receiving confidential information from an information sharing entity	HRBP, MCHNs	Where Council is an 'information sharing entity' and a 'responding entity'
s 41W(3)	Duty to comply with a request made under s 41W(1)	HRBP, MCHNs	Where Council is an 'information sharing entity' and a 'responding entity'
s 41W(4)	Duty to provide reasons, in writing, as to why Council cannot comply with a request made under s 41W(1)	HRBP, MCHNs	Where Council is an 'information sharing entity' and a 'responding entity'
s 41W(4)	Function of receiving reasons from a responding entity as to why it cannot comply with a request made under s 41W(1)	HRBP, MCHNs	Where Council is an 'information sharing entity' and a 'requesting entity'
s 41Y	Power to disclose confidential information, other than excluded information, to any person set out in s 41Y(1)(a) – (c)	HRBP, MCHNs	Where Council is an 'information sharing entity'
s 41Z	Power to collect and use any confidential information disclosed to Council under Part 6A	HRBP, MCHNs	Where Council is an 'information sharing entity'
s 41ZC	Duty to record prescribed information in respect of its collection, use and disclosure of confidential information	HRBP, MCHNs	Where Council is an 'information sharing entity'
s 41ZD(2)	Power to collect, use or disclose confidential information	HRBP, MCHNs	Where Council is an 'information sharing entity' within the meaning of Part 5A of the Family Violence Protection Act 2008
s 41ZF	Power to refuse to give an individual access to their confidential information under a relevant privacy law	HRBP, MCHNs	Where Council is an 'information sharing entity'
s 43(1)(a)	Function of receiving notice of the birth of a child	HRBP, MCHNs	Where the mother of the child usually resides in Council's municipal district
s 43(1)(b)	Function of receiving notice of the birth of a child	HRBP, MCHNs	When the municipal district in which the mother usually resides is unknown and the birth occurs in Council's municipal district

### Children Youth and Families Act 2005

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 23(1)	Function of being allocated money by the Secretary for the purposes of Part 3.1	HRBP	
s 25	Power to use land or property for the purposes of the Department of Health and Human Services	HRBP	Where authorised by the Secretary
s 26	Function of entering into an agreement with the Secretary	HRBP	
s 30	Function of having matters referred to it by the Secretary to provide advice, services and support to the child, family of the child or mother of the unborn child	HRBP	Where Council is not registered as a community service but is established to provide services to meet the needs of children requiring care, support, protection or accommodation and of families requiring support
s 192	Power to provide information to the Secretary	HRBP	
s 196	Function of receiving written direction from an authorised officer in relation to disclosure of information	HRBP	
s 197	Duty to comply with written direction from authorised officer	HRBP	

Children's Services Act 1996			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 166(1)	Function of receiving, from the Regulatory Authority, information in respect of a children's service for a purpose listed in s 166(2)	MCHN2, MCHN1, HRBP, MCHN3, MCHN4	

Circular Economy (Waste Reduction and Recycling) Act 2021			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 50(2)	Function and power of sharing information or data with the Head, Recycling Victoria where permitted	MPL	
s 56	Power to enter into an agreement with the Head, Recycling Victoria	NOT	
s 57	Function of receiving advice and support from the Head, Recycling Victoria	MPL	



Circular Economy (Waste Reduction and Recycling) Act 2021			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 58	Duty to have regard to guidelines issued by the Head, Recycling Victoria	MPL	
s 60	Duty to provide municipal residual waste and municipal recycling services	NOT	

Climate Action Act 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46	Power to make statement (a Council pledge) in respect of greenhouse gas emissions reductions	MDR	Council must consider factors, and include details prescribed, in s 47
s 48	Duty to give copy of Council pledge to Minister as soon as practicable following preparation	MDR	
s 49(3)	Duty to have regard to any directions of Minister regarding preparation of an emissions reduction pledge	MDR	
s 82(1)	Function of receiving notice of proposed Carbon Sequestration Agreement	MDR	Where Council is the public land manager

Conservation, Forests and Land Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 66(1)	Duty to submit plans to the Secretary to the Department of Environment, Land, Water and Planning of specified works prior to their commencement	MDR	Specified works are listed in sch 3 of the Act
s 67	Power to take action contrary to a Code of Practice if paragraphs (a) and (b) apply	MDR	

Country Fire Authority Act 1958			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 36	Function of providing fire hydrants when so requested by the Authority	MFPO	
s 41A	Power to recover costs of serving notice by fire prevention officer	MFPO,	



**Country Fire Authority Act 1958**

<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
		FSC	
s 42(1)	Power to request officers and members of any CFA brigade to carry out work (including burning) for the removal or abatement of any fire danger or for the prevention of fire	MFPO	
s 42(2)	Duty to pay for work undertaken	MFPO	
s 43(1)	Duty to take all practicable steps to prevent occurrence of fires and minimise the danger of spread of fires	MFPO	
s 43(2)	Power to acquire equipment, etc. for purposes of s.43(1) and pay for it out of municipal fund	MFPO	
s 50F(1)	Power to prepare Neighbourhood Safer Places Plan	MFPO	
s 50F(4)	Duty to publish and make the Neighbourhood Safer Places Plan available at Council's office for public inspection during office hours free of charge	MFPO	
s 50G(1)	Duty to identify and designate places as neighbourhood safer places	MFPO	
s 50G(4)	Duty to ask the CFA to assess the neighbourhood safer place	MFPO	
s 50H(1)	Duty to ensure that appropriate signage is provided at neighbourhood safer places	MFPO	
s 50I	Duty to maintain all designated neighbourhood safer places	MFPO	
s 50J(1)	Duty to conduct an annual review of designated neighbourhood safer places by 31 August of each year	MFPO	
s 50J(2)	Duty to ask the CFA to assess each neighbourhood safer place	MFPO	
s 50J(5)	Power to decommission a neighbourhood safer place if paragraphs (a) or (b) apply	MFPO	
s 96A(1)(a)	Duty to appoint fire prevention officer	NOT	
s 96A(1)(b)	Power to appoint assistant fire prevention officers	MFPO	
s 109C	Function of receiving funds for penalties recovered under s 41E	MFPO, FSC	

Cultural and Recreational Lands Act 1963			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 4	Function of receiving rates	RVO, PAO	

Dangerous Goods Act 1985			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 29	Function of receiving statement from the Victorian WorkCover Authority about details of dangerous goods on licensed premises	RGL, SWC, APO	

Development Victoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 13(1)	Function of entering into agreement with Development Victoria concerning particular issues	MDR	Function of 'public statutory body'
s 39(2)	Duty to comply with order from Governor in Council issued under s.39(1) to surrender land in a project area	MDR	Duty of 'public statutory body'
s 51I(3)(b)	Function of receiving notice of resolution levying a general charge from Development Victoria	MDR	
s 51Q(3)(b)	Function of receiving notice of resolution levying an infrastructure recovery charge from Development Victoria	MDR	
s 51ZA	Function of receiving written notice of charge from Development Victoria, where Council has submitted notice to Authority pursuant to s 21(2A) of the Subdivision Act 1988	MDR	
s 56D(1)	Duty to give relevant Ministers and Treasurer statement allocating the property, rights and liabilities of Council in relation to designated project to Development Victoria	MDR	Duty of 'nominated agency'
s 56D(4)	Function of complying with request from Treasurer and relevant Minister to amend statement under s 56D(1)	MDR	Function of 'nominated agency'
s 56E(1)	Function of issuing certificate certifying that property, rights or liabilities of Council have been allocated to Development Victoria	MDR	Function of 'nominated agency'
s 56E(2)	Duty to revoke certificate given under s 56E(1) and replacing with a new certificate, if directed by Treasurer and relevant Minister	MDR	Duty of 'nominated agency'

**Development Victoria Act 2003**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 56E(3)	Duty to keep register of certificates issues under s 56E, and make reasonably available for inspection	MDR	Duty of nominated agency

**Disability Act 2006**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 38(4)	Power to prepare a Disability Action Plan, in accordance with s 38	HRBP	
s 38(5)	Duty to report on the implementation of the Disability Action plan in Council's annual report	HRBP	If a plan is prepared under s 38(4) or is taken to be prepared under s 38(2)
s 38(5A)	Duty to ensure certain disability matters are addressed in the Council Plan	HRBP	If Council has not determined to prepare a plan under s 38(4) or are not taken to have prepared a plan under s 38(2)

**Domestic Animals Act 1994**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 10	Function of receiving applications for registration of dogs or cats	CSOs, CSIOs	
s 10A(4)	Duty to not register or renew the registration of a dangerous dog or a restricted breed dog unless the dog is (a) desexed or (b) a dangerous dog that is not a restricted breed dog and is exempt under s 10B(1)(c), 10B(1)(d) or 10B(1)(e) from the requirement to be desexed or (c) a restricted breed dog that is not a dangerous dog and is exempt under s 10B(1)(e) from the requirement to be desexed	MDR, CSOs	
s 10C(1)	Duty to not register a dog or cat unless the dog or cat (a) has been implanted with prescribed permanent identification device or (b) is of a class of dogs exempt under a resolution made under s 10D(3), from the requirement to be implanted with such a device or (c) is otherwise exempted under the Act from the requirement to be implanted with such a device or (d) subject to s 10C(2), has previously been registered with Council at any time	MDR, CSOs	



Domestic Animals Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	in the 12 month period immediately before the application for registration was lodged		
s 10C(5)	Duty to cause to be published a copy of the resolution	MDR, CSOs	
s 10C(6)	Duty to not register or renew registration of dangerous dog, menacing dog or restricted breed dog unless the dog has been implanted with permanent identification device	MDR, CSOs	
s 10D(6)	Duty to cause to be published a copy of the resolution	MDR, CSOs	
s 12(1)	Power to appoint an agent for Council in the registration of cats and dogs	MDR, CSOs	
s 13	Function of receiving notification of sale by domestic animal business or foster carer (including where the animal was not registered)	CSOs	
s 14(b)	Power to approve form of registration or renewal of registration of dogs and cats	MDR, CSOs	
s 15(2)	Power to permit pro-rata fees for dogs or cats registered for part of a year	CSOs	
s 15(6)	Duty to waive 50% of a registration fee of dogs or cats if paragraphs (a) or (b) apply	MDR, CSOs	
s 16	Duty to register or renew the registration of a dog or cat (other than a dangerous or restricted breed dog) in certain circumstances	CSOs	
s 17(1)	Power to register or renew the registration of a dangerous dog and impose conditions upon the registration	CSOs	
s 17(1A)(a)	Power to register or renew the registration of a restricted breed dog	CSOs	Under ss 10A(4) and 10C(6), a Council cannot register a restricted breed dog unless the dog is desexed (subject to the exception under s 10B(1)(e)) and the dog has been implanted with a prescribed permanent identification device



**Domestic Animals Act 1994**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 17(1A)(b)	Power to impose conditions on the registration or the renewal of the registration of a restricted breed dog	MDR, CSOs	Under ss 10A(4) and 10C(6), a Council cannot register a restricted breed dog unless the dog is desexed (subject to the exception under s 10B(1)(e)) and the dog has been implanted with a prescribed permanent identification device
s 17(2)	Duty to notify owner and allow owner opportunity to make submissions, if Council proposes not to register or renew the registration of a dangerous dog or restricted breed dog	MDR, CSOs	
s 17(3)	Duty to consider submissions in relation to the registration or renewal of registrations of a dangerous dog before making decision	MDR, CSOs	
s 17(4)	Duty to serve written notice of decision not to register or renew registration of dangerous dog or restricted breed dog	MDR, CSOs	
s 18(1)	Duty to keep register and allow inspection of register of all registered dogs and cats	MDR, CSOs	
s 18(2)(b)	Power to fix fee for inspection of registrations of dogs and cats in the municipality	MDR, CSOs	
s 18(3)	Power to fix fees for making of records or obtaining certificates	NOT	
s 19(1)(a)	Duty to allocate a registration number to every dog and cat which is registered	CSOs	
s 19(1)(b)	Duty to give or send the owner a registration certificate	CSOs	
s 19(1)(c)	Duty to issue to the owner an identification marker	CSOs	
s 23(6)	Duty to give owner or occupier of the private property a copy of a notice served under s 23(3)	MDR, CSOs	
s 25(3)	Duty to cause to be published any orders made by Council under s 25	MDR, CSOs	
s 26(2A)	Duty to obtain agreement of owner or occupier of	MDR,	

**Domestic Animals Act 1994**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	private property, where Council proposes to make, by resolution, an order under s 26(2)	CSOs	
s 26(3)	Duty to cause to be published any orders made by Council under s 26	MDR, CSOs	
s 33A(1)	Duty to accept any dog or cat kept surrendered to Council by the owner of the animal	CSOs	
s 33A(3)	Duty to give Secretary certain information about a dog under its control if dog exhibits aggressive behaviour, may have been involved in a dog attack or may be a restricted breed dog	MDR, CSOs	This information must be given to the Secretary in the time specified in s 33A(4)
s 33A(2)(b)	Duty to deal with surrendered dog or cat in accordance with the Act, the regulations and relevant Codes of Practice	MDR, CSOs	
s 34(1)	Power to declare a dog dangerous	MDR	
s 34(2)	Duty not to declare a dog dangerous in certain circumstances	MDR, CSOs	
s 35(2)	Duty to notify the owner and receive written and oral submissions from the owner if proposing a dog be declared dangerous	MDR, CSOs	
s 35(3)	Duty to consider materials submitted before making a declaration	MDR, CSOs	
s 36	Duty to give written notice of a declaration to owner	MDR, CSOs	
s 37	Function of receiving notification from owners of certain dogs	CSOs	
s 41B(1)	Duty to notify the owner and allow it the opportunity to make submissions to the Council	MDR, CSOs	
s 41C	Duty to give notice of a menacing dog declaration to owner	MDR, CSOs	
s 41D	Function of receiving notification in relation to menacing dog	MDR, CSOs	

**Domestic Animals Act 1994**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 41F	Function of receiving notification from owners of restricted breed dogs	CSOs	
s 41J(2)(a)	Power to issue a permit to own more than 2 restricted breed dogs to any person who has applied to the Council for such a permit	MDR, CSOs	
s 41J(2)(b)	Power to issue a permit to keep more than 2 restricted breed dogs at a premises to any person who has applied to the Council for such a permit	MDR, CSOs	
s 41J(3)	Power to fix fee for application for permit	NOT	
s 44(1)	Power to require restraint of animals	CSOs	If Council has made a relevant local law prohibiting the keeping of animals in a specified area
s 44(2)	Duty to give written notice of requirement in s 44(1)	MDR, CSOs	
s 44AC(1)(c)	Power to inspect information kept on register of dangerous, menacing and restricted breed dogs, in accordance with the regulations	CSOs	
s 44AE	Duty to provide details of dangerous, menacing or restricted breed dogs to Secretary	MDR, CSOs	
s 44AEA	Duty to provide to the Secretary information relating to a dog destroyed under s 84TA, 84TB, 84TC	MDR, CSOs	
s 44AF	Duty to provide to the Secretary information relating to dangerous, menacing or restricted breed dogs	MDR, CSOs	
s 44AG	Duty to provide to the Secretary information about owners of dangerous, menacing or restricted breed dogs	MDR, CSOs	
s 44AGA	Duty to provide to the Secretary information under section 37(5), 41D(4) or 41F(3)	MDR, CSOs	Provision comes into operation on a day to be proclaimed, or on 4 February 2026 if it does not come into operation prior.
s 44AH	Duty to provide, when requested under s 44H (1) a statement to Secretary confirming that information previously provided by Council is accurate	MDR, CSOs	



**Domestic Animals Act 1994**

<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 46(1)	Function of receiving applications to register a premises	MDR, CSOs	
s 46(2)	Power to approve form of registration of domestic animal businesses and information required	MDR, CSOs	
s 46(3)	Function of requiring and receiving any further information relating to an application Council	MDR, CSOs	
s 47(1) & (2)	Power to register and impose any terms, conditions, limitations or restrictions on the registration of premises for the purposes of a domestic animal business	MDR, CSOs	
s 48(2)	Power to approve form of renewal of registration	MDR, CSOs	
s 48(3)	Power to approve form of renewal of registration and information required	MDR, CSOs	
s 48(4)	Function of requiring and receiving any further information relating to the application Council	CSOs	
s 49(1)	Power to fix fees for registration or renewal of registration of domestic animal premises	NOT	
s 49(2)	Power to refund all or part of application fee	MDR, CSOs	
s 52(1)	Function of receiving an application for transfer of registration to a new premises	CSOs	
s 52(2)(a)	Power to approve form of application to transfer registration	MDR, CSOs	
s 52(2)(c)	Power to fix fee for transfer of registration and information required	NOT	
s 52(3)	Function of requiring and receiving any further information relating to the transfer of registration	CSOs	
s 52(4)	Power to register new (transferred) premises as a domestic animal business and impose any terms, conditions, limitations or restrictions on that registration	MDR, CSOs	



**Domestic Animals Act 1994**

<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 54(1)	Power to refuse to register or renew the registration, refuse to transfer registration, suspend registration and revoke registration of premises	MDR, CSOs	
s 54(2)	Power to act in accordance with s 54(1) if satisfied that the circumstances of s 54(2)(a) or (b) are in existence	MDR, CSOs	
s 54(3)	Duty to refuse to register or renew the registration of a premises in relation to a breeding domestic animal business in certain circumstances	MDR, CSOs	
s 54(3A)	Duty to refuse to register, renew the registration of, or transfer the registration of a premises on which a domestic animal business is, or is proposed to be conducted, that is an animal shelter, a pet shop or a pound in certain circumstances	MDR, CSOs	
s 54(3B)	Duty to refuse to register, renew the registration of, or transfer the registration of a premises on which a domestic animal business is, or is proposed to be conducted, that is a breeding domestic animal business in certain circumstances	MDR, CSOs	
s 54A(1)	Duty to refuse to register the premises in respect of which the application is made if s 54A(a), (b) or (c) applies	MDR, CSOs	
s 54A(2)	Duty to refuse to register the premises in respect of which the application is made if a breeding domestic animal business or a pet shop is being conducted, or is proposed to be conducted, on the rateable property on which the premises is located	MDR, CSOs	
s 54A(3)	Duty to refuse to register the premises in respect of which the application is made if a breeding domestic animal business or an animal shelter is being conducted, or is proposed to be conducted, on the rateable property on which the premises is located	MDR, CSOs	
s 54B	Duty to refuse to register the premises on which a breeding domestic animal business is proposed to be conducted	MDR, CSOs	

**Domestic Animals Act 1994**

<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 54C	Duty to refuse to transfer the registration of premises on which a breeding domestic animal business is being conducted to another premises	MDR, CSOs	
s 54D	Duty to refuse to renew the registration of a premises on which a breeding domestic animal business is being conducted	MDR, CSOs	
s 55	Duty to give notice if it is proposed that the powers under ss 54, 54A, 54B, 54C or 54D will be exercised	MDR, CSOs	
s 56	Duty to receive both oral and written submissions and take into account any submissions	MDR, CSOs	
s 57(1) & (2)	Duty to serve notice of decision and give reasons for decision	MDR, CSOs	
s 58AD(1)(a)	Function of receiving a request from the chief veterinary officer for a report on the premises on which the domestic animal business is conducted	MDR, CSOs	
s 58AD(2)	Duty to include a copy of any report from an entry and search of the premises under Part 7 carried out in the 5 years preceding the application for grant or renewal of approval	MDR, CSOs	
s 58AI(1)(a)	Power to cancel or not renew a commercial dog breeder approval	MDR, CSOs	Where Council is the 'relevant Council'
s 58AI(1)(b)	Power to suspend a commercial dog breeder approval	MDR, CSOs	Where Council is the 'relevant Council'
s 58AI(2)	Duty to give the Minister notice of any suspension, cancellation or refusal to renew	MDR, CSOs	
s 58AL	Function of receiving notice of the Minister's grant, renewal, refusal to grant or renew, revocation or cancellation of a commercial dog breeder approval as soon as possible after it occurs	MDR, CSOs	Where Council is the relevant Council
s 58B	Power to apply to Minister to register premises as premises on which domestic animal business conducted	MDR, CSOs	
s 58C(3)	Duty to comply with the terms, conditions, limitations	MDR,	

**Domestic Animals Act 1994**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	and restrictions on registration of premises under s 58C	CSOs	
s 58D(2)	Power to apply to Minister for renewal of registration of premises	MDR, CSOs	
s 58E	Duty to pay fee with application for registration or renewal of registration of premises	MDR, CSOs	
s 58F	Power to surrender registration of premises on which domestic animal business conducted by notice to Minister	MDR, CSOs	
s 58G	Duty to notify the Minister of transfer of registration	MDR, CSOs	
s 58J	Power to make submissions to the Minister regarding Minister's exercise of power under s 58H	MDR, CSOs	
s 58K	Function of receiving notice of Minister's decision	MDR, CSOs	
s 58P	Function of receiving, from the Minister, a copy of the permit (including any conditions imposed on the permit)	MDR, CSOs	Where Council is the 'relevant Council'
s 58Q(3)	Function of receiving, from an authorised officer who has given a direction under s 58Q(1), notification of the closure of the sale	MDR, CSOs	Where Council is the 'relevant Council'
s 58R(3)	Function of receiving, from the Minister, a copy of a report under s 58R as soon as practicable after receiving the report.	MDR, CSOs	
s 68A(1)	Duty to, in consultation with Secretary, prepare a domestic animal management plan	MDR, CSOs	Subject to s 68A(1A)
s 68A(1A)	Power to apply to the Secretary for an extension of time within which to prepare a domestic animal management plan	MDR, CSOs	
s 68A(3)(a)	Duty to review domestic animal management plan annually and, if appropriate, amend the plan	MDR, CSOs	



**Domestic Animals Act 1994**

<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 68A(3)(b)	Duty to provide the Secretary with a copy of the plan and any amendments to the plan	MDR, CSOs	
s 68A(3)(c)	Duty to prepare an evaluation of its implementation of the plan for publication in Council's annual report	MDR, CSOs	
s 68B	Power , on application under s 68C, to register a person to provide foster care on a premises in the municipal district of the Council, if the person provides or intends to provide foster care on that premises	MDR, CSOs	
s 68C	Function of receiving an application for foster carer registration	CSOs	
s 68D(1)	Power to renew registration	CSOs	
s 68D(2)	Function of receiving an application for foster carer registration renewal	CSOs	
s 68E	Duty to have regard to the matters set out in s 68E(a) – (e) when deciding whether or not to grant or renew a foster carer registration	CSOs	
s 68G(a)	Power to approve form of applications under s 68C or 68D(2)	MDR, CSOs	
s 68G(b)	Power to require information in applications under s 68C or 68D(2)	CSOs	
s 68G(c)	Power to fix fee for applications under s 68C or 68D(2)	NOT	
s 68H(2)	Power to permit a pro rata fee to be paid where a foster carer registration only applies for part of a year	MDR, CSOs	
s 68I(1)(b)	Power to impose conditions on a foster carer registration	CSOs	
s 68J(1)	Power to suspend or cancel a foster carer registration where the criteria in s 68J(1)(a) or (b) apply	CSOs	
s 68J(2)	Duty to notify the registered foster carer of a	CSOs	

**Domestic Animals Act 1994**

<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
	suspension or cancellation under s 68J(1)		
s 68K(1)	Duty to notify the holder of a foster carer, in writing, if the Council proposes to suspend, cancel or not renew a foster carer registration	CSOs	
s 68K(2)	Function of receiving written submissions from the holder of the registration	MDR, CSOs	
s 68K(3)	Duty to consider any submission may under s 68K(2) before deciding to suspend, cancel or not renew the registration	MDR, CSOs	
s 68N(1)	Duty to give to the Secretary the information set out in s 68Q(1) and (2) relating to each registration of a premises by the Council under Part 4	MDR, CSOs	
s 68O(1)	Duty to give to the Secretary the information set out in s 68Q(1)(a), (c)(ii) and (iii), (d)(ii), (h), (i) and (j), relating to each registration of a foster carer by the Council under Part 5B	MDR, CSOs	
s 68R(1)(a)(i)	Duty to give the information set out in s 68R(2) to the Secretary within 7 days after making a decision under Part 4 to refuse to grant, renew or transfer a registration under that Part	MDR, CSOs	
s 68R(1)(a)(ii)	Duty to give the information set out in s 68R(2) to the Secretary within 7 days after making a decision under Part 4 to suspend or revoke a registration under that Part	MDR, CSOs	
s 68R(1)(b)(i)	Duty to give the information set out in s 68R(3) to the Secretary within 7 days of making a decision under Part 5B not to grant or renew a registration under that Part	MDR, CSOs	
s 68R(1)(b)(ii)	Duty to give the information set out in s 68R(3) to the Secretary within 7 days of making a decision under Part 5B to suspend or cancel a registration under that Part	MDR, CSOs	
s 68Y(3)	Function of receiving, from the Secretary, the source number issued under s 68Y	MDR, CSOs	

Domestic Animals Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 68Z(3)	Function of receiving, from the Secretary, the source number issued under s 68Z	MDR, CSOs	
s 69(1)	Duty to make payment to the Treasurer of specified amounts in respect of registration of cats, dogs or registered animal business	FSC, MDR, CSOs	
s 69(1A)	Duty to make payment to the Treasurer in respect of each registration fee collected by the Council for the registration or renewal of registration of a dog or cat in each financial year	FSC, MDR, CSOs	
s 72	Power to appoint, by instrument, employees to be authorised officers	MDR	
s 72A(1)	Power to appoint person who is not employee of Council as authorised officer	NOT	Person appointed must have qualifications and experience prescribed by Secretary
s 73(1)	Duty to issue identity card to authorised officers	HRBP, PAYO	
s 84DD(2)	Function of receiving report	CSOs	
s 84J	Power to retain custody of dog or cat until animal recovered under Division 5 or disposed of under Division 6	MDR, CSOs	
s 84L(1)	Power to retain custody of dog the subject of a declaration under s 98A until review of the declaration is determined under Part 7E or the dog is recovered under Division 5 or destroyed under Division 6	MDR, CSOs	
s 84L(2)	Power to retain custody of dog before destruction under division 6 where dog is seized under s 80 and officer cannot serve declaration because owner cannot be identified	MDR, CSOs	
s 84M(1)	Power to decide not to retain custody of dog or cat seized under ss 23(1), 82, 82B, 83, 84, 84A, 84B or 84C	MDR, CSOs	
s 84N(1)(c)	Power to require custody of restricted breed dog until the outcome of prosecution under the Act or	MDR, CSOs	



**Domestic Animals Act 1994**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Regulations in relation to the dog		
s 84N(1)(d)	Power to fix an amount payable for the reasonable costs and expenses incurred by the Council in seizing the dog and retaining custody of it until its recover	MDR, CSOs	
s 84O(1)	Power to destroy a cat seized under Part 7A if cat does not bear an identification marker or device or cat is wild, uncontrollable or diseased	MDR, CSOs	
s 84O(2)	Duty to destroy dangerous dog or restricted breed dog as soon as possible where owner is entitled to recover dog under Division 5 but does not recover dog in accordance with the time period in that division	MDR, CSOs	
s 84O(3)	Duty to sell or destroy cat or dog (other than dangerous or restricted breed dog) as soon as possible where owner is entitled to recover dog under division 5 but does not recover dog in accordance with the time period in that division	MDR, CSOs	In accordance with any relevant business code of practice or greyhound code of practice
s 84P	Power to destroy dog seized under Part 7A in certain circumstances listed in paragraphs (a), (c), (d), (e) and (f)	MDR, CSOs	
s 84Q(1)	Duty to commence prosecution of a person as soon as possible after seizure under Part 7A, if authorised officer reasonably suspects that the person has committed an offence listed in s 84Q(2) with respect to a dog or a cat seized under that part, and power to retain custody of animal seized under section 84B and in any other case, Duty to retain custody until the outcome of the prosecution in s 84Q is known	MDR, CSOs	
s 84Q(2A)(a)	Duty to commence prosecution of the owner of the dog or cat as soon as possible after the seizure and after sufficient information is available to enable the commencement of the prosecution	MDR, CSOs	
s 84Q(2A)(b)	Duty to retain custody of the dog or cat and any offspring of the dog or cat until the outcome of the prosecution is known	MDR, CSOs	

Domestic Animals Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 84Q(3)(a)	Duty to serve declaration on owner	MDR, CSOs	
s 84R	Power to require owner to provide his or her current address to Council in certain circumstances	MDR, CSOs	
s 84S	Power to destroy dog seized under Part 7A, in the time periods listed, if owner is suspected of committing an offence set out in paragraph (a), (b) or (c) of section 84Q(2) and cannot be identified,	MDR, CSOs	
s 84T(1)	Duty to destroy dog seized under s 80 within 8 days after seizure if owner cannot be identified and authorised officer reasonably believes dog is restricted breed dog	MDR, CSOs	
s84T(2)	Duty to notify the Secretary of certain information after destroying a dog under s 84T(1)	MDR, CSOs	Notice must comply with requirements of s 84T(3)
s 84TA(1)	Power to destroy a dog seized under Part 7A in circumstances listed (a) - (c)	MDR, CSOs	84TA (4) & (5) Council must make decision within 48 hours and record the time and date of decision
s 84TC(1)	Power to destroy a dangerous dog if the dog was declared a dangerous dog and it is believed that the owner of the dog is guilty of an offence under s 24 or 26	MDR, CSOs	84TC (4) & (5) Council must make decision within 48 hours and record the time and date of decision
s 84U	Duty to ensure seized animal is desexed before selling it	CSOs	
s 84V(2)	Power to give animal to an approved person or body	CSOs	Where Council is authorised under this Act to destroy the animal
s 84VA(1)	Power to recover any reasonable cost incurred by the Council for the care, transport, maintenance and disposal of the dog or cat for the whole or any part of the time from when the dog or cat is seized under Division 2 until the time when the dog or cat is disposed of under s 84TD	FSC, MDR, CSOs	
s 84VA(2)	Power to recover costs under s 84VA(1) from the owner, or person in charge of the dog or cat when	FSC, MDR,	

### Domestic Animals Act 1994

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	the dog or cat was seized	CSOs	
s 84Y	Power to enter written agreement to seize, receive and retain, sell or destroy dogs or cats , as well as the power to give a seized dog or cat to a community foster care network, give a seized dog or cat to an animal shelter and/or charge fees for doing any of the things under the written agreement	MDR, CSOs	
s 95	Function of receiving payment of fines	FSC, CSOs	
s 98(1A)	Power to apply to VCAT for review of a decision by Minister in relation to registration of domestic animal business	MDR, CSOs	
s 100A	Duty to notify Secretary where VCAT or Supreme Court sets aside a decision to declare a dog to be a dangerous dog, menacing dog or restricted breed dog	MDR, CSOs	Notice must comply with requirements of s 100A(2) & (3)
s 100C	Function of receiving disclosed information from a person who is or was engaged in the administration of Part 5B or 5C	MDR, CSOs	
s 100D	Power to disclose information held by Council to another Council, a restricted authorised officer or a Departmental authorised officer for the purpose of the performance of Functions under Part 4 or Part 4AA or regulations under those Parts by that person	MDR, CSOs	

### Domestic Building Contracts Act 1995

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 48R	Function of receiving details of alleged contraventions of building legislation	CBS, BPI, MDR	

### Education and Care Services National Law Act 2010

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 271(1)	Function of receiving information from National Authority in respect	N/A	



### Education and Care Services National Law Act 2010

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	of education and care services		
s 271(2)	Function of receiving information from Regulatory Authority in respect of education and care services	N/A	
s 271(3)	Power to disclose information to authorities or government departments in respect of education and care services	N/A	

### Education and Training Reform Act 2006

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 2.3.13	Power to enter into and carry out a contract with the school Council	N/A	
s 2.6.21B(1)	Function of receiving information from the Victorian Institute of Teaching in respect of a registered teacher or former registered teacher, or a provider of a program, unit or course of study, for a purpose specified in subsection (4)	HRBP	
s 2.6.21B(2)	Power to provide information to the Victorian Institute of Teaching in respect of a registered teacher or former registered teacher or a provider of a program, unit or course of study for a purpose specified in subsection (4)	HRBP	
s 4.9.4(1)	Function of receiving information from the Victorian Registration and Qualifications Authority	N/A	
s 4.9.4A(1)	Function of responding to requests by Victorian Registration and Qualifications Authority for information	N/A	
s 4.2.2(1)(g)	Function of receiving education, information and advice on Child Safe Standards	N/A	
s 5.8.24	Function of receiving official warning from the Victorian Registration and Qualifications Authority	N/A	
s 5.8.30	Duty to comply with an adverse publicity order	N/A	

### Electoral Act 2002

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 108(1)(d)(ii)	Power to enable identification of a person	RVO, FSC, PAO	

### Electricity Safety Act 1998

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 84C	Duty to keep trees clear of electrical lines on public land managed by Council	PGS	Applies to public land, managed by Council, which has been declared under s 81 of the Electricity Safety Act 1998 for the purposes of Part 8 of the Act
s 86B	Duty to specify certain matters in municipal emergency management plan	MFPO	

### Emergency Management Act 2013

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 59	Duty to establish a Municipal Emergency Management Planning Committee	NOT	
s 59B(1)(b)	Duty to nominate a member of Council staff to be the chairperson of the Municipal Emergency Management Planning Committee	NOT	The person nominated must have first been nominated by the CEO and the delegate cannot nominate themselves
s 59F(b)	Function of, in collaboration with other agencies and by the establishment of a Municipal Emergency Management Planning Committee, enabling community participation in emergency preparedness, including mitigation, response and recovery activities	MEMO	
s 59G(1)	Duty to appoint one or more municipal emergency management officers	NOT	
s 59H(1)	Duty to appoint one or more municipal recovery managers	NOT	
s 60A(1)(ab)	Function of receiving a copy of the plan in a form suitable for publication on the municipal council's Internet site on behalf of the relevant Municipal Emergency Management Planning Committee	MEMO	
s 69	Duty to comply with an information gathering notice issued by the Inspector-General for Emergency Management	EMC	
s 70	Function of receiving draft review or report and providing comment or response to Inspector-General for Emergency Management	EMC	

Emergency Management Act 2013			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 70A(2)	Power to consent to entry of vessel, premises or vehicle	EMC	
s 70A(3)	Duty to provide the Inspector-General with a written response to a request for consent under s 70A(2)	EMC	
s 70B	Function of giving reasonable assistance to the Inspector-General for Emergency Management	EMC	

Environment Protection Act 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 50(1)(ii)	Function of receiving application for permission	PDO3, MDR, EHOs	
s 50(2)	Duty of advising applicant that application does not comply with s 50	PDO3, MDR, EHOs	
s 50A(1)	Power to require an applicant to pay a fee	PO3, MDR, EHOs	
s 50A(3)	Duty to give notice	PO3, MDR, EHOs	
s 51A	Power to require an applicant to provide information	PO3, MDR, EHOs	
s 54(1)	Power to issue a permission subject to conditions specified in the permission	MDR, EHOs	
s 56(2)(b)	Function of receiving an application for the transfer of permit issued by Council	PDO3, MDR, EHOs	
s 56(4)	Duty to either refuse or transfer the permit subject any conditions within 20 business days after receiving application	MDR, EHOs	
s 56(5)	Duty to refuse to transfer permit if Council considers that the applicant is not a fit and proper person to hold a permit	MDR	Consider s 66
s 56(6)	Duty to, as soon as practicable after making a decision, give applicant and holder of permit written notice	PDO3, MDR,	



**Environment Protection Act 2017**

<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
		EHOs	
s 57(2)(b)	Function of receiving application for amendment of permit	PDO3, MDR, EHOs	
s 57(4)	Duty to either refuse or amend permit subject to any conditions	MDR	
s 57(8)	Duty to, as soon as practicable after making a decision, give holder of permit written notice	PDO3, MDR, EHOs	
s 58(1)	Power to amend a permission issued on own initiative	PDO3, MDR, EHOs	
s 58(3)	Duty to, as soon as practicable after making a decision, give the permission holder written notice	PDO3, MDR, EHOs	
s 59(2)(b)	Function of receiving application to surrender or revoke a permit	PDO3, MDR, EHOs	
s 59(4)	Duty to either consent to the surrender application subject to any conditions or refuse to consent to the surrender within 20 business days after receiving an application	MDR, EHOs	
s 59(7)	Duty to, as soon as practicable after making a decision, give the permit holder a written notice	PDO3, MDR, EHOs	
s 59(9) & (10)	Duty to revoke the permissions if request received in writing and give the permit holder written notice	MDR, EHOs	
s 60(1)	Power to suspend a permission	MDR	
s 60(2)	Duty to give permit holder written notice if proposing to suspend a permission	PDO3, MDR, EHOs	
s 60(3)	Duty to consider submissions	MDR, EHOs	
s 60(4)	Duty to, as soon as practicable after making a decision, give	PDO3,	

**Environment Protection Act 2017**

<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
	the permit holder with written notice	MDR, EHOs	
s 60(6)	Power to remove period of suspension	MDR	
s 60(7)	Power to extend period of suspension	MDR	
s 60(8)	Duty to give permit holder written notice of decision to extend period of suspension	PDO3, MDR, EHOs	
s 61(1) & (2)	Power to revoke permission on own initiative	MDR	
s 61(3)	Duty to give permit holder written notice if proposing to revoke a permission	PDO3, MDR, EHOs	
s 61(4)	Duty to consider submissions	MDR, EHOs	
s 61(5) & (6)	Duty to, as soon as practicable, give permission holder written notice	PDO3, MDR, EHOs	
s 81(1)	Duty to issue a permit subject to any conditions or refuse to issue a permit upon receiving an application under s 50	MDR, EHOs	
s 81(4)	Duty to refuse to issue a permit in circumstances specified	MDR, EHOs	
s 83(1)	Function of receiving application for exemption	PDO3, MDR, EHOs	
s 83(3)	Duty to grant the exemption subject to any conditions or refuse to grant the exemption within 10 business days upon receiving application	MDR, EHOs	
s 84(1)(b)	Function of receiving renewal application	PDO3, MDR, EHOs	
s 84(4)	Duty to renew or refuse to renew the permit	PDO3, MDR,	

**Environment Protection Act 2017**

<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
		EHOs	
s 84(8)	Power to renew permit for (a) a period of not more than 5 years or (b) any shorter period prescribed	PDO3, MDR, EHOs	
s 84(9)	Power to renew a permit more than once	PDO3, MDR, EHOs	
s 114(2)	Power to appoint litter enforcement officer	MDR	Where Council is a litter authority
s 118(1)(b)	Function of receiving a written statement	MDR	Where Council is a litter authority
s 121(1)	Power to issue a waste abatement notice	MDR, EHOs	Where Council is a litter authority
s 121(6)	Power to direct the occupier of the place or premises to remove or dispose of the waste within the time specified in a waste abatement notice	MDR, EHOs	Where Council is a litter authority
s 121(8)	Power to vary or revoke a waste abatement notice	MDR, EHOs	Where Council is a litter authority
s 122(1)	Power to remove or dispose of waste or object or thing	MDR, EHOs, CSOs	Where Council is a litter authority
s 122(2)	Power to recover any reasonable costs incurred in taking action under this section	MDR	Where Council is a litter authority
s 131(1)	Function of receiving signed written report	PDO3, MDR, EHOs	
s 131(2)	Power to take further action	MDR	
s 156(1)	Duty to comply with Order of the Governor in Council	MDR, EHOs	
s 171(1)	Power to appoint a residential noise enforcement officer	MDR	
s 172(1)	Power to issue a residential noise improvement notice	MDR,	



Environment Protection Act 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		EHOs	
s 172(5)(a)	Power to extend time to comply with residential noise improvement notice	MDR, EHOs	
s 172(5)(b)	Power to revoke or amend any requirement specified in a residential noise improvement notice	MDR, EHOs	
s 174(1)	Power to apply for injunctions relating to residential noise	MDR	
s 242(2)	Power to appoint an employee or class of employee as an authorised officer for the purposes of the power or function delegated to council	NOT	
s 242(2A)	Power to appoint a specified person or each member of a specified class of person as an authorised officer for the purposes of the power or function delegated to council	NOT	
s 242(2B)	Duty to prepare and give to the Authority a written report	NOT	
s 347(3)	Power to take proceedings for an offence against a provision relating to permits under the Environment Protection Regulations 2021	MDR	
s 347(4)	Power to take proceedings for an offence against a provision of Part 6.3	MDR	Where Council is a litter authority
s 347(7)	Power to appoint a person who is an employee or an officer of council to take proceedings for offences under ss 25, 27, 286, 287 and 288	NOT	

Environment Protection Regulations 2021			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 21(2)	Power to require an applicant to provide additional information	MDR, EHOs	
r 25	Power to administer prescribed permit activities	MDR, EHOs	
r 33	Duty to inspect on-site wastewater management system and power to issue a certificate approving the use of the system if satisfied that the system complies with the permit	MDR, EHOs	

### Environment Protection Regulations 2021

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 100(1)	Duty to provide information	MDR	
r 100(5)	Duty to provide a report under subregulation (1) within 3 months after the end of the financial year to which the report relates	MDR	
r 161	Function of receiving notification	PDO3, EHOs	
r 162(2)	Power to inspect records under subregulation 1	PDO3, MDR, EHOs	
r 171	Power to take proceedings for specified offences relating to on-site wastewater management systems	MDR, EHOs	
r 215	Power to (a) waive the fee, in whole or parts; or (b) refund the fee paid, in whole or part	MDR	
r 220(2)	Duty to give a person a reasonable opportunity to provide further information in order to decide a new application	MDR, EHOs	

### Estate Agents Act 1980

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 70E(3)	Duty to comply with request of Director or Inspector under s 70E(1) to provide answers or supply information	FSC	

### Family Violence Protection Act 2008

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 144D(3)	Duty to only share confidential information to the extent permitted by Part 5A, or the Regulations	HRBP, MCHNs	Where Council is an 'information sharing entity'
s 144KA	Power to disclose confidential information to a risk assessment entity for a family violence assessment purpose	HRBP, MCHNs	Where Council is an 'information sharing entity'
s 144KB(1)	Function of receiving a request from a risk assessment entity for confidential information for a family violence assessment purpose	HRBP, MCHNs	Where Council is an 'information sharing entity'
s	Function of receiving confidential information from a	HRBP,	Where Council is an 'information sharing

**Family Violence Protection Act 2008**

<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
144KB(2)	risk assessment entity to assist with identifying the confidential information that is relevant to the request and determining whether to disclose confidential information	MCHNs	entity' and a 'responding entity'
s 144KB(3)	Duty to provide to the risk assessment entity written reasons for its failure to comply with the request	HRBP, MCHNs	Where Council is an 'information sharing entity' and a 'responding entity'
s 144KC(1)	Duty to disclose confidential information to a risk assessment entity that has requested the information for a family violence assessment purpose	HRBP, MCHNs	Where Council is an 'information sharing entity'
s 144LA	Power to disclose confidential information to another information sharing entity for a family violence protection purpose	HRBP, MCHNs	Where Council is an 'information sharing entity'
s 144LB(1)	Power to request confidential information from another information sharing entity for a family violence protection purpose	HRBP, MCHNs	Where Council is an 'information sharing entity' and a 'requesting entity'
s 144LB(1)	Function of receiving a request for confidential information from another information sharing entity for a family violence protection purpose	HRBP, MCHNs	Where Council is an 'information sharing entity' and a 'responding entity'
s 144LB(2)	Power to provide the responding entity with any confidential information that may assist the responding entity to identify the confidential information relevant to the request or determine whether to disclose the confidential information	HRBP, MCHNs	Where Council is an 'information sharing entity' and a 'requesting entity'
s 144LB(2)	Function of receiving confidential information from the requesting entity to assist with identifying the confidential information relevant to the request or determining whether to disclose the confidential information	HRBP, MCHNs	Where Council is an 'information sharing entity' and a 'responding entity'
s 144LB(3)	Duty to provide to the requesting entity written reasons for Council's failure to comply with the request	HRBP, MCHNs	Where Council is an 'information sharing entity' and a 'responding entity'
s 144LB(3)	Function of receiving from the responding entity written reasons for failure to comply with the request	HRBP, MCHNs	Where Council is an 'information sharing entity' and a 'requesting entity'
s 144LC(1)	Duty to disclose confidential information to another information sharing entity that has requested the	HRBP, MCHNs	Where Council is an 'information sharing entity' and a 'responding entity'



**Family Violence Protection Act 2008**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	confidential information for a family violence protection purpose		
s 144LC(1)	Function of receiving a request for confidential information from another information sharing entity where the information is for a family violence protection purpose	HRBP, MCHNs	Where Council is an 'information sharing entity' and a 'responding entity'
s 144LD	Power to collect or use any confidential information disclosed to it for a family violence protection purpose	HRBP, MCHNs	Where Council is an 'information sharing entity'
s 144M(1)	Power to disclose confidential information about a person of concern to a primary person for a family violence protection purpose if the confidential information is not excluded information	HRBP, MCHNs	Where Council is an 'information sharing entity'
s 144M(2)	Power to disclose confidential information about a person of concern to the persons set out in s 144M(2)(a) and (b) if the primary person is a child and the confidential information is not excluded information	HRBP, MCHNs	Where Council is an 'information sharing entity'
s 144N	Power to collect, use and disclose confidential information about a relevant person without consent	HRBP, MCHNs	Where Council is an 'information sharing entity'
s 144NA	Duty not to collect, use or disclose confidential information about a primary person who is an adult unless s 144NA(a) or (b) applies	HRBP, MCHNs	Where Council is an 'information sharing entity'
s 144NB	Duty not to collect, use or disclose confidential information about a linked person unless s 144NB(a) or (b) applies	HRBP, MCHNs	Where Council is an 'information sharing entity'
s 144NC(1)	Power to collect, use and disclose confidential information about a primary person who is a child without the consent of any person if s 144NC(1)(a) or (b) applies	HRBP, MCHNs	Where Council is an 'information sharing entity'
s 144NC(2)	Power to collect, use and disclose confidential information about a primary person who is an adult or a linked person without the consent of the linked person if the information relates to confidential information set out in s 144NC(1)(a) and (b)	HRBP, MCHNs	Where Council is an 'information sharing entity'
s	Power to obtain consent from the primary or linked	HRBP,	Where Council is an 'information sharing

Family Violence Protection Act 2008			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
144ND(1)	person's authorised representatives, unless the authorised representative is a person of concern or is alleged to pose a risk of family violence	MCHNs	entity'
s 144P(5)	Duty to comply with any guidelines issued under s 144P when handling confidential information in accordance with Part 5A	HRBP, MCHNs	Where Council is an 'information sharing entity'
s 144PB	Duty to record the prescribed information in respect of the information sharing entity's collection, use and disclosure of confidential information in accordance with Part 5A, and the Regulations	HRBP, MCHNs	Where Council is an 'information sharing entity'
s 144QA	Power to refuse to give an individual access to their confidential information under a relevant privacy law if s 144QA(1)(a) and (b) apply	HRBP, MCHNs	Where Council is an 'information sharing entity'
s 190	Duty to ensure that Council's relevant policies, procedures, practice guidance and tools align with the Framework	HRBP, MCHNs	Where Council is a 'framework organisation' that provides services relevant to family violence risk assessment and family violence risk management

Fences Act 1968			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 14(2)	Function of providing certain information to assist an owner of land to give a fencing notice	RVO, FSC, PAO	
s 16(1)	Power to agree with adjoining owner of land on a fence line other than common boundary	RVO, FSC, PAO	With respect to land owned by or under the control of Council

Filming Approval Act 2014			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
sch 1 Principle 1	Duty to not unreasonably withhold the approval of an application for a film permit, subject to this Act and any other Act	CEC	
	Power to consider operational requirements such as commercial agreements and the maintenance of any land or facilities. or to consider public amenity, safety and security, and environmental	CEC	

### Filming Approval Act 2014

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	and heritage impacts when approving a permit application		
sch 1 Principle 2	Duty to approve or refuse an application for a film permit in a timely manner and to take reasonable steps to respond to an applicant within 5 business days	CEC	
sch 1 Principle 3	Duty to give reasons for refusal of a film permit application.	CEC	
sch 1 Principle 4	Duty to take reasonable steps to provide a single point of contact to deal with commercial filming on public land	CEC	
sch 1 Principle 5	Duty to ensure that any application forms and other documents required to consider an application for a film permit are consistent with any standard forms or documents issued by Film Victoria	CEC	
sch 1 Principle 6	Duty for fees charged for applications for film permits and issuing film permits not exceed cost recovery	CEC	
sch 1 Principle 7	Duty to publish information about how a person may apply for a film permit on its website or on a website approved by Film Victoria	CEC	
sch 1 Principle 8	Duty to take reasonable steps to ensure that staff responsible for considering and issuing film permits are given appropriate information regarding the film industry	CEC	

### Fines Reform Act 2014

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 10F(4)	Function of receiving notice from Director regarding where infringement notice waived	MDR	
s 10S(1)	Function of receiving a direction to suspend any enforcement action	MDR	
s 10S(4)	Function of receiving notice of family violence scheme (FVS) applications	MDR	
s 10U(1)(c)	Function of receiving a direction to withdraw an infringement notice and take no further action in relation to the relevant offence	MDR	



**Fines Reform Act 2014**

<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 10U(2)(a)	Duty to withdraw an infringement notice	MDR	If directed by the Director of Fines Victoria and within 28 days of the direction  By issuing a withdrawal notice that complies with s 19(a) and (b)(iii) of the Infringements Act 2006
s 10U(2)(b)	Duty to notify the Director and the FVS eligible person of the withdrawal of the infringement notice	MDR	
s 10V(4)	Function of receiving a direction to, and a duty to, take no enforcement action during the enforcement suspension period	MDR	
s 10V(6)	Power to take any action referred to in s 38(1)(a) with respect to the FVS eligible offence	MDR	if an effective known user statement is cancelled under s 84BF of the Road Safety Act 1986, and the FVS eligible offence is referred to Council
s 10V(7)(c)	Function of receiving a direction to withdraw an infringement notice and take no further action in relation to the relevant offence	MDR	
s 10V(9)(a)	Duty to withdraw an infringement notice	MDR	If directed by the Director of Fines Victoria and within 28 days of the direction  By issuing a withdrawal notice that complies with s 19(a) and (b)(iii) of the Infringements Act 2006
s 10V(9)(b)	Duty to notify the Director and the FVS eligible person of the withdrawal of the infringement notice	MDR	
s 10W(1)	Function of receiving a written notice of the Director of Fines Victoria's determination	MDR	If the Director of Fines Victoria determines that an FVS applicant is not an FVS eligible person in respect of an FVS eligible offence
s 10W(4)	Power to, 21 days after the Director has notified the FVS applicant of their ineligibility, immediately resume enforcement action	MDR	If the Director of Fines Victoria determines that an FVS applicant is not an FVS eligible person in respect of the relevant FVS eligible offence under s 10T
s 10X(2)	Function of receiving referred matters from the Director of Fines Victoria	MDR	

# Fines Reform Act 2014

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 10Y(1)(a)	Power to withdraw an infringement notice and take no further action or issue an official warning	MDR	Where the Director of Fines Victoria refers an infringement offence under s 10X(2) by issuing a withdrawal notice under s 19 of the Infringements Act 2006
s 10Y(1)(b)	Power to file a charge-sheet charging the offence	MDR	
s 16	Function of registering infringement fines with Director of Fines Victoria and paying the prescribed fee	MDR	
s 20(4)	Function of being advised by Director of Fines Victoria of determination	MDR	
s 21(1)	Power to withdraw infringement notice, issue official warning or file a charge-sheet upon receipt of notice under s 20	MDR	
s 21A	Duty to notify Director of Fines Victoria of commencement of proceeding by filing a charge-sheet under s 21(1)(c) in writing	MDR	
s 22	Power to request Director of Fines Victoria not to issue or serve notice of final demand	MDR	
s 37(2)	Function of receiving written notice of enforcement cancellation from Director of Fines Victoria	MDR	
s 38	Duty, once served notice of an enforcement cancellation notice, to withdraw notice, withdraw notice and issue a written warning or withdraw notice and commence proceeding	MDR	
s 38A	Duty to notify Director of Fines of commencement of proceeding by filing a charge-sheet under s 38(1)(a)(iii) in writing	MDR	
s 43	Power to refer infringement fine to Director of Fines Victoria for management by payment arrangement upon request	MDR	
s 44	Function of receiving notice of notification of refusal of application under s 43	MDR	

### Fines Reform Act 2014

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 48(2)	Duty to request Director of Fines Victoria to remove infringement fine if infringement notice withdrawn	MDR	
s 54(1)	Duty to provide Director of Fines Victoria with most up-to-date contact details of persons where referring infringement fine	MDR	
s 54(5)	Function of receiving notice from Director of Fines Victoria where fine recipient makes certain requests or the payment arrangement that applies to that person is cancelled under s 56	MDR	
s 174	Function of receiving request from the Director of Fines Victoria or the sheriff	MDR	Where Council is a 'specified body'
s 175	Duty to comply with a request from the Director of Fines Victoria or the Sheriff for the supply of information for the purpose of enforcing registered fines	MDR	Where Council is a 'specified body'  Unless the CEO of the Council certifies in writing that exceptional circumstances apply

### Fire Rescue Victoria Act 1958

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 4J(4)	Function of consulting with Fire District Review Panel	EMC	
s 5	Duty to take all practicable steps to prevent fire and minimise spread of fires	N/A	
s 5(2)	Power to acquire equipment and do anything necessary to fulfil duty under s 5(1) and pay for it from municipal fund	N/A	
s 5A(1)(a)	Duty to appoint fire prevention officer	N/A	
s 5A(1)(b)	Power to appoint assistant fire prevention officer	N/A	
s 72(1)	Power to request the Board to carry out fire prevention works	N/A	
s 72(2)	Duty to pay for any fire prevention work carried out	EMC	
s 72(3)	Power to consent to carrying out fire prevention work	EMC	



### Fire Rescue Victoria Act 1958

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 77(3)	Function of receiving penalties recovered for offences committed against s 91	EMC	If fire prevention notice was issued by a fire prevention officer

### Flora and Fauna Guarantee Act 1988

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 4C(1)	Function of receiving a request for information from the Minister	MDR	Where Council is a public authority
s 4C(2)	Duty to comply with a Minister's request for information under s 4C(1)	MDR	Where Council is a public authority
s 7(2)	Function of consulting with the Secretary either before the action starts or, if the action has already started, within 15 days of the request being made	MDR	Where Council is a public authority If the Secretary is of the opinion that an action taken or to be taken by Council is likely to threaten the survival of a listed taxon or community of flora or fauna or a critical habitat
s 20B(1)(a)	Function of receiving written notice from the Secretary	MDR	Where Council is a landholder of any land that is within the area of the proposed determination
s 20B(1)(b)	Function of receiving written notice from the Secretary	MDR	Where Council is a public authority that performs a function or exercises a power in the area of the proposed determination
s 20B(5)	Power to request that the information set out in s 20B(3) be withheld	MDR	Where Council is a landholder
s 25(1)	Function of being party to an agreement for management of flora and fauna	MDR	
s 29(1)(a)	Function of receiving notice of the making of a habitat conservation order from the Minister in relation to land within the critical habitat	MDR	Where Council is a landholder
s 29(1)(b)	Function of receiving notice of the making of a habitat conservation order from the Minister	MDR	Where Council is a public authority that performs a function or exercises a power in the critical habitat
s 57(2)(h)	Function of giving, to an authorised officer, samples of	MDR	Where Council is the landholder of the

### Flora and Fauna Guarantee Act 1988

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	any thing in respect of which the authorised officer suspects that there has been a contravention of the Flora and Fauna Guarantee Act 1988 (Vic) or an instrument referred to in s 57(1) that is found at the land, building or vehicle		land or is apparently in charge of the building or vehicle (as the case requires)
s 57(2)(k)	Function of receiving notice from an authorised officer	MDR	Where Council is the landholder of the land

### Food Act 1984

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 7D(3)	Duty to comply with a declaration made by the Secretary under s 7D(1)	MDR, EHOs	
s 7E(6)	Duty to publish a copy of a direction given by the Minister under s 7E(1) in the annual report	MDR, EHOs	
s 19(4)(b)	Duty to notify the Secretary of the making of the order	MDR, EHOs	If s 19(1) applies
s 19(4)(c)	Duty to notify the registration authority of the making of the order and any appeal and the outcome of the appeal	MDR, EHOs	If s 19(1) applies and if Council is not the registration authority
s 19A(4)(b)	Function of receiving notice from authorised officer	MDR, EHOs	Where Council is the registration authority
s 19BA(3)	Duty to give notice of the variation or revocation of the order to the general public in the same manner as the original notice	MDR, EHOs	Must be done by the same person as gave the original notice
s 19EA(3)	Function of receiving a copy of any significant revision made to the food safety program	MDR, EHOs	Where Council is the registration authority
s 19H(5)(a) & (5)(b)	Duty to take into account (a) the food safety performance of the food business; and (b) any guidelines issued by the Secretary in determining the frequency and intervals of the assessments and audits	MDR, EHOs	Where Council is the registration authority
s 19I	Duty to conduct a food safety assessment as required under s 19H	MDR, EHOs	Subject to s 19J  Where Council is the registration authority

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 19IA(2)	Duty to give written notice to proprietor if food safety requirements or s 19DC(2) have not been complied with unless s 19IA(3) applies.	MDR, EHOs	Where Council is the registration authority
s 19N	Function of receiving information from a food safety auditor	MDR, EHOs	Where Council is the registration authority
s 19U(4)	Duty to ensure that information relating to costs of a food safety audit are available for inspection by the public	MDR, EHOs, PDOs	
s 19UA(4)	Duty to consider proprietor's history of compliance in deciding whether to charge the fee	MDR, EHOs	
s 19UA(5)	Duty to ensure that the method of determining a fee under s 19UA(3)(a) and the considerations that apply under s 19UA(4) are available for inspection by the public	MDR, EHOs	
s 20(1C)	Duty to ensure authorised officers are suitably qualified or trained	MDR, EHOs	
s 20(2)	Power to limit or impose conditions on the authority granted to an authorised officer	MDR, EHOs	
s 26(5)	Duty to destroy or dispose of article	MDR, EHOs	
s 32(1)	Duty to submit samples of food for analysis	MDR, EHOs	
s 32(3)	Function of receiving report by analyst	MDR, EHOs	
s 35A(2)	Function of receiving notice of operation from the proprietor of a food premises	MDR, EHOs, PDOs	Where Council is the registration authority
s 37	Function of receiving application, information and documents required under s 36 from the proprietor of a food business	MDR, EHOs, PDOs	
s 38(3)	Duty to consult with the Secretary about the proposed exemption under s 38(2)	MDR, EHOs	



**Food Act 1984**

<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 38AA(2)	Function of being notified of operation	MDR, EHOs	Where Council is the registration authority
s 38AA(4)	Duty to determine whether the food premises are exempt from the requirement of registration	MDR, EHOs	Where Council is the registration authority
s 38A(5) & (6)	Function of receiving a food safety audit certificate from a proprietor	MDR, EHOs, PDOs	Where Council is the registration authority
s 38B(1)(c)	Duty to inspect premises	MDR, EHOs	Where Council is the registration authority
s 38E(1)(c)	Function of assessing the requirement for a food safety program	MDR, EHOs	Where Council is the registration authority
s 38E(3)(a)	Function of receiving certificates	MDR, EHOs, PDOs	Where Council is the registration authority
s 38F(3)(a)	Duty to note the change to the classification of the food premises on the certificate of registration	MDR, EHOs, PDOs	Where Council is the registration authority
s 39(2)	Duty to inspect within 12 months before renewal of registration	MDR, EHOs	Where Council is the registration authority
s 39(3)	Duty to inspect within 3 months before renewal of registration if circumstances in s 39(3)(a)-(d) apply	MDR, EHOs	Where Council is the registration authority
s 39A(6)	Duty to comply with direction of Secretary.	MDR, EHOs	
s 40(1)	Duty to issue a certificate of registration in the prescribed form	MDR, EHOs, PDOs	Where Council is the registration authority
s 40D(2)	Duty to specify how long a suspension is to last under s 40D(1)	MDR, EHOs	Where Council is the registration authority
s 40E(4)	Duty to comply with direction of Secretary	MDR, EHOs	
s 43(1) and (2)	Duty to maintain records of the prescribed particulars and orders in force under Part III	MDR, EHOs,	Where Council is the registration authority

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		PDOs	
s 43(3)	Duty to make available information held in records, free of charge, on request	MDR, EHOs, PDOs	Where Council is the registration authority
s 43I	Function of receiving a statement of trade of a proprietor of a food business	MDR, EHOs, PDOs	
s 45AA	Power to act in proceedings against the Crown	MDR, EHOs	Power of the responsible agency
s 45AC	Power to bring proceedings for an offence under the Act	MDR, EHOs	
s 53G(1)	Duty to provide information in s 53G(1) to the Secretary as soon as practicable after a person is convicted by a court for an offence under this Act	MDR, EHOs	Where Council is the 'relevant Council' under s 53G(6)
s 53G(2)	Duty to advise the Secretary that a person has not appealed a conviction within the time allowed	MDR, EHOs	Where Council is the 'relevant Council' under s 53G(6)
s.53G(3)	duty to inform the Secretary of the fact that an appeal or application for leave is lodged against the conviction and of other matters in this subsection	MDR, EHOs	where Council is the relevant Council under subsection (6)
s 53G(4)	Duty to inform the Secretary of the outcome of the appeal or application	MDR, EHOs	Where Council is the 'relevant Council' under s 53G(6)
s 58(1)	Duty to notify the Victorian Liquor Commission where an order is made under s 19 of the Act and a licence/permit under the Liquor Control Reform Act 1998 is in force	EHOs	Where Council is the registration authority
s 58(2)	Duty to notify the Victorian Liquor Commission when a holder of a permit/licence under the Liquor Control Reform Act 1998 is found guilty or pleads guilty and in respect of which no conviction is recorded	EHOs	Where Council is the registration authority
s 58B(1)	Power to take action in relation to a thing done or omitted at the food premises	MDR, EHOs	Where Council is the registration authority for the temporary or mobile food premises
s 58B(2)	Power to take into account results of inspection, assessment, audit or other action taken by another	MDR, EHOs	Where Council is the registration authority for the temporary or mobile

### Food Act 1984

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	registration authority in relation to temporary or mobile food premises		food premises
s 59C(2)	Power to take actions necessary to ensure compliance with direction under Part III or Part VII	MDR, EHOs	
s 59C(7)(b)	Power to recover costs incurred under s 59C(2) or (3)	MDR	
s 71(a)	Power to revoke or suspend of the registration of the food premises under Part IIIB or s 40D in certain circumstances	MDR, EHOs	

### Freedom of Information Act 1982

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 7	Duty to publish information	RGL	
s 49D(3)	Power to request a copy of the application from the Information Commissioner	RGL	
s 49G(3)	Function of receiving notice from the Information Commissioner	RGL	
s 49I	Duty to assist the Information Commissioner to undertake a review	RGL	
s 49K	Function of consulting with the Information Commissioner	RGL	
s 49KA(2)(a)	Function of processing or identifying a reasonable sample of the documents upon notice from the Information Commissioner	RGL	If the Information Commissioner reasonably believes that an agency or Minister has failed to undertake an adequate search for documents that relate to a decision that is the subject of a review under Division 1
s 49KA(2)(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	RGL	If the Information Commissioner reasonably believes that an agency or Minister has failed to undertake an adequate search for documents that relate to a decision that is the subject of a review under Division 1
s 49KA(3)	Duty to comply with requests under s 49KA(2) within the reasonable time stated in the	RGL	If the Information Commissioner reasonably believes that an agency or Minister has failed



# Freedom of Information Act 1982

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Information Commissioner's notice, being not less than 10 business days		to undertake an adequate search for documents that relate to a decision that is the subject of a review under Division 1
s 49KA(4)	Power to apply for extension	RGL	
s 49KA(7)	Duty to notify the Information Commissioner within 3 business days after the end of the period referred to in s 49KA(2) or (3) of the information contained in s 49KA(7)(a)-(b)	RGL	If the Information Commissioner reasonably believes that an agency or Minister has failed to undertake an adequate search for documents that relate to a decision that is the subject of a review under Division 1
s 49KA(8)	Function to have the matter referred from the Information Commissioner in accordance with s 49L	RGL	If the Information Commissioner reasonably believes that an agency or Minister has failed to undertake an adequate search for documents that relate to a decision that is the subject of a review under Division 1
s 49L(1A)	Duty to make a fresh decision where a matter is referred back to Council by the Information Commissioner	RGL	Decision must be made within 28 days of referral, unless other time period agreed under s 49L(2)
s 49L(2)	Power to agree with the Information Commissioner to another time period for making the fresh decision under s 49L(1)	RGL	
s 49L(4)	Duty to notify the Information Commissioner that a fresh decision has been made or has not been made	RGL	
s 49L(5)	Duty to revoke the earlier decision where a fresh decision has been made and to inform the applicant of the requirements of s 49L(6) and the effect of s 49(7)	RGL	
s 49M(1)	Power to exercise a choice to reconsider the subject matter of an application for review and make a fresh decision	RGL	<p>Must advise the Information Commissioner and the applicant in writing</p> <p>Decision must be made within 28 days of referral, unless other time period agreed under s 49M(2)</p> <p>May make a fresh decision only once during a review under this part s 49M(8)</p>

Freedom of Information Act 1982			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 49M(2)	Power to agree with Information Commissioner to another time period for making a fresh decision	RGL	
s 49M(4)	Duty to notify the Information Commissioner in writing of a whether a fresh decision has or has not been made	RGL	
s 49M(5)	Duty to revoke the earlier decision where a fresh decision has been made and to inform the applicant of the requirements of s 49M(6) and the effect of s 49M(7)	RGL	
s 49N	Function of liaising with the Information Commissioner to informally resolve a matter that is the subject of a review	NOT	
s 50(3D)	Power to apply to the Tribunal for review of a decision of the Information Commissioner under s 49P	RGL	
s 50(3F)	Duty to notify the Information Commissioner of an application for review under s 50(3D)	RGL	
s 50(3FA)	Duty to notify the Information Commissioner of an application for review under s 50(3D1) (b), (c), (d) or (g)	RGL	
s 53(6)	Power to make an application to the Tribunal for an extension of time	RGL	
s 53A(1)	Duty to, if practicable, give written notice in accordance with s 53A(2)	RGL	
s 61E	Duty to co-operate with Information Commissioner where a complaint relates to the agency	RGL	
s 61G	Function of consulting with the Information Commissioner	RGL	
s 61GA(1)(a)	Function of processing or identifying a reasonable sample of the documents upon notice from the Information Commissioner	RGL	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

### Freedom of Information Act 1982

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			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 Minister, upon notice from the Information Commissioner	RGL	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	RGL	
s.61GA(3)	power to apply for extension	RGL	
s 61H	Power to reach an agreement with a complainant	RGL	
s 61I(2)	Power to make submissions to the Information Commissioner in relation to a complaint	RGL	
s.61L(5)	Power to comment on, and respond to, a draft recommendation	RGL	
s 63BA(1)	Power to apply to the Supreme Court to determine whether the Information Commissioner, or the Public Access Deputy Commissioner, has jurisdiction to serve a notice to produce or attend	RGL	
s 64B	Duty to provide the Information Commissioner any information referred to in s 64(2)	RGL	
s 65AB	Duty to notify the responsible Minister if Council seeks leave to appeal	NOT	

### Gambling Regulation Act 2003

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 3.3.5	Function of receiving a copy of proposed applications	MDR	
s 3.3.5AA	Function of receiving notification from the Commission	MDR	



Gambling Regulation Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 3.3.5AB(2)	Function of receiving a copy of the amended application	MDR	
s 3.3.5B	Duty to notify the Commission in writing as to whether it intends to make a submission under s 3.3.6	MDR	
s 3.3.6	Power to make submission to Commission on application for approval of premises	MDR	
s 3.3.8(4)	Function of receiving notification from the Commission of its decision	MDR	
s 3.3.14	Power to apply to Tribunal for review of Commission's decision granting approval of premises	MDR	
s 3.4.18(2)	Function of receiving a copy of proposed request	MDR	
s 3.4.18A	Function of receiving notification from the Commission that it has received a request	MDR	
s 3.4.18B(2)	Function of receiving amended copies of proposed request	MDR	
s 3.4.18C	Duty to notify Commission as to whether it intends to make a submission under s 3.4.19	MDR	
s 3.4.19	Power to make submission to the Commission addressing the economic and social impact of a proposed licence amendment on the wellbeing of the community of the municipal district in which the approved venue (or venue whose approval under Part 3 is suspended) is located; and taking into account the impact of the proposed amendment on surrounding municipal districts	MDR	
s 3.4.21(2)	Power to apply to Tribunal for review of Commission's decision relating to amendment increasing number of gaming machines	MDR	
s 8.5.3(2)	Function of receiving a copy of application for bingo centre	MDR	
s 8.5.5	Power to submit report to Commission on application received under s 8.5.3(3)(a)	MDR	

Gender Equality Act 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations

**Gender Equality Act 2020**

<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 7(a)	Duty to consider and promote gender equality	HRBP	Where Council is a 'defined entity'
s 7(b)	Duty to take necessary and proportionate action towards achieving gender equality	HRBP	Where Council is a 'defined entity'
s 9(1)	Duty to undertake a gender impact assessment	HRBP	Where Council is a 'defined entity'
s 10(1)	Duty to prepare a Gender Equality Action Plan	HRBP	Where Council is a 'defined entity'
s 10(2)(a)	Duty to take into account the gender equality principles in preparing a Gender Equality Action Plan	HRBP	Where Council is a 'defined entity'
s 10(2)(b)	Duty to consult in preparing a Gender Equality Action Plan	HRBP	Where Council is a 'defined entity'
s 10(3)	Duty to ensure adequate resources are allocated to developing and implementing the Gender Equality Action Plan	HRBP	Where Council is a 'defined entity'
s 11(1)	Duty to undertake a workplace gender audit before developing a Gender Equality Action Plan	HRBP	Where Council is a 'defined entity'
s 11(2)(d)	Power to determine any other matters that are relevant	HRBP	Where Council is a 'defined entity'
s 12(1)	Duty to submit a Gender Equality Action Plan to the Commissioner	HRBP	Where Council is a 'defined entity'
s 12(2)	Power to request an extension of time to submit the Gender Equality Action Plan	HRBP	Where Council is a 'defined entity'
s 12(3)(a)	Duty to, within a reasonable time after submitting the Gender Equality Action Plan to the Commissioner, publish the completed Gender Equality Action Plan on Council's website	HRBP	Where Council is a 'defined entity'
s 12(3)(b)	Duty to, within a reasonable time after submitting the Gender Equality Action Plan to the Commissioner, notify the councillors, employees and employee representatives of the publication	HRBP	Where Council is a 'defined entity'
s 13(1)	Power to submit to the Commissioner a report or document	HRBP	Where Council is a 'defined entity'

Gender Equality Act 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	prepared by Council for another purpose and request that it be taken to be a Gender Equality Action Plan		
s 13(3)	Duty to, if a report or other document is taken to be a Gender Equality Action Plan, publish it on Council's website, and notify the councillors, employees and employee representatives of the publication	HRBP	Where Council is a 'defined entity'
s 15(1)	Power to amend its Gender Equality Action Plan at any time if considers the amendment is considered necessary	HRBP	Where Council is a 'defined entity'
s 15(2)(a)	Duty to submit the amended Gender Equality Action Plan to the Commissioner	HRBP	Where Council is a 'defined entity'
s 15(2)(b)	Duty to, within a reasonable time after submitting the amended Gender Equality Action Plan to the Commissioner, publish the amended plan on Council's website, and notify the councillors, employees and employee representatives of the publication	HRBP	Where Council is a 'defined entity'
s 16(1)	Duty to make reasonable and material progress in relation to the workplace gender equality indicators	HRBP	Where Council is a 'defined entity'
s 18(1)	Duty to make reasonable and material progress towards meeting gender equality targets prescribed	HRBP	Where Council is a 'defined entity'
s 18(2)	Duty to make reasonable and material progress towards meeting gender equality quotas prescribed	HRBP	Where Council is a 'defined entity'
s 19(1)	Duty to submit a progress report to the Commissioner	HRBP	Where Council is a 'defined entity'
s 19(2)	Power to request an extension of time to submit a progress report	HRBP	Where Council is a 'defined entity'
s 19(4)	Duty not to identify or report on a policy, program or service if it would disclose any of the information set out in s 19(4)(a) – (c)	HRBP	Where Council is a 'defined entity'
s 20	Duty to publish Council's progress report on its website as soon as reasonably practicable after it is submitted under s 19(1)	HRBP	Where Council is a 'defined entity'
s 22(1)	Function of being issued with a compliance notice from the Commissioner	HRBP	Where Council is a 'defined entity'



### Gender Equality Act 2020

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 22(2)	Duty to comply with the compliance notice	HRBP	Where Council is a 'defined entity'
s 24(1)	Power to, 14 days after receiving a compliance notice, give a written response to the Commissioner outlining Council's reasons for disagreeing with the compliance notice	HRBP	Where Council is a 'defined entity'
s 25(1)	Power to apply to the Tribunal for review of the Commissioner's decision to confirm a compliance notice under s 24(2)(c)	NOT	Where Council is a 'defined entity'
s 26(a)	Power to provide the Commissioner with a written undertaking	NOT	Where Council is a 'defined entity'
s 27(2)	Power to, with the consent of the Commissioner, withdraw or vary the undertaking	NOT	Where Council is a 'defined entity'
s 47(2)	Duty to have regard to any guidelines issued under s 47(1)	HRBP	Where Council is a 'defined entity'
s 48(2)	Duty to have regard to the guidelines	HRBP	Where Council is a 'defined entity' and subject to guidelines issued under s 48(1)
s 49(2)	Duty to have regard to the guidelines	HRBP	Where Council is a 'defined entity' and subject to guidelines issued under s 49(1)
s 51(1)	Duty to, before publication, remove any personal information from a Gender Equality Action Plan and progress report	HRBP	Where Council is a 'defined entity'
s 51(2)	Duty to, when submitting to the Commissioner material that is likely to be published, advise the Commissioner whether the material contains any personal information	HRBP	Where Council is a 'defined entity'

### Graffiti Prevention Act 2007

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 18(1)	Power to take action necessary to remove or obliterate graffiti from private premises where graffiti is visible from a public place, in accordance with s 18	SRC, SWC, APO	
s 18(2)	Power to enter private property for the purpose of s 18(1) if notice provided and owner has given written consent to removal of graffiti and entry	SRC, SWC, APO	

### Graffiti Prevention Act 2007

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 18(2)(a)	Power to serve notice regarding proposal to remove or obliterate graffiti at least 28 days before action proposed to be taken	SRC, SWC, APO	
s 18(3)(a)	Duty to serve notice regarding proposal to remove or obliterate graffiti at least 10 days before it is proposed to take action to remove or obliterate graffiti (where entry to private premises not necessary)	SRC, SWC, APO	
s 18(3)(b)	Power to remove or obliterate graffiti (where entry not necessary), Where written notice of proposed action given and owner gives consent or does not object in accordance with notice	SRC, SWC, APO	
s 18(3A)	Power to take further action to remove or obliterate graffiti	SRC, SWC, APO	Within 3 months after Council has taken action under subsection (3)
s 18(8)(a)	Duty to take reasonable steps to consult with owner or occupier in relation to manner of taking action to remove or obliterate graffiti	SRC, SWC, APO	
s 18(8)(b)	Duty to ensure that work is done by an authorised person, where entry to the property is necessary under s 18(1)	SRC, SWC, APO	
s 18(8)(c)	Duty to ensure that work is carried out expeditiously and to avoid unnecessary inconvenience and disruption and with reasonable care and to reasonable standards	SRC, SWC, APO	
s 19(1)	Power to authorise a person to carry out Council's functions under s 18.	CEO	
s 19(2)(c)	Power to determine performance criteria for authorised persons	CEO	
s 20(1)	Duty to issue an identity card to an authorised person	HRBP, PAYO	

### Great Ocean Road and Environs Protection Act 2020

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 12	Duty to apply the principles set out in ss 13, 14,	N/A	This provision applies to responsible entities

Great Ocean Road and Environs Protection Act 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	15 and 16 in Part 3 when performing a function or duty or exercising a power in relation to the Great Ocean Road coast and parks		including Colac Otway Shire Council, Corangamite Shire Council Moyne Shire Council, Surf Coast Shire Council and Warrnambool City Council
s 22(1)(f)	Duty to comply with parts of the Great Ocean Road strategic framework plan that are binding on Council and duty to have regard to the other parts as required by the plan	N/A	This provision applies to responsible entities including Colac Otway Shire Council, Corangamite Shire Council Moyne Shire Council, Surf Coast Shire Council and Warrnambool City Council
s 41	Duty to make an approved Great Ocean Road strategic framework plan available for public inspection at the Council office and internet site	N/A	This provision applies to responsible entities including Colac Otway Shire Council, Corangamite Shire Council Moyne Shire Council, Surf Coast Shire Council and Warrnambool City Council
s 49A	Function of providing information to the Authority	N/A	This provision applies to a responsible entity
s 49B	Function of consulting with the Authority, if planning the development of visitor facilities or visitor infrastructure	N/A	This provision applies to a responsible entity
s 49C	Duty to comply with guidelines issued by the Authority	N/A	This provision applies to a responsible entity
s 63	Duty to prepare an annual report on the implementation of the approved Great Ocean Road strategic framework plan during the previous year	N/A	This provision applies to responsible entities including Colac Otway Shire Council, Corangamite Shire Council Moyne Shire Council, Surf Coast Shire Council and Warrnambool City Council

Health Records Act 2001			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 48	Function of receiving notice of complaint from the Health Complaints Commissioner	HRBP, RGL	
s 51(1)	Function of receiving notice that Health Complaints Commissioner has declined to entertain a complaint	HRBP, RGL	
s 51(3)	Function of receiving notice that Health Complaints Commissioner referred complaint	HRBP, RGL	



# Health Records Act 2001

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 52(2)	Function of receiving notice that Health Complaints Commissioner referred complaint to registration board	HRBP, RGL	
s 53(2)	Function of receiving notice that Health Complaints Commissioner has dismissed a stale complaint	HRBP, RGL	
s 56(3)	Power to indicate wishes with respect to whether conciliation appropriate	HRBP, RGL	
s 56(4)	Function of receiving notice of Health Complaints Commissioner's decision under s 56(1)	HRBP, RGL	
s 57(4)	Function of receiving notice that Health Complaints Commissioner has dismissed the complaint after deciding conciliation is inappropriate	HRBP, RGL	
s 61(1)(b)	Power to sign the record of a conciliation agreement	HRBP, RGL	
s 61(2)	Power to lodge a copy of the record with the Tribunal	HRBP, RGL	
s 63(1)	Function of receiving notice that conciliation has failed	HRBP, RGL	
s 63(8)	Function of receiving notice that Health Complaints Commissioner has dismissed the complaint following a failed conciliation	HRBP, RGL	
s 63(10)	Function of receiving notice that Health Complaints Commissioner is to conduct an investigation of the complaint	HRBP, RGL	
s 64(2)	Function of receiving notice of Health Complaints Commissioner's ruling	HRBP, RGL	
s 64(7)	Duty to report on action taken following notice of a ruling requiring specified action	HRBP, RGL	
s 65(1)	Power to require the Health Complaints Commissioner to refer the complaint to the Tribunal	HRBP, RGL	
s 72	Power to apply to the Tribunal for review of a decision to serve a compliance notice	HRBP, RGL	
s 73(1)	Power to apply to the Tribunal for an interim order	HRBP, RGL	

### Heavy Vehicle National Law 2012

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 118(1)(b)	Duty to give or not give consent to the grant of a mass or dimension exemption notice for a category of heavy vehicles	MPL, COO, TOAs	Where Council is the relevant road manager  Must comply with requirements of s 156
s 124(1)(b)	Duty to give or not give consent to the grant of a mass or dimension exemption permit for a heavy vehicle	MPL, COO, TOAs	Where Council is the relevant road manager  Must comply with requirements of s 156
s 139(1)(b)	Duty to give or not give consent to the grant of a class 2 heavy vehicle authorisation notice	MPL, COO, TOAs	Where Council is the relevant road manager
s 145(1)(b)	Duty to give or not give consent to the grant of a class 2 heavy vehicle permit	MPL, COO, TOAs	Where Council is the relevant road manager
s 156(1)	Duty to give or not give consent	MPL, COO, TOAs	Where Council is the relevant road manager
s 156(2)	Power to request a longer period to decide to give or not give consent under s 156(1)	MPL, COO, TOAs	Where Council is the relevant road manager
s 156(3)	Function of giving Regulator a written statement explaining its decision not to give consent	MPL, COO, TOAs	Where Council is the relevant road manager  Statement must comply with s 172
s 157(2)	Function of receiving notice from the Regulator that an applicant has been notified of the third party consultation requirement	MPL, COO, TOAs	Where Council is the relevant road manager
s 158(2)	Duty to, as far as practicable, deal with the request for consent, where consultation with other entity is not yet completed	MPL, COO, TOAs	Where Council is the relevant road manager
s 158(4)	Power to decide to give or not give the consent in the circumstances	MPL, COO, TOAs	Where Council is the relevant road manager
s 159	Power to notify the Regulator that a route	MPL,	Where Council is the relevant road

# Heavy Vehicle National Law 2012

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	assessment is required and the fee payable for the route assessment	COO, TOAs	manager
s 159(4)	Power to stop considering whether to give or not to give consent until route assessment fee is paid	MPL, COO, TOAs	Where Council is the relevant road manager
s 160(1)	Power to consent to the grant of a mass or dimension authority subject to a road condition listed in (a) or (b)	MPL, COO, TOAs	Where Council is the relevant road manager
s 160(2)	Duty to give the Regulator a written statement explaining the decision to consent subject to conditions	MPL, COO, TOAs	Where Council is the relevant road manager Statement must comply with s 172
s 161(1)	Power to consent to the grant of a mass or dimension authority subject to a travel condition	MPL, COO, TOAs	Where Council is the relevant road manager
s 161(2)	Duty to give the Regulator a written statement explaining the decision to consent subject to travel conditions	MPL, COO, TOAs	Where Council is the relevant road manager Statement must comply with s 172
s 162(1)	Power to request the Regulator to impose a stated vehicle condition on the authority	MPL, COO, TOAs	Where Council is the relevant road manager
s 162(2)(b)	Function of being notified of the decision under s 162(2)(a)	MPL, COO	Where Council is the relevant road manager
s 163(3)	Duty to give or not give consent within 3 months or longer as agreed with Regulator	MPL, COO, TOAs	Where Council is the relevant road manager
s 167(2)(b)	Power to give the Regulator a notice of objection to the application of s 167 to the proposed replacement authority	MPL, COO, TOAs	Where Council is the relevant road manager
s 167(2)(c)	Function of receiving notice that the Regulator withdraws the proposed replacement authority from the expedited procedure	MPL, COO, TOAs	Where Council is the relevant road manager



# Heavy Vehicle National Law 2012

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 167(3)	Power to give written notice of consent or refusal	MPL, COO, TOAs	Where Council is the relevant road manager
s 169	Power to give consent to the grant of a mass or dimension authority for a trial period	MPL, COO, TOAs	Where Council is the relevant road manager
s 170(1)	Function of being notified by the Regulator of renewal of mass or dimension authority for trial period	MPL, COO, TOAs	Where Council is the relevant road manager
s 170(3)	Power to give written objection	MPL, COO	Where Council is the relevant road manager
s 174(2)(a)	Power to request the Regulator to amend the mass or dimension authority, where satisfied of matters in s 174(1)	MPL, COO, TOAs	Where Council is the relevant road manager
s 174(2)(b)	Power to request the Regulator to cancel the mass or dimension authority, where satisfied of matters in s 174(1)	MPL, COO, TOAs	Where Council is the relevant road manager
s 174(4)(c)	Function of receiving notice from the Regulator that the road authority must not comply with the request	MPL, COO, TOAs	Where Council is the relevant road manager
s 176	Duty to give or not give consent to an amendment of a mass or dimension authority	MPL, COO, TOAs	Where Council is the relevant road manager  The provisions relating to a request for consent under Division 2 of the Act apply to the request for consent under s 176
s 178(2)(a)	Power to request the Regulator to amend the mass or dimension authority, where satisfied of matters in s 178(1)	MPL, COO, TOAs	Where Council is the relevant road manager
s 178(2)(b)	Power to request the Regulator to cancel the mass or dimension authority, where satisfied of matters in s 178(1)	MPL, COO, TOAs	Where Council is the relevant road manager
s 178(4)(c)	Function of receiving notice from the Regulator that the road authority must not comply with the	MPL, COO,	Where Council is the relevant road manager

### Heavy Vehicle National Law 2012

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	request	TOAs	
s 180(2)	Function of receiving notice from the Regulator	MPL, COO, TOAs	Where Council is the relevant road manager
s 611(2)	Power to apply for a compensation order	MPL, COO, TOAs	
s 612	Function of preparing certificate	MPL, COO, TOAs	
s 613(1)	Duty to give a copy of a certificate referred to in s 612 to the defendant at least 28 days before hearing	MPL, COO, TOAs	
s 613(3)	Function of receiving notice that defendant intends to challenge the matter	MPL, COO, TOAs	
s 643(2)	Function of receiving referral of review application	MPL, COO, TOAs	
s 644	Duty to conduct internal review of reviewable decision and give applicant a reasonable opportunity to make written or oral representations	MPL, COO, TOAs	Where Council is the relevant road manager
s 645(1)	Duty to either confirm or amend decision or substitute another decision for the reviewable decision	MPL, COO, TOAs	Where Council is the relevant road manager
s 645(5)	Duty to, as soon as practicable, give the Regulator notice of the review	MPL, COO, TOAs	Where Council is the relevant road manager

### Heavy Vehicle National Law Application Act 2013

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 18(2)	Power to enter into an arrangement to transfer	NOT	In respect of roads where Council is the relevant

### Heavy Vehicle National Law Application Act 2013

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	a function		road manager

### Heritage Act 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 29(4)	Function of receiving statement refusing a nomination from Executive-Director	MDR, POs	
s 30(9)	Function of receiving written notice from Heritage Council of outcome of application for review	MDR, POs	
s 34(1)	Function of receiving notice of acceptance of nomination from Executive Director	MDR, POs	
s 40(1)	Function of receiving statement from Executive Director of recommendation not to include place or object in Heritage Register	MDR, POs	
s 53(6)	Function of receiving notice of amendment to heritage register from Executive Director	MDR, POs	
s 63(2)	Function of receiving notice of expedited amendment of Heritage Register	MDR, POs	
s 96(5)	Function of receiving copy of amended permit application	MDR, POs	
s 100(1)	Function of receiving copy of permit application from Executive Director	MDR, POs	
s 100(2)	Power to make written submission to Executive Director in relation to application received under s 100(1)	MDR, POs	
s 105(4)	Function of receiving notice of receipt of application to amend a permit from Executive Director	MDR, POs	
s 106(5)	Function of receiving notice of application for review for permit to carry out works from Heritage Council	MDR, POs	
s 108(4)	Power to request a hearing be held by the Heritage Council in relation to an application for review under s 107 of Executive Director's determination	MDR, POs	
s 108(5)	Power to appear and be heard or represented at a hearing into	MDR,	



### Heritage Act 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	review of Executive Director's determination	POs	
s 108(9)	Function of receiving written notice from Executive Director of Heritage Council's determination of review	MDR, POs	
s 110	Function of receiving notice from Minister of referral of a matter to VCAT under s 109(2)(b)	MDR, POs	
s 112	Function of receiving notice from Executive Director of decision by VCAT under s 111	MDR, POs	
s 114(2)	Function of receiving notice from Executive Director of decision by Minister in relation to application for review	MDR, POs	
s 120	Function of receiving written notice of removal of site from Heritage Inventory	MDR, POs	
s 131(1)	Function of receiving notice of recommendations made under s 130 by Executive Director	MDR, POs	
s 133(3)	Function of receiving written notice from Heritage Council of approval of recommendation for a site of archaeological value	MDR, POs	
s 179	Function of receiving notice of approval of World Heritage Strategy Plan	MDR, POs	

### Housing Act 1983

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 15(1)(d)	Function of consenting to any development, control, etc. of any land	MDR	
s 34(1)	Function of entering into arrangements with Homes Victoria whereby Council carries out works	MDR	
s 34(3)	Power to enter into arrangements with Homes Victoria for the purposes of this Act	MDR	
s 67(1)(a)	Power to do all things to make house comply with regulations or to give effect to direction	MDR	
s 67(1)(b)	Power to demolish house (where case so requires)	MDR	
s 67(2)	Power to recover expenses	MDR	

Housing Act 1983			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 67(3)	Power to sell or dispose of material	MDR	
s 68(1)	Power to order that house (a) be and remain unoccupied; or (b) be vacated by the occupier	MDR	
s 68A	Power to revoke declaration	MDR	
s 71(1)	Power to authorise person for purposes of s 71	MDR	
sch 2 cl 3(1)	Power to sell or give to Homes Victoria any land vested in it, other than Crown land	NOT	
sch 2 cl 3(2)	Power to lease land, enter into agreements with Homes Victoria concerning land, or apply funds for carrying out such agreement	NOT	
sch 6 cl 1	Duty to lodge signed certificate	MDR	
sch 6 cl 1	Power to authorise staff member to sign certificate	MDR	
sch 6 cl 2	Power to request recording in Register	MDR	
sch 6 cl 6	Duty to lodge notice with the Registrar of Titles that the declaration has ceased to operate	MDR	
sch 6 cl 7(1)	Power to require occupier to pay to Council any money owing	MDR	
sch 6 cl 7(2)	Duty to forward a copy of any notice under cl 7(1) to the owner of the house concerned	MDR	
sch 6 cl 7(5)	Duty to notify occupier if Council receives any payment	MDR	

Impounding of Livestock Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 9(3)	Function of receiving notice from owner or occupier of whereabouts of livestock	EMC, CSOs	
s 10	Power to give written permission to owner or occupier of land to impound livestock on their land for longer than 4 days	EMC, CSOs	

Impounding of Livestock Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 14	Duty to keep record of impounded livestock	EMC, CSOs	
s 15	Duty to ascertain owner of livestock and serve a notice of seizure on the owner as soon as possible	EMC, CSOs	
s 16	Duty to release livestock	EMC, CSOs	
s 16A(3)	Power to approve form of notice to be served under s 16A(1)	EMC, CSOs	
s 16B(3)	Power to approve form of notice to be served under s 16B(1)	EMC, CSOs	
s 17	Duty to hold livestock for seven days, or 3 days after time within which measures must be taken under notice served , prior to disposal	EMC, CSOs	
s 17A	Duty to hold livestock for 14 days prior to disposal in accordance with Part 2	EMC, CSOs	Where authorised officer of Council has impounded livestock under section 5A of the Act
s 18	Power to offer uncollected livestock for sale	EMC, CSOs	
s 19	Duty to give public notice of intention to sell livestock	EMC, CSOs	
s 20	Duty to apply the proceeds of the sale of livestock in the order set out in s 20(1)	EMC, CSOs	
s 21	Power to dispose of livestock including destroying or re-housing	EMC, CSOs	
s 22	Function of posting written notice of the impounding of livestock at the pound where they are held	EMC, CSOs	
s 27	Function of receiving notice of proceedings	EMC, CSOs	
s 28(1)	Duty to not sell or dispose of impounded livestock until (a) the time limit in s 27(2) has expired or (b) the proceedings have been determined or withdrawn, where Council receives notification of proceeding under s 27(1)	EMC, CSOs	



### Impounding of Livestock Act 1994

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 28(3)	Power to release impounded livestock pending determination of proceedings	EMC, CSOs	
s 29(2)	Duty to release impounded livestock and convey it to the owner at Council's expense where Magistrates' Court determines impounding was in contravention of this Act	EMC, CSOs	
s 30	Power to recover outstanding amount as a debt	FSC, CSOs	
s 33A	Power to appoint an authorised officer for the specific purpose of filing charge-sheets in respect of an alleged offence committed in the municipal district	MDR	

### Independent Broad-Based Anti-Corruption Commission Act 2011

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 15(6)	Function of consulting with and receiving information from the Independent Broad-based Anti-Corruption Commission (IBAC)	RGL	
s 35(2)	Power to enter into agreements or arrangements for use of services with the Independent Broad-based Anti-Corruption Commission (IBAC)	RGL	
s 56	Function of providing information to the Independent Broad-based Anti-Corruption Commission (IBAC)	RGL	

### Infringements Act 2006

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 3	Power to appoint an issuing officer	MDR	
s 6	Duty to provide Attorney-General with prescribed information	RVO, FSC, PAO, MDR, EHOs, CSOs	
s 9	Power to make and publish guidelines and policies in respect of the use of official warnings for infringement offences	FSC, MDR	

**Infringements Act 2006**

<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 11	Duty to withdraw an official warning in certain circumstances	MDR, EHOs, CSOs	
s 15	Power to accept late payment of infringement penalty	MDR, EHOs	
s 17(1)	Power to refer certain matters to the Court	MDR, CSOs	
s 17(3)	Power to withdraw infringement notice and file a charge and summons in the Children's Court in some circumstances	MDR, CSOs	
s 18(1) & (2)	Power to withdraw an infringement notice in some circumstances	MDR, EHOs	
s 22	Function of receiving application for review of decision to serve infringement notice	FSC, EHOs, CSOs	Note: An internal review conducted under this Division must be conducted by a person employed by Council and who did not issue the infringement notice
s 23(1)	Power to request additional information required to conduct review	FSC, MDR, EHOs, CSOs	
s 23(2)	Duty to suspend review where request made under s 23(1)	MDR	
s 23(4)	Power to refuse or grant request for extension of time made under s 23(3)(b)	MDR, EHOs	
s 23(5)	Duty, if extension of time granted under s 23(4)(b), to inform applicant in writing of the period of the extension	FSC, MDR, EHOs, CSOs	
s 23(6)(a)	Power, if applicant fails to provide information requested under s 23(1) within time under s 23(3) or, within the period of extension if an extension is granted under s 23(4)(b), to review the decision under s 24 without additional information	FSC, MDR, EHOs, CSOs	
s 23(6)(b)(i)	Power, if applicant fails to provide information requested under s 23(1) within time under s 23(3) or,	FSC, MDR, EHOs,	

# Infringements Act 2006

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
& (ii)	within the period of extension if an extension is granted under s 23(4)(b), to accept information provided by the applicant out of time and to review the decision under s 24 with that late information	CSOs	
s.24(1)(a) & (b)	duty, if application for review under section 22(1)(a), (b) or (c) is received, to review decision to serve infringement notice and suspend procedures used for enforcement of infringement penalty until review complete and applicant is sent advice of outcome	MDR, EHOs, CSOs	
s 24(1A)	Duty to review whether person unlikely to have been aware of infringement notice, and suspend procedures until review complete and applicant is sent advice of outcome	MDR, EHOs, CSOs	
s 24(2)	Duty to ensure that a review is conducted by a person who was not involved in making the decision to serve the infringement notice	MDR, EHOs, CSOs	
s 24(3)(a)	Duty to review decision within prescribed time or, if additional information is requested under s 23, within prescribed period plus 35 days	MDR, EHOs, CSOs	
s 24(3)(b)	Duty to serve on the applicant written notice of outcome of review within 21 days of decision	MDR, EHOs, CSOs	
s 25(1)	Power, after reviewing a decision, to take the following actions (or any combination of those actions): (a) confirm the decision to serve an infringement notice; (b) withdraw the infringement notice and serve an official warning; (c) withdraw the infringement notice; (d) withdraw the infringement notice and refer the matter to the Court in accordance with Part 2 or, where infringement notice served on a child, withdraw the infringement notice and file a charge and summons in the Children's Court; (e) in the case of an infringement offence involving additional steps, alter or vary those steps; (f) waive all or any penalty reminder notice fees; or (g) approve a payment plan.	MDR, EHOs, CSOs	



**Infringements Act 2006**

<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 25(2)	Power, in the case of application made under s 22(1)(b), to: (a) confirm the decision; (b) withdraw the notice and serve an official warning; or (c) withdraw the notice.	MDR, EHOs, CSOs	
s 25(2A)	Power made under s 22(1)(d), to grant or refuse application	MDR, EHOs, CSOs	
s 25(3)	Function of receiving application for payment plan for infringement notices confirmed under s 25(2)(a)	MDR, EHOs, CSOs	
s 25(4)	Duty to serve application with written notice of decision made under s 25(2A)(a)	MDR, EHOs, CSOs	
s 25(6)	Duty to serve application with written notice of outcome of review under s 25(2A)(b), and advise that payment is required within 14 days	MDR, EHOs, CSOs	
s 29(1) & (2)	Power to serve a penalty reminder notice	MDR, EHOs, CSOs	
s 40(1)(a)	Duty to lodge prescribed information with the Court, if person elects an infringement offence matter to be heard by the Court or if matter referred to Court	MDR, EHOs, CSOs	
s 40(1)(d)	Duty to serve details on person who was served with infringement notice, at least 14 days prior to hearing date	MDR, EHOs, CSOs	
s 46(1)	Function of receiving application for payment plan	MDR, EHOs, CSOs	
s 46(1A)	Function of receiving application for payment plan from body corporate	MDR, EHOs, CSOs	
s.46(3)	duty to offer payment plan in certain circumstances	MDR,	

# **Infringements Act 2006**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		EHOs, CSOs	
s 46(4)	Power to offer payment plan in certain circumstances	MDR, EHOs, CSOs	
s 46(5)(a)	Power to offer a payment plan by arrangement and management of a payment plan for the person to whom it applies by that agency	MDR, EHOs, CSOs	
s 46(5)(b)	Power to offer a payment plan by referring the infringement penalty and penalty reminder notice fee to the Secretary for management by payment arrangement under the Fines Reform Act 2014	MDR, EHOs, CSOs	
s 46(6)	Duty if Council determines not to offer payment plan to a person who has applied, to serve written notice on person with relevant details	MDR, EHOs, CSOs	
s 46(7)	Duty to cease action taken to collect infringement penalty upon receipt of application under s 46(1) or (1A)	MDR, EHOs, CSOs	
s 47(1)	Power to arrange a payment plan	MDR, EHOs, CSOs	
s 49(3)	Duty, if infringement notice withdrawn, withdraw infringement penalty and penalty reminder notice fee from payment plan	MDR, EHOs, CSOs	
s 49A(2)	Power to vary terms of a payment arrangement	MDR, EHOs, CSOs	
s 49A(4)	Duty to give written notification to applicant of decision regarding payment plan variation	MDR, EHOs, CSOs	
s 50(1)	Duty to allocate money received under payment plan in order of priority	MDR, EHOs, CSOs	
s 50(3)	Duty to advise person to whom payment plan applies	MDR,	

### Infringements Act 2006

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	of overpayment	EHOs, CSOs	
s 50(3)(a)	Power to offer to apply amount of overpayment to outstanding infringement penalties, prescribed costs or enforcement orders, if person consents and directs Council to do so	MDR, EHOs, CSOs	
s 50(3)(b)	Power to refund amount of overpayment by appropriating Consolidated Fund or refunding from another fund or account	MDR, EHOs, CSOs	
s.52(2)	duty to send written notice advising of default on payment plan	MDR, EHOs, CSOs	
s 53A(2)	Function of consulting with Secretary	MDR, EHOs, CSOs	
s. 53B(2)	duty to comply with request by Secretary under s 53B(1)	MDR, EHOs, CSOs	
s 53C(2)	Duty to respond give report to Secretary in response to any recommendations made under s 53C(1)	MDR, EHOs, CSOs	

### Land Act 1958

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 22D(1)	Duty to execute an instrument of transfer and surrender	RVO, PAO	Where the Attorney-General has authorised Council to surrender land
s 134A(2)(a)	Power to be consulted before Minister grants lease for stratum of Crown land	RVO, PAO	
s 138A(3)(a)	Power to be consulted before person grants licence for strata of Crown land	RVO, PAO	
s 140A(3)(c)	Duty to provide report to Minister for grant of licences for jetty landing stages on Crown land	RVO, PAO	



Land Act 1958			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 172(1)	Power to approve excise of land from certain streets by Governor in Council	RVO, PAO	
s 183A(1)	Power to raise funds by allowing use of common for the purposes of agriculture	RVO, PAO	Consent of Minister required
s 190	Power to authorise persons to enter onto Crown land and remove materials for the purposes of forming/maintaining public road	RVO, PAO	Consent of Minister required
s 349	Power to agree to closure of road on land vested in the Crown	RVO, PAO	
s 400	Power to give notice to Secretary that road is an unused road	RVO, MPL, PAO, COO	Land Regulations 2016, r 10 For the purposes of s 400(2) of the Act, the prescribed form and particulars for a notice that a road or part of a road that a municipal Council considers is not required for public traffic is an unused road is the form and particulars in sch 4.
s 407(1)	Power to inform Minister it is desirable to re-open licensed closed road or water frontage	RVO, PAO	
s 407(3)(b)	Power to cause any building / hedge/ ditch etc to be taken down / filled up / removed etc	RVO, PAO	Where a licence under Division 8 of Part I has been cancelled under s 407(1)
s 411	Function of receiving particulars of licence from the land manager	RVO, PAO	Where the licence is granted in relation to an unused road or water frontage in Council's municipal district

Land Acquisition and Compensation Act 1986			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	-	MPL, COO	Certain provisions in this Act apply only to councils in their capacity as acquiring authorities or to councils in their capacity as responsible authority
s 6	Duty of the authority to serve notice of intention to acquire on persons with an interest in the land	MPL, COO	

**Land Acquisition and Compensation Act 1986**

<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 7(1)(b)	Power to serve statement on person interested in the land in accordance with s 7(1)(b)	MPL, COO	
s 9(1)	Duty of the authority to serve copy of notice on certain responsible authorities	MPL, COO	
s 9(2)	Duty of the responsible authority to provide information in writing when required to do so by an authority	MPL, COO	Prescribed information listed under rr 11 and 12 of the Land, Acquisition and Compensation Regulations 2021
s 9(3)	Duty of the responsible authority to forward a copy of application for planning permit/building approval to an authority	MPL, COO	
s 10(1)	Duty of the authority to lodge notice and prescribed fee with the Registrar of Titles or Registrar-General	MPL, COO	
s 10(4)	Duty of the authority to give notice of cancellation/lapse in writing	MPL, COO	
s 10(7)	Duty of the authority to pay fees where an owner applies for a new s 32(2) certificate	MPL, COO	
s 14(1)	Power of an authority to amend notice upon agreement with persons on whom it was served	MPL, COO	
s 15(1)	Power of an authority not to proceed with the acquisition	MPL, COO	
s 15(2)	Duty of the authority to serve a statement cancelling the notice of intention to acquire	MPL, COO	
s 17	Power of the authority to agree with owner to extend operation of notice	MPL, COO	
s 18(1)	Power of the authority to acquire interest in land by agreement	MPL, COO	
s 19	Function of the authority publishing a notice declaring the interest to be acquired	MPL, COO	
s 22	Duty of the authority to serve copy notice of acquisition and a statement to persons interested in that land	MPL, COO	

**Land Acquisition and Compensation Act 1986**

<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 23	Duty of the authority to publish copy notice of acquisition in local newspaper	MPL, COO	
s 26(1)	Duty of the authority to endeavour to obtain agreement with the owner / occupier	MPL, COO	
s 26(5)	Power of the authority to enter into possession of the land	MPL, COO	
s 26(11)	Duty of the authority to serve copy certificate under s 26(4)(a) on occupier	MPL, COO	
s 27	Power of the authority to recover any rent due	MPL, COO	
s 28(1)	Power of the authority to issue a warrant where refusal to give up possession	MPL, COO	
s 31(1) and supporting provisions	Power of the authority to make an offer, including the Power to determine amount of the offer.	MPL, COO	
s 31(5)	Duty of the authority to have regard to a valuation of the land in making an offer under s 31	NOT	
s 31(7)	Power of the authority to reduce the offer by an amount equal to outstanding interest, rates, taxes, etc.	MPL, COO	
s 32(1)	Duty of the authority to set out total amount of compensation where Minister directs information required to be set out by s 31 is inappropriate	MPL, COO	
s 32(2)	Duty of the authority to pay the total amount of compensation offered in court	MPL, COO	
s 32(4)	Duty of the authority to apply to the court or the Tribunal for determination of the amount payable	MPL, COO	
s 33(1)	Function of the authority of receiving notice of acceptance or notice of claim	MPL, COO	
s 36(1)	Duty of the authority to serve a reply to the notice of claim	MPL, COO	



**Land Acquisition and Compensation Act 1986**

<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 36(2)	Power of the authority to admit/vary/reject the claim under s 36	MPL, COO	
s 36(3)	Duty of the authority to provide claimant with method and basis of its valuation	MPL, COO	
s 37(4)	Duty of the authority to serve reply to notice of claim on claimant, where no offer was made	MPL, COO	
s 43(2)	Power of the authority to give notice of intention	MPL, COO	
s 43(3)	Duty of the authority to do action specified in notice under s 43(2)	MPL, COO	
s 45(1)	Power of the authority to grant a loan to claimant	MPL, COO	
s 48(2)	Duty of the authority to serve reply to notice of claim within 3 months on claimant	MPL, COO	
s 51(8)	Power of the authority to advance compensation to assist a person purchasing another interest in land	MPL, COO	
s 63(1)	Duty of the authority to prepare all instruments of conveyance	MPL, COO	
s 65(a)	Function of the authority to receive interest in land despite any restrictions under other laws	MPL, COO	
s 65(b)	Function of the authority to recover compensation where authority acquires an interest under s 65(a)	MPL, COO	
s 67(1)	Function of the authority to negotiate with agents	MPL, COO	
s 68(1)	Power of the authority to purchase or redeem interest in mortgage	MPL, COO	
s 68(4)	Power of the authority to direct where to convey release of mortgagee's interest upon payment under s 68(3)	MPL, COO	
s 68(5)	Power of the authority to give notice to the	MPL,	

**Land Acquisition and Compensation Act 1986**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	mortgagee that it will pay principal and interest upon 6 months of the notice	COO	
s 68(6)	Power of the authority to direct where to convey release of mortgagee interest upon payment under s 68(5)	MPL, COO	
s 69(1)	Power of the authority to pay amounts required under s 69(1) (c)-(e) to the credit of the Trust Fund where mortgagee fails to release interest or adduce good title	MPL, COO	
s 69(2)	Power of the authority to execute a deed poll	MPL, COO	
s 69(3)	Duty to register the deed poll in the office of the Registrar-General	MPL, COO	
s 70(1)	Function of the authority to negotiate with the mortgagee/person entitled to redemption of the value of interest and compensation where sum payable exceeds value of land	MPL, COO	
s 70(4)	Power of the authority to direct where to convey release of mortgagee interest upon payment under s 70(3)	MPL, COO	
s 71(1)	Power of the authority to pay amount required by s 70(3) to the credit of the Trust Fund where mortgagee fails to convey interest or adduce good title	MPL, COO	
s 71(3)	Power of the authority to execute and register a deed poll	MPL, COO	
s 72(1)	Function of the authority to settle an agreement with mortgagee/person entitled to redemption of interest payable where part of the land is taken	MPL, COO	
s 72(4)	Power of the authority to direct where to convey release of mortgagee's interest	MPL, COO	
s 72(6)	Function of the authority to furnish copy memorandum under s 72(5)	MPL, COO	

Land Acquisition and Compensation Act 1986			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 73(1)	Power of the authority to pay compensation to the credit of the Trust Fund where mortgagee fails to release/adduce good title	MPL, COO	
s 73(3)	Power of the authority to execute and register a deed poll	MPL, COO	
s 74(1)	Power of the authority to enter land	MPL, COO	
s 74(2)	Duty of the authority to serve notice of intention to enter and a statement on occupier and owner	MPL, COO	
s 75(1)	Power of the authority occupy land as long as is necessary for the purposes of the Local Government Act 1989	MPL, COO	
s 75(2)(a)	Power of the authority or authorised person to dig and take from land any clay, soil, etc.	MPL, COO	
s 75(2)(b)	Power of the authority to deposit any material on land	MPL, COO	
s 75(2)(c)	Power of the authority to make cuttings or excavations on land	MPL, COO	
s 75(2)(d)	Power of the authority to take timber from the land	MPL, COO	
s 75(2)(e)	Power of the authority to make and use roads on land	MPL, COO	
s 75(2)(f)	Power of the authority to manufacture on the land any materials required	MPL, COO	
s 75(2)(g)	Power of the authority to erect workshops, sheds, etc on land	MPL, COO	
s 75(3)	Duty of the authority to serve notice in writing on owner/occupier and Soil Conservation Authority if intends to enter land	MPL, COO	
s 75(5)	Duty of the authority to give notice in writing of nature and quantity of material taken	MPL, COO	



**Land Acquisition and Compensation Act 1986**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 76	Duty of the authority to comply with obligations under s 76(a)-(e)	MPL, COO	
s 79(1)	Duty of the authority to fence land when so required by the owner	MPL, COO	
s 80	Power of the authority to refer a claim to the Court/Tribunal for determination	MPL, COO	
s 83	Duty of the authority to serve a copy of the referral notice on other parties	MPL, COO	
s 87	Power of the authority in a compulsory conference to increase the amount of an offer	MPL, COO	
s 91(4)	Power of the authority to set-off costs of determinations against any compensation award/costs payable to claimant	MPL, COO	
s 96(1)	Function of the authority to make application to the court for a valuer	MPL, COO	
s 103(1)	Power of the authority to inspect documents by notice in writing	MPL, COO	
s 104(3)	Power of the authority/authorise a person to accept service on its behalf	MPL, COO	
s 106(1)(c)	Power of the authority to extend/abridge time limits under the Act by agreement with concerned party	MPL, COO	
s 109(1)	Power of the authority to sell, lease or deal with an interest in land	NOT	
s 109(2)	Duty of the authority to offer the land for sale to the former owner if within 18 months of acquisition under the Act	MPL, COO	

**Livestock Disease Control Act 1994**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
107E(1)	Function of receiving a written request for information from the	MDR	

Livestock Disease Control Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Secretary		
107E(2)	Duty to make available information requested by the Secretary under 107E(1)	MDR	

Liquor Control Reform Act 1998			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 27(1)	Power to apply to the Commission for a licence or BYO permit	NOT	
s 33	Function of receiving copy of application	MDR, POs, PDOs	
s 40(1)	Power to object to grant, variation or relocation of a licence	MDR	
s 40(1A)	Power to object to grant, variation or relocation of packaged liquor licence or late night (packaged liquor) licence	MDR	
s 91	Power to request the Commission to conduct an inquiry into whether there are grounds to take disciplinary action	MDR	
s 94	Power to request the Commission to conduct an inquiry into amenity or disuse	MDR	

Local Government Act 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 11(8)	Duty to keep a public register of delegations under section 11 of this Act	RGL, EA	
s 16(12)	Duty to pay an account received of the reasonable expenses incurred by a person engaged by the Minister to support a review by an electoral representative advisory panel	RGL, EA	
s 17(6)	Duty to pay an account received of the reasonable expenses incurred by the Victorian Electoral Commission as a consequence of conducting a ward boundary review	RGL, EA	
s 40(1)	Duty to reimburse a Councillor or a member of a delegated committee for out-of-pocket expenses	RGL	

**Local Government Act 2020**

<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
	in accordance with this section		
s 40(2)	Duty to provide details of all reimbursements of out-of-pocket expenses of Councillors and members of a delegated committee to the Audit and Risk Committee	RGL	
s 42	Duty to make available to the Mayor and the Councillors the resources and facilities reasonably necessary to enable them to effectively perform their role	NOT	
s 50	Duty to implement appropriate long service leave arrangements for members of Council staff in accordance with the regulations	HRBP	
s 73(4)	Duty to publish a notice regarding a proposed local law in accordance with subsection 73(3)(a) to (d)	RGL	
s 73(5)	Duty to ensure that a copy of the proposed local law is available for inspection	RGL	
s 74(1)	Duty to obtain a certificate from a qualified person	RGL	
s 74(5)	Duty to publish a notice after a local law is made in accordance with subsection 74(4)(a) to (d)	RGL	
s 75	Duty to ensure that a copy of a local law made under section 74 is available for inspection	RGL	
s 76(3)	Duty to publish a notice of an amendment to a document, code, standard, rule, specification or method which contains matter applied, adopted or incorporated by a local law	RGL	
s 76(4)	Duty to ensure that a copy of any document, code, standard, rule, specification or method which contains any matter incorporated in a local law is available for inspection	RGL	
s 82	Function of receiving any penalty recovered for an offence against a local law	MDR	



Local Government Act 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 98	Duty to prepare an annual report in respect of each financial year	RGL, FSC	Subject to section 99
s 99(1)	Duty to prepare, as soon as practicable after the end of the financial year, the performance statement and financial statements of the Council for the financial year	FSC	
s 103	Power to invest any money in accordance with subsections (a) to (f)	FSC	
s 106	Duty to plan and deliver services to the municipal community in accordance with the service performance principles	NOT	
s 109(1)	Duty to comply with Council's Procurement Policy before entering into a contract for the purchase of goods or services or carrying out of works	NOT	
s 112(1)	Power to purchase or compulsorily acquire any land which is or may be required by the Council for or in connection with, or as incidental to, the performance of its functions or the exercise of its powers.	NOT	Must be undertaken in accordance with the Council's community engagement policy and any other relevant legislation.
s 114(2)(a)	Duty to give notice before selling or exchanging land	RGL	
s 114(2)(b)	Duty to undertake a community engagement process in accordance with Council's Community Engagement Policy before selling or exchanging land	RGL	
s 114(2)(c)	Duty to obtain valuation before selling or exchanging land not more than 6 months prior to the sale or exchange	RGL	
s 115(1)	Power to lease land	NOT	
s 115(3)	Duty to include proposal to lease in the budget	RGL	
s 115(4)	Duty to undertake a community engagement process in accordance with Council's Community Engagement Policy before leasing land	RGL	

**Local Government Act 2020**

<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 116(1)	Power to transfer, exchange or lease land with or without consideration to an entity described in s 116(1)(a) to (e)	NOT	
s 117(1)(a)	Power to approve another person to carry out the work required under s 117(1)	SRC, MPL, DCEO, COO	Delegation extends only to area of functional responsibility of delegate
s 117(1)(b)	Power to carry out the work required under s 117(1)	SRC, MPL	Delegation extends only to area of functional responsibility of delegate
s 117(3)	Power to recover costs of carrying out work	SRC, MPL, DCEO, COO	Note: this provision commences on 1 July 2021
s 119	Power to require payment of all or part of money from present owner or occupier	RVO, PAO	Subject to section 121
s 120(1)	Power to charge interest on unpaid money (other than rates and charges) in accordance with s 120	RVO, PAO	Note: this provision commences on 1 July 2021
s 121	Function of receiving application for land information certificate	RVO, PAO	See prescribed information under r 5 of the Local Government (Land Information) Regulations 2021
s 121(4)	Power to provide a land information certificate, including the power to provide in a land information certificate any other information concerning the land as the delegate considers in their absolute discretion to be relevant	RVO, PAO	Note, this instrument separately includes the duty to sign a land information certificate under r 5(2) of the Local Government (Land Information) Regulations 2021, which should be delegated to those who sign land information certificates
s 144B	Duty to reimburse the State for the remuneration costs associated with the appointment of an arbiter to hear an application made under s 143	NOT	
s 145B	Duty to provide all reasonable assistance to an arbiter that is necessary to enable the arbiter to conduct an internal arbitration process	NOT	

Local Government Act 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 152	Duty to pay the fees for a Councillor Conduct Panel to the Principal Council Conduct Registrar	RGL	
s 159A	Duty to reimburse the State for the remuneration costs associated with the formation of a Council Conduct Panel to hear an application made under s 154	NOT	
s 162	Duty to provide all reasonable assistance to the Councillor Conduct Panel which is necessary to enable the Councillor Conduct Panel to conduct the hearing and make a determination	RGL	
s 167(8)	Duty to pay any necessary expenses incurred by Councillors in attending mediation, training or counselling directed by a Councillor Conduct Panel	RGL	
s 177(1)	Power to apply to the Minister for a compliance exemption from a regulatory requirement under this Act or the regulations specified in the application	NOT	Subject to subsection (2)
s 179(3)	Duty to pay a Municipal Monitor the amounts entitled to be paid and the terms of the appointment	RGL	
s 268(2)	Duty to pay for reasonable expenses of the Victorian Electoral Commission as specified in an account sent to the Council under subsection (1)	RVO, PAO	
s 313(1)	Power to institute proceedings in the corporate name of the Council	NOT	Subject to subsection (a) – (d)
s 313(1)	Power to authorise a person to institute proceedings in the corporate name of the Council	NOT	Subject to subsection (a) - (d)

Local Government Act 1989			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 154	Power to determine that land is not rateable land	RVO, PAO	



**Local Government Act 1989**

<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
	in accordance with s 154		
s 157(2)	Duty to publish notice of change in valuation system	RVO, PAO	
s 158(3)	Power to levy rates by sending notice to person liable	RVO, PAO	
s 158(3A)	Power to send rate notice to a person specified upon request	RVO, PAO	
s 159(5)	Power to determine form & time period	RVO, PAO	
s.159(6)	power to require applicant to give further particulars or verify particulars	RVO, PAO	
s 161(3)	Duty to make available for inspection certain information	RVO, PAO	
s 163(1C)	Duty to send a copy of the public notice to each person who will be liable to pay the special rate or special charge	RVO, PAO	
s 163(4)	Power to levy special rate/charge by sending notice to person liable	RVO, PAO	
s 164(2)	Duty to notify of decision under s 164(1) to persons liable to pay special rate/charge	RVO, PAO	Limited to Director or Executive Manager responsible for works or project.
s 165	Duty to refund excess money	NOT	
s 166(2)	Duty to notify persons liable that special rate/charge varied	RVO, PAO, MDR	
s 169(2)	Duty to send notice to person who was granted a rebate or concession and not complied with terms	RVO, PAO	
s 170(1)	Power to defer payment where applicant shows hardship	RVO, PAO	
s 170(3)(a)	Power to require payment where no longer hardship/in occupation	RVO, PAO	
s 171(1)	Power to waive rate/charge to eligible recipient or	NOT	

Local Government Act 1989			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	in accordance with Council determination		
s 171(4)(e)	Duty to waive amount which is in accordance with concession order upon receipt of application	NOT	
s171(4)(f)	Power to decide to treat person to whom waiver granted as having made continuing application or waiver	NOT	Requires the approval of the Minister administering the State Concessions Act 2004
s 171(5A)	Power to waive rate/charge where person has right to recover it from another (upon application of the eligible recipient)	NOT	
s 171A(1)	Function of receiving application for waiver	RVO, PAO	
s 171A(2)	Power to require information or verification	RVO, PAO	
s 171A(3)	Power to waive rate/charge/interest	NOT	
s 171B(1)	Power to enter into a payment plan with a person for the payment of a rate or charge (including interest charged under s 172)	RVO, PAO	
s 171B(3)	Power to determine terms of the payment plan under subsections (a) to (d)	RVO, PAO	
s 171B(7)	Power to cancel a payment plan	RVO, PAO	
s 172(1)	Power to raise interest and require payment from person liable	RVO, PAO	
s 172(3)	Power to exempt a person from paying interest	NOT	
s 172(4)	Power to recover interest due	RVO, PAO	
s 173(2)(a)	Duty to refund rates/charges where land ceases to be rateable and payment was made	RVO, PAO	
s 173(2)(b)	Duty to require pro rata payment where land ceases to be rateable	RVO, PAO	
s 175(2)	Power to require current rates, arrears from person acquiring land	RVO, PAO	
s 177(1)	Power to require occupier to pay rent upon notice	RVO, PAO	

**Local Government Act 1989**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 177(4)	Power to recover unpaid rent as a debt due	RVO, PAO	
s 180(1)	Power to recover unpaid rate/charge as a debt due	RVO, PAO	
s 180A	Duty to provide notification prior to commencing proceedings for recovery of unpaid debt in certain circumstances	RVO, PAO	
s 181(2)	Power to dispose of land where rate/charge unpaid	NOT	
s 181(5)	Power to serve and to give notices before Council sells the land.	NOT	
s 181(7)	Power to deduct expenses incurred in connection with sale	RVO, PAO	
s 181AA	Duty to comply with Ministerial Guidelines	RVO, PAO	
s 181C(2)	Power to send notice to person liable to pay environmental upgrade charge	RVO, PAO	
s 181E(1)	Duty to use best endeavours to recover environmental upgrade charge	RVO, PAO	
s 181F	Duty to adjust environmental upgrade charge to reflect lower amount advanced to owner and advise any person liable to pay charge in writing of the adjustment	RVO, PAO	Council must refund any excess amounts paid to owner or occupier as a result of an adjustment being made to an upgrade charge under 181F(1)
s 185F(1)	Duty to comply with any direction of the Minister under s 185D	RVO, PAO	
s 181H	Power to enter into an environmental upgrade agreement on behalf of Council and declare and levy an environmental upgrade charge	NOT	
s 185I	Power to enter into a cladding rectification agreement in respect of rateable land with an existing building on it	RVO, PAO	Subject to ss 185I(4), 185J(4) and 185J(5)
s 185J(1)	Function of receiving details in writing of the information set out in s 185J(1)(a)	RVO, PAO	



**Local Government Act 1989**

<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 185J(2)	Duty to give written notice to each owner or, in the case of rateable land managed by an owners corporation, each owner of a lot on the rateable land	RVO, PAO	
s 185J(8)	Power to enter into a cladding rectification agreement if all the existing mortgagees of the rateable land agree in writing to the proposed cladding rectification charged	RVO, PAO	If Council is not satisfied of the matters set out in s 185J(4)
s 185J(9)	Power to enter into a cladding rectification agreement if all the existing mortgagees of those lots agree in writing to the cladding rectification charge	RVO, PAO	If Council is not satisfied of the matters set out in s 185J(5)
s 185K(1)(b)	Function of receiving information from the owners corporation	RVO, PAO	
s 185N(1)	Duty to use Council's best endeavours to recover a cladding rectification charge in accordance with any requirements imposed on it by the Building Act 1993 and the cladding rectification agreement	MDR	Subject to s 185N(2) and (3)
s 199	Duty to give notice of proposed drainage works to persons affected	SRC, CE2, CE1, MPL, CE3	
s 200(1)	Power to give persons notice that must carry out drainage works	SRC, CE2, CE1, MPL, CE3	
s 200(2)	Power to carry out works itself where non-compliance with notice	SRC, CE2, CE1, MPL, CE3	
s 201(1)	Duty to construct, manage, etc works under schemes approved under Water Act 1989	SRC, CE2, CE1, MPL, CE3	
s 201(2)	Power to carry out any power under the Act for purpose of 201(1)	NOT	
s 203(1)	Power to develop and implement a transport plan	NOT	
s 203(2)	Power to prepare a transport plan jointly with one	NOT	

**Local Government Act 1989**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	or more other councils		
s 203A	Power to procure, provide or enable transport services within the municipal district	NOT	
s 204(1)	Power to publish notice in Government Gazette of road to be declared a public highway	NOT	
s 207D(2)	Duty to notify Registrar of Titles of an action under s 207D(1)(b) or a transfer of land in the form described in (a) - (c)	RVO, PAO	Delegation only extends to matters within the functional responsibility of delegate,
s 223(1)(a)	Duty to publish a public notice	RGL	
s 223(1)(b)(iii)	Administrative duty to give reasonable notice of day, time and place of the meeting to each person who made a request to appear in person, or be represented in the submission	RGL, FSC, MDR	
s 223(1)(d)(ii)	Duty to notify submitters after made decision	RGL, FSC, MDR	
s 223(3)	Power to authorise members of Council staff to carry out administrative procedures	FSC, MDR	
s 224(1)	Power to appoint authorised officer	NOT	
s 224(1A)	Duty to maintain register of authorised officers	RGL	
s 224(2)	Duty to supply authorised officers with identity cards	HRBP, PAYO	Authorisation only to be made in respect of areas of responsibility of delegate.
s 224(3)	Power to authorise a person to sign identity cards of authorised officers	HRBP	
s 224A(2)	Power to publish a notice in the Government Gazette which authorises police officers to enforce provisions of local law	RGL	
s 237A	Duty to make available to the Secretary to the Department any information requested in accordance with s.121A of the Livestock Disease Control Act 1994	MDR, POs	
sch 10 cl 1(a)	Power to make, maintain and repair roads	MPL,	

Local Government Act 1989			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		DCEO	
sch 10 cl 2	Administrative functions necessary to give effect to power to deviate roads	MPL	
sch 10 cl 3	Administrative functions necessary to give effect to power to discontinue roads	MPL, DCEO	
sch 10 cl 4	Power to enter and take any materials necessary from certain land	SRC, DCEO, COO	
sch 10 cl 5(1)(a)	Power to approve, assign or change the name of a road	RVO, PAO	Power in cl 5(1) must be exercised in accordance with the Geographic Place Names Act 1998
sch 10 cl 5(1)(b)	Power to erect signs on a road	SRC, MPL, DCEO, COO	
sch 10 cl 5(1)(c)	Power to approve, assign and change the number of a road and any premises next to a road	RVO, PAO	
sch 10 cl 5(1)(d)	Power to require people to number their premises and to renew those numbers	RVO, PAO	
sch 10 cl 6	Power to cause standard survey marks to be established in roads	CE2, CE1, CE3, TOAs	
sch 10 cl 8(1)(b)	Power to allow persons to make minor repairs, alterations, etc between the old alignment and the new alignment of a road	SRC, MPL	
sch 10 cl 8(3)	Duty to publish notice in Government Gazette before starting work	SRC, MPL, DCEO, COO	
sch 10 cl 9	Power to provide for temporary roads	SRC, MPL, DCEO,	



**Local Government Act 1989**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		COO	
sch 10 cl 10	Power to permit the erection and maintenance of gate and fences and to revoke the permission and to permit the construction of by-passes for unfenced roads and to revoke the permission and require the removal of the by-pass	SRC, MPL, DCEO, COO	
sch 10 cl 11(a)	Power to require/cause the filling up of holes or excavations	SRC, MPL	
sch 10 cl 11(b)	Power to require/cause the removal of a cause of danger/damage	SRC, MPL	
sch 10 cl 11(c)	Power to require/cause the erection or restoration of a fence between the holes or excavations and any adjacent land or road	SRC, MPL	
sch 10 cl 12	Power to make, maintain, repair or reconstruct a bridge or crossing	SRC, MPL	
sch 11 cl 1	Power to fix times when vehicles may stand in parking areas and the fees for and manner of standing in parking areas	EMC, CSOs	
sch 11 cl 2	Power to issue special parking permits to disabled persons	EMC, CSOs	
sch 11 cl 3	Power to remove abandoned/unregistered vehicles	SRC, EMC, CSOs	
sch 11 cl 4	Power to tow away and impound vehicles which are causing an unlawful obstruction etc and to charge a fee	SRC, EMC, CSOs	
sch 11 cl 5	Power to require or cause the removal of any encroachment or obstruction	SRC, EMC, CSOs	
sch 11 cl 6	Power to control traffic to enable works to be carried out on, over, or on land next to a road	SRC, EMC, TOAs, CSOs	

**Local Government Act 1989**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
sch 11 cl 7	Power to close a road, or part of a road for a particular period	SRC, EMC, CSOs	
sch 11 cl 8	Power to erect and remove any works or structures to protect passengers, pedestrians and drivers or to regulate traffic on a road	SRC, EMC, CSOs	
sch 11 cl 9	Administrative functions necessary to give effect to power to block or restrict the passage or access of vehicles on a road by placing a permanent barrier or obstruction on a road	SRC, CE2, CE1, EMC, CE3	Only to be exercised where report from Head, Transport for Victoria has been considered; and if the road is a freeway or arterial road, consent of Head, Transport for Victoria is required
sch 11 cl 10(1)(a) & cl 10(1)(b)	Power to block or restrict the passage or access of vehicles on a road by placing a temporary barrier or obstruction on a road	CE2, CE1, EMC, CE3, CSOs	If the road is a freeway or arterial road, consent of Head, Transport for Victoria is required
sch 11 cl 11	Administrative functions necessary to give effect to power to declare a road or part of a road a shopping mall and prohibit or restrict the entry of vehicles	SRC, EMC	
sch 11 cl 12(1)	Administrative functions necessary to give effect to power to prohibit the use of a road by a vehicle over a certain size or weight	SRC	
sch 11 cl 12(2)	Power to make decision to prohibit the use of a road by a vehicle over a certain size or weight	SRC	Only to be exercised where immediate risk of danger to people or damage to property exists and action is immediately reported to Council
sch 11 cl 13	Power to determine speed limits	SRC, CE2, CE1, CE3, CSOs	
sch 11 cl 14	Power to prohibit or restrict traffic on a road if unsafe	SRC, EMC, CSOs	

**Magistrates' Court Act 1989**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 99A(4)	Power to give persons or bodies making a written request under s 99A(3) access to any information that may be of use in the enforcement of court orders and fines	FSC, MDR, EHOs	

Major Transport Projects Facilitation Act 2009			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 111C(1)(a)	Power to enter into an agreement with project authority	NOT	Council as specified entity  Provision inserted under Suburban Rail Loop Act 2021
s 134(4)	Duty to comply with requirement to surrender public land under subs(1)(a)	NOT	
s 134(5)	Duty to give written notice to the Project Minister and project authority of any lease, licence or other of interest in land	NOT	
s 134(6)	Function of receiving written notice from the Project Minister	NOT	
s 146(2)	Power to claim compensation for pecuniary loss or expense incurred	NOT	
s 147	Function of agreeing to transfer of building or structure	NOT	
s 167	Function of receiving written notice from the project authority	NOT	For land owned or vested in Council  Provision inserted under Suburban Rail Loop Act 2021
s 189(2)	Duty to obtain consent of project authority for the purposes of carrying out works or discontinue a road within a project area	NOT	Provision inserted under Suburban Rail Loop Act 2021
s 189(5)	Function of receiving written consent	NOT	
s 195(1)(b)	Duty not to declare a road under section 204 of the Local Government Act 1989 if Council is not the project authority	NOT	
s 195(2)	Power to apply to the relevant project authority for the purpose of 195(1)	NOT	



Major Transport Projects Facilitation Act 2009			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 195(4)	Function of receiving written notice of the decision from the relevant project authority	NOT	

Marine and Coastal Act 2018			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 25(3)	Function of being consulted by the Minister when preparing a Marine and Coastal Policy if Council's interests may be affected by the policy	N/A	
s 32(3)	Function of being consulted by the Minister when preparing a Marine and Coastal Strategy if Council's interests may be affected by the strategy	N/A	
s 46(3)	Function of being consulted by the parties of a regional and strategic partnership when preparing a product if Council's interests may be affected by the product	N/A	
s 51(3)	Function of being consulted by the Minister when preparing an environmental management plan if Council's interests may be affected by the plan	N/A	
s 59(3)	Function of being consulted by the Crown land manager when preparing a coastal and marine management plan where Council's interests may be affected by the plan	N/A	

Mineral Resources and Extraction Act 1990			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46(1)	Function of consulting with Minister	NOT	
s 77HB(2)	Function of consulting with Department Head before Department Head approves variation of work plan	NOT	
s 77M(3)	Power to consult with Minister regarding variation, suspension or revocation	NOT	
s 77R(1)(c)	Power to act, if specified by the Minister, as a referral authority	NOT	

### Mineral Resources and Extraction Act 1990

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 80(2)(a)	Power to consult with Minister regarding amount of rehabilitation bond or further rehabilitation bond if the land is private land	NOT	
s 80(2A)	Power to consult with Minister regarding amount of rehabilitation bond in respect to an extractive industry work authority if the land is private land	NOT	
s 82(2)	Power to consult with Minister before Minister returns bond if rehabilitation is satisfactory and if the land is private land	NOT	

### National Parks Act 1975

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 19C(1)	Power to enter into agreement with Minister for management of land vested in or controlled or managed by Council	NOT	
s 27(1)	Power to exercise powers in relation to a park with Parks Victoria's consent subject to any conditions it directs	NOT	

### Pipelines Act 2005

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 21(1)	Power to consent to entry onto Crown Land for purpose of conducting survey	DCEO, COO	Where Crown Land is vested in Council
s 102	Power to decide construction of the pipeline in relation to roads, bridges and tramways is satisfactory	NOT	Where Council is the 'relevant authority'
s 103	Power to decide construction of the pipeline in relation to electrical apparatus or other pipelines is satisfactory	DCEO	Where Council is the 'relevant authority'
s 104	Function of being reimbursed by licensee for expense incurred due to the existence of a pipeline	FSC, COO	
s 105(1)	Power to refer a dispute under Division 2 Part 7 of the Act to the Governor in Council for determination	CEO	
s 105(2)	Duty to comply with Governor in Council's determination under s 105(1)	CEO	
s 116	Function of receiving notice from licensee of incident	COO	Where Council is the 'relevant authority'

**Privacy and Data Protection Act 2014**

<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 20(1)	Duty to comply with Information Privacy Principles	RGL	
s 20(2)	Duty to comply with Information Privacy Principles when administering a public register	RGL	
s 22(1)	Power to seek approval of a code of practice or an amendment to a code of practice	RGL	
s 22(4)	Function of being consulted by the Information Commissioner in relation to a code of practice	RGL	
s 23(1)(b)	Function of giving written notice to the Information Commissioner that Council intends to be bound by the approved code of practice	RGL	
s 23(6)	Function of giving written notice to the Information Commissioner that Council no longer intends to be bound by the approved code of practice	RGL	
s 26(4)	Function of being consulted by the Information Commissioner in relation to a code of practice	RGL	
s 28(5)	Power to refuse a request by an authorised representative of an individual for access to personal information where it is reasonably believed that access may endanger the individual	RGL	
s 29(1)	Power to apply to the Commissioner for a public interest determination	RGL	
s 29(5)	Function of receiving draft determination	RGL	
s 29(6)	Function of attending a conference with the Information Commissioner	RGL	
s 30(1)	Power to request that application be for a temporary public interest determination	RGL	
s 34(1)	Power to apply to the Information Commissioner for approval of an amendment to a public interest determination	RGL	
s 34(2)	Function of receiving draft determination and attending a conference with the Information Commissioner and Power to make a submission	RGL	



**Privacy and Data Protection Act 2014**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 35(2)	Function of receiving written notice from the Information Commissioner regarding revocation of a public interest determination	RGL	
s 36(1)	Duty to report to the Information Commissioner on an annual basis, or at any other agreed time	RGL	
s 38(1)	Power to apply to the Information Commissioner for a temporary public interest determination and power to make a submission	RGL	
s 41(2)	Function of receiving written notice from the Information Commissioner regarding revocation of temporary public interest determination	RGL	
s 47(1)	Power to apply for approval of an information usage arrangement	RGL	Where Council is a lead party to an information usage arrangement
s 47(2)	Duty to consult where required	RGL	Where Council is a party to an information usage arrangement
s 49(6)	Function of receiving notice of a refusal under s 49(4) or (5) from the Information Commissioner	RGL	Where Council is a lead party to an information usage arrangement
s 52(1)	Power to apply for approval of an amendment to an information usage arrangement	RGL	Where Council is a lead party to an information usage arrangement
s 52(2)	Duty to consult where required	RGL	Where Council is a party to an information usage arrangement
s 53(2)	Power to request revocation of an approval of an information usage arrangement	RGL	Where Council is a party to an information usage arrangement
s 53(4)	Function of receiving notice from the Information Commissioner regarding ground for revocation of an information usage arrangement	RGL	Where Council is a party to an information usage arrangement
s 53(5)	Function of receiving notice from the Minister regarding revocation of an information usage arrangement	RGL	Where Council is a party to an information usage arrangement
s 54(1)	Duty to report to the Information Commissioner about the information usage arrangement	RGL	Where Council is a lead party to an information usage arrangement
s 56	Power to apply to VCAT for review of a decision to issue a certificate under s 55	RGL	Where Council's interests are affected by the decision

**Privacy and Data Protection Act 2014**

<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 61	Function of receiving notice of complaint lodged with the Information Commissioner	RGL	
s 62(1)	Function of receiving notice that complaint is to be declined	RGL	
s 62(3)	Power to attend before the Information Commissioner and produce documents	RGL	
s 62(7)	Function of receiving notice of dismissal	RGL	
s 63(2)	Function of receiving notice of complaint being referred by the Information Commissioner	RGL	
s 64(2)	Function of receiving notice of complaint being dismissed by the Information Commissioner	RGL	
s 65A	Function of consulting with the Information Commissioner	RGL	
s 65B	Function of liaising with the Information Commissioner to informally resolve a complaint	RGL	
s 66(1)	Function of receiving notice that conciliation is inappropriate	RGL	
s 66(6)	Function of receiving notice of complaint being dismissed by the Information Commissioner	RGL	
s 67(3)	Power to attend conciliation and settle the matter	RGL	
s 68	Power to give information or produce a document	RGL	
s 69(1)	Power to prepare and sign conciliation agreement	RGL	
s 69(2)	Power to lodge certified conciliation agreement	RGL	
s 69(3)	Function of receiving copy of registered record	RGL	
s 71(1)	Function of receiving notice of unsuccessful conciliation	RGL	
s 71(6)	Function of receiving notice of complaint being dismissed by the Information Commissioner	RGL	
s 72	Power to apply to VCAT for an interim order	RGL	
s 77(1)	Power to administer/ implement order of VCAT	RGL	
s 77(3)	Function of receiving VCAT order relating to a public	RGL	

### Privacy and Data Protection Act 2014

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	register administered by Council		
s 78(1)	Duty to comply with compliance notice served by the Information Commissioner	RGL	
s 78(3)	Power to apply for extension in relation to compliance notice	RGL	
s 79	Power to give information or produce a document	RGL	
s 83(1)	Power to apply to VCAT for review of a decision of the Information Commission under s 78(1)	RGL	

### Professional Engineers Registration Act 2019

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 75(3)	Duty to comply with a request under s 75(1)	CE2, CE1, CE3	Where Council is a specified body

### Public Interest Disclosures Act 2012

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 16(1)	Function of receiving a public interest disclosure that relates to the conduct of Council or of a member, officer or employee of Council	RGL	Subject to s 16(2)
s 21(2)	Duty to, no later than 28 days after the disclosure is made, notify the disclosure to the appropriate entity for assessment under Part 3	RGL	Where Council is a receiving entity
s 23	Power to provide information in respect of the disclosure	RGL	
s 24(2)	Duty to advise the person who made the disclosure that the disclosure has been notified to the IBAC, the Victorian Inspectorate or the Integrity and Oversight Committee (as the case may be) for assessment	RGL	Where Council is a receiving entity
s 24(3)	Duty to advise the person who made the disclosure of the matters in s 24(3)(a) – (c)	RGL	Where Council is a receiving entity
s 26(6)	Function of being consulted by IBAC	RGL	Where Council is a notifying entity
s 27	Function of receiving notification of IBAC's	RGL	Where Council is a notifying entry



Public Interest Disclosures Act 2012			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	determination		
s 54(1)	Power to disclose information regarding an assessable disclosure or identity of person who has made an assessable disclosure, only in the circumstances listed in s 54(2)	RGL	
s 58(1)	Duty to establish procedures to facilitate the making of disclosures and the handling of those disclosures	RGL	
s 58(5)	Duty to establish procedures for the protection of persons from detrimental action by the Council, Council officers or Councillors	RGL	
s 59(4)	Duty to make procedures established under s.58 available to the public and to staff and Councillors	RGL	
s 61(1)	Function of receiving recommendations from IBAC	RGL	
s 70(1)	Duty to include certain items in annual report	RGL	
sch.1 cl 25(2)	Duty to complete the investigation of the disclosure under the Whistleblowers Protection Act 2001 and take action listed in sch.1 cl 25(2)(b)	RGL	Note: applies Where an investigation has been started but not completed under the Whistleblowers Protection Act 2001
sch.1 cl 29(2)	Duty to notify IBAC within 28 days of a disclosure made after commencement of this Act	RGL	

Public Health and Wellbeing Act 2008			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 25	Duty to report to the Secretary when required by notice	MDR, EHOs	
s 26(1)	Duty to prepare municipal health and wellbeing plan within 12 months after each general election in accordance with s 26(2) & (3)	MDR, EHOs	
s 26(4)	Duty to review municipal public health and wellbeing plan annually and amend as appropriate	MDR, EHOs	Unless s 27 applies
s 26(4A)	Duty to include a review of the measures referred to	MDR	Unless s 27 applies

**Public Health and Wellbeing Act 2008**

<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
	in s (2)(ba) when annually reviewing the municipal public health and wellbeing plan		
s 26(6)	Duty to give a copy of the current municipal public health and wellbeing plan to the Secretary	MDR, EHOs	Unless s 27 applies
s 26(6A)	Duty to report, to the Secretary, the measures referred to in s (2)(ba) at the intervals specified	MDR	Unless s 27 applies
s 26(7)	Duty to make copy of current municipal public health and wellbeing plan available for public inspection	MDR, EHOs	Unless s 27 applies
s 27(3)	Power to apply to the Secretary for an exemption from complying with s 26	NOT	
s 27(6)	Duty to give a copy of the current Council Plan or Strategic Plan to the Secretary	MDR, EHOs	If Council has been granted an exception from complying with s 26 and if change relates to matters in s 26(2)
s 28(a)	Duty, in a state of emergency or when a pandemic declaration is in force, to comply with an order of the Secretary	MEMO, MDR, EHOs	
s29(1)	Duty to appoint environmental health officer	NOT	Council must appoint at least one environmental health officer  Council can only appoint person with the qualifications and experience specified in s 29(2)
s 31(4)	Power to give directions to authorised officers	MDR	
s 57(2)	Power to disclose certain information to the Secretary, Chief Health Officer or another Council	MDR, EHOs	
s 57(4)	Power to disclose certain information to a Government Department, statutory body or other person responsible for administering another Act or regulations	MDR, EHOs	
s 60	Duty to remedy all nuisances in municipal district	MDR, EHOs, CSOs	

**Public Health and Wellbeing Act 2008**

<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 62(2)	Duty to investigate any notice of a nuisance	MDR, EHOs, CSOs	
s 62(3)	Duty to take action in s 62(3)(a) or (b) where nuisance is found to exist after investigation	MDR, EHOs, CSOs	
s 62(3)(a)	Function of taking action specified in s 62(4) where appropriate	MDR, EHOs, CSOs	
s 62(3)(b)	Function of determining whether matter is better settled privately and, if so, advising of methods for settling matter privately	MDR, EHOs, CSOs	
s 62(4)(a)	Power to exercise the powers in section 66 where that section applies, for the purposes of s 62(3)(a)	MDR, EHOs, CSOs	
s 62(4)(b)	Power to issue an improvement notice or a prohibition notice for the purposes of s 62(3)(a)	MDR, EHOs, CSOs	
s 62(4)(c)	Power to bring proceedings under s 219(2) for an offence against this Act for the purposes of s 62(3)(a)	MDR, EHOs, CSOs	
s 64	Power to institute proceedings for an offence under s 61	MDR, EHOs, CSOs	
s 65	Power to investigate nuisance occurring outside municipal district	MDR, EHOs, CSOs	
s 66(2)(a)	Power to enter and take steps to abate nuisance and do all things necessary for abatement	MDR, EHOs, CSOs	Where nuisance comes from land for which the occupier and owner are unknown or cannot be found  Unless another Council is abating the nuisance under s 66(2)
s 66(2)(b)	Power to do all things necessary for abatement of	MDR,	Where nuisance comes from land for



**Public Health and Wellbeing Act 2008**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	nuisance	EHOs, CSOs	which the occupier and owner are unknown or cannot be found  Unless another Council is abating the nuisance under s 66(2)
s 66(4)	Power to recover costs incurred under s 66(2)	MDR	
s 67	Function of receiving application for registration of prescribed accommodation	MDR, EHOs, PDOs	
s 67A	Function of receiving application for registration of lower risk prescribed accommodation	MDR, EHOs, PDOs	
s 69	Function of receiving application for registration of premises upon which a person conducts business	MDR, EHOs	Applies to higher risk services
s 69A	Function of receiving application for registration of premises upon which a person conducts business	MDR, EHOs	Applies for lower risk services
s 71	Function of receiving applications for the issue, renewal or transfer of a registration	MDR, EHOs, PDOs	
s 73(1)(a)	Power to give the applicant notice requiring specified information before considering the application under s 71	MDR, EHOs	
s 73(1)(b)	Power to inspect prescribed accommodation or premises before considering the application under s 71	MDR, EHOs	
s 73(1)(c)	Power to require alterations or improvements to prescribed accommodation or premises before considering the application under s 71	MDR, EHOs	
s 73(2)	Power to issue, transfer or renew a registration subject to s 73(1)(c)	MDR, EHOs, PDOs	
s 73A	Duty and power to enter information in the Rooming House Register	PDO3, MDR, EHOs	

**Public Health and Wellbeing Act 2008**

<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s.74	power to decide issue, transfer or renew registration	MDR, EHOs	
s 76(1)(a)	Power to refuse to issue a registration	MDR, EHOs	Decision of delegate only valid where Council later ratifies the refusal
s 76(1)(b)	Power to issue a registration subject to a condition imposed on the registration by the Council under s 73(2)	MDR, EHOs	Subject to s 74
s 76(1)(c)	Power to vary a registration	MDR, EHOs	
s 76(1)(d)	Power to cancel a registration	MDR, EHOs	
s 76(1)(e)	Power to suspend a registration	MDR, EHOs	
s 76(1)(f)	Power to refuse to transfer a registration	MDR, EHOs	Decision of delegate only valid where Council later ratifies the refusal
s 76(1)(g)	Power to transfer a registration subject to a condition imposed on the registration by the Council under s 73(2)	MDR, EHOs	Subject to s 74
s 76(1)(h)	Power to refuse to renew a registration	MDR, EHOs	Decision of delegate only valid where Council later ratifies the refusal
s 76(1)(i)	Power to renew a registration subject to a condition imposed on the registration by the Council under s 73(2)	MDR, EHOs	Subject to s 74
s 76(3)	Duty to notify applicant or registration holder of decision under s 76 and ground(s) on which it was based	MDR, EHOs	
s 78	Power to issue a replacement certificate of registration	MDR, EHOs, PDOs	
s 78A(1)	Power to accept applications for the issue, transfer or renewal of registration in the online portal if accommodation or premises in located in the municipal district	MDR, EHOs, PDOs	

**Public Health and Wellbeing Act 2008**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 78A(2)	Duty to pay the charge for use of the online portal	MDR, EHOs	
s 181(1)	Power to take any step in paragraphs (a)-(d) with respect to items seized by an authorised officer appointed by Council	MDR, EHOs	
s 181(2)	Duty to notify owner of item forfeited under s 181(1)(c), setting out how to seek review of the decision	MDR, EHOs	
s 182	Power to destroy or otherwise dispose of forfeited item	MDR, EHOs	
s 185(1)	Function of receiving complaints about authorised officers appointed by the Council	HRBP, MDR	Complaint must be in writing or other form approved by Council
s 185(2)	Power to approve form in which complaint is made	MDR	
s185(4)(a)	Duty to investigate any written complaint provided under s 185(2)	HRBP, MDR	
s185(4)(b)	Duty to provide written report to the complainant on the results of the investigation under s 185(4)(a)	HRBP, MDR	
s 194(2)(a)	Power to issue an improvement notice	MDR, EHOs	In accordance with s 194(3)
s194(2)(b)	Power to issue a prohibition notice	MDR, EHOs	In accordance with s 194(3)
s 196(1)	Power to apply to Magistrates' Court for an injunction (compelling a person to comply or restraining a person from contravening an improvement notice or prohibition notice)	MDR, EHOs, CSOs	
s 197(2)	Power to cause a complaint to be made to the Magistrates' Court (where prohibition notice or improvement notice issued and person does not comply or nuisance likely to recur)	MDR, EHOs, CSOs	
s 197(5)(a)	Power, where order issued under s 197(4), to enter land and abate nuisance and do whatever is necessary to execute the order	MDR, EHOs, CSOs	



**Public Health and Wellbeing Act 2008**

<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 197(5)(b)	Power to recover costs and expenses incurred	MDR	
s 197(6)	Power to recover costs and expenses in court	MDR	
s 205(2)	Function of receiving applications for review of Council decisions	MDR	
s 205(3)	Duty to review decision where application received under s 205(2)	MDR	
s 205(5)	Power to agree a period greater than 28 days for review of a decision with the applicant	MDR	
s 205(6)(a)	Power to make a decision affirming, varying or revoking a decision	MDR	
s 205(6)(b)	Power to make any other decision where original decision is revoked	MDR	Where decision is to refuse an application, decision of delegate only valid where Council later ratifies the refusal
s 205(7)	Duty to give applicant for review a written statement of the decision and reasons	MDR	
s 205(8)	Duty to inform applicant for review of right to apply to VCAT for a review under s207	MDR	
s 209(2)	Power to serve infringement notice	MDR, EHOs, CSOs	
s 219(2)(a)	Power to bring proceedings for offence against Part 6, 9 or 10 (or any regulations under Part 6, 9 or 10)	MDR, EHOs, CSOs	
s 219(2)(b)	Power to bring proceedings for offence relating to an improvement notice or a prohibition notice	MDR, EHOs, CSOs	
s 228(1)	Power to seek reimbursement of costs incurred where person is found guilty of an offence	MDR, EHOs, CSOs	
s 228(2)	Power to seek payment for cost of work conducted by	MDR,	'work' is defined in s 228(3)

**Public Health and Wellbeing Act 2008**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Council where awarded legal costs	EHOs, CSOs	
s 229(3)	Power to take the actions necessary to ensure compliance with the direction, requirement, improvement notice or prohibition notice	MDR, EHOs, CSOs	Where Council is so authorised by Chief Health Officer under s 229(2)
s 230(2)(b)	Power to recover, in court, costs incurred under s 229	MDR, CSOs	

**Public Records Act 1973**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 8A	Duty to cause records to be transferred to custody of Public Records Office	RVO, PAO	

**Residential Tenancies Act 1997**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 91ZU(1)	Power to give a renter a notice to vacate rented premises	NOT	Where Council is a public statutory authority engaged in the provision of housing
s 91ZZC(1)	Power to give a renter a notice to vacate rented premises	NOT	Where Council is a public statutory authority authorised to acquire land compulsorily for its purposes
s 91ZZE(1)	Power to give a renter a notice to vacate rented premises	NOT	Where Council is a public statutory authority engaged in the provision of housing
s 91ZZE(3)	Power to publish Council's criteria for eligibility for the provision of housing	NOT	Where Council is a public statutory authority engaged in the provision of housing
s 142D	Function of receiving notice regarding an unregistered rooming house	MDR, EHOs	
s 142G(1)	Duty to enter required information in Rooming House Register for each rooming house in municipal district	PDO3, MDR, EHOs	

### Residential Tenancies Act 1997

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 142G(2)	Power to enter certain information in the Rooming House Register	PDO3, MDR, EHOs	
s 142I(2)	Power to amend or revoke an entry in the Rooming House Register if necessary to maintain the accuracy of the entry	MDR	
s 206AZA(2)	Function of receiving written notification	MDR	
s 207ZE(2)	Function of receiving written notification	MDR	

### Road Management Act 2004

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 14(7)	Power to appeal to the Minister regarding decision of the Head, Transport for Victoria	NOT	
s 48M	Function of consulting with the relevant authority in relation to the development of guidelines for bus stopping points and bus stop infrastructure	MPL, TOAs	
s 48N	Duty to notify relevant authority within 28 days of installation, removal or relocation of a bus shelter, seat or hardstand located at, or in the immediate vicinity of, a bus stopping point	MPL, TOAs	
s 72(1)	Duty to issue an identity card to each authorised officer the entity appoints	PAYO	Where Council is an appointing entity
s 86	Duty to keep a register containing the particulars of all matters reported to Council under s 85	DCEO	Where Council is the appointing entity
s 87(1)	Function of receiving complaints about the exercise of a power by an authorised officer under the Road Management Act 2004 (Vic)	HRBP	Where Council is the appointing entity
s 87(2)(a)	Power to investigate complaint	DCEO, COO	Where Council is the appointing entity
s 87(2)(b)	Power to provide written report	MPL, DCEO	Where Council is the appointing entity



### Road Management Act 2004

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 88(2)	Function of receiving a document or information from a person who provides a document or information in response to a requirement of an authorised officer under the Road Management Act 2004 (Vic)	MPL	Where Council is the appointing entity
s 89(2)	Power to provide written authority to an authorised officer to give any information acquired by the authorised officer in carrying out those functions to any other person, whether directly or indirectly	MPL, DCEO, COO	Where Council is the appointing entity
sch 2 cl 4	Power to make submissions on the Head, Transport for Victoria's proposal to act under s 42 and cl 3	NOT	
sch 5A cl 15(3)	Duty to provide a certificate under cl 15(2)(b)(iii) of sch 5A on the written request of the Head, Transport for Victoria	MPL, DCEO, COO	
sch 5A cl 26	Duty to surrender land to the Crown following an order of the Governor in Council	DCEO	
sch 5A cl 27	Duty to surrender Council's interest in any Crown land to the Crown following an order of the Governor in Council	DCEO	
sch 5A cl 51	Power to claim from the Head, Transport for Victoria an amount for loss or expense incurred as a result of an order under Division 2 Part 5 of the Act	MPL, DCEO	Council must have sustained pecuniary loss or incurred an expense

### Road Safety Act 1986

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 59(1)(a) and (d)	Power to authorise officer or other person to request or signal driver or person in charge of motor vehicle to do certain things, such as stop the motor vehicle	EMC, CSOs	
s 77(2)(b)	Power to prosecute and authorise staff member to prosecute	EMC	
s 77(4)	Power to authorise officer to take proceedings for any offence which relates to the parking or leaving standing of a vehicle if the offence occurs on land or premises which are vested in, or under the control of, Council	MDR	
s 84BE(1)	Function of receiving a statement under this section	EMC,	Where Council is the enforcement

# Road Safety Act 1986

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		CSOs	official
s 84BE(4), (5) and (5A)	Power to decide to accept statements as effective statements for the purposes of this Part	EMC, CSOs	Where Council is the enforcement official
s 84BE(6)	Duty to cause notice to be served on the statement-giver stating whether the enforcement official accepted the statement as an effective statement	EMC, CSOs	Where Council is the enforcement official
s 84BF	Power to cancel acceptance of a statement	EMC, CSOs	Where Council is the enforcement official
s 87(1)	Power to serve, or cause to be served, a parking infringement notice	EMC, CSOs	
s 87(1D)	Duty to issue an identity card to authorised person Council appoints	HRBP	
s 87(1E)	Power to authorise a member of staff to sign identity card	HRBP	
s 87(8)	Power to authorise person for purpose of serving parking infringement notices in accordance with s 87(1C)	EMC, CSOs	
s 90D(1)	Power to enter into an agreement with the owner or occupier of land for the provision of parking services	EMC, CSOs	
s 90I	Power to issue parking permits to enable vehicles displaying a parking permit for people with disabilities to be parked in accordance with the Road Safety Road Rules 2017 (Vic)	CSOs	
s 98(1)	Power to request Minister to extend application of Act	NOT	
s 99A(4)	Power to establish requirements for traffic management plan	CEO	Where Council is the coordinating road authority under the Road Management Act 2004
s 99B(1)	Power to issue permit to conduct non-road activity (including on conditions specified in s 99B(3))	CEO	Where Council is the coordinating road authority under the Road Management Act 2004
s 99B(2)	Power to authorise closure of highway to traffic	EMC	Where Council is the coordinating road authority under the Road Management Act 2004

### Rooming House Operators Act 2016

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 49(3)	Duty to comply with request under s 49(1) to answer any questions	MBS, MDR, MBS1, EHOs	

### Second Hand Dealers and Pawnbrokers Act 1989

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 26F	Duty to comply with Director's or inspector's request to answer questions or provide information regarding endorsed pawnbroker's business as pawnbroker	EMC, CSOs	

### Service Victoria Act 2018

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 7(1)	Function of receiving a previously transferred customer service function	NOT	
s 7(5)	Power to perform a customer service function in accordance with the enactment that confers the function on the service agency	NOT	
s 12	Function of receiving a previously transferred identity verification function	NOT	
s 12(5)	Power to perform an identity verification function in accordance with the enactment that confers the function on the service agency	NOT	
s 47E	Power to make changes to information in database	NOT	
s 54A(2)	Power to disclose regulated information in certain circumstances in (a) – (g)	NOT	
s 58(3)	Power to provide agreement to Minister	NOT	

### Sheriff Act 2009

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 54(1)	Duty to comply with request for information made under s 53(1)	MDR	Unless s 54(1)(a) and (b) apply

### Sport and Recreation Act 1972



Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 6(3)	Power to enter into agreement with Minister and to agree to conditions for Minister to carry out works or undertakings or provide services	NOT	
s 14(3)	Function of receiving funds for works for provision of sport and recreation	NOT	

Subdivision Act 1988			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 3(5)	Power to require variation of easement or restriction in compliance with planning scheme or permit	MDR, POs	
s 5(3)(c)	Function of receiving application for certification	EA, MDR, POs, PDOs	
s 5(3)(d)	Power to provide statement of compliance	EA, MDR, POs	
s 5(4)	Power to accept and consider plans	EA, MDR, POs	
s 5(4A)	Power to consider and certify plans before Transfer of Land Act 1958 application determined	EA, MDR, POs	
s 6(1)	Duty to certify plan within prescribed time in specified circumstances	EA, MDR, POs	
s 6(2)	Duty to refuse to certify plan where conditions in s 6(1) not met and give reasons in writing	MDR	
s 7A(2)	Duty to, within 7 days after certifying the plan, give the Secretary to the Department of Environment, Land, Water and Planning written notice of that certification, a copy of the application for certification and the certified plan	MDR	
s 8(1)	Duty to refer plans to referral authority in certain circumstances	EA, MDR, POs, PDOs	Unless sub s 8(2)-(5) apply  Form of referral per r 13 and 14 of the Subdivision (Procedures) Regulations 2021
s 8(6)	Duty to give referral authority copy of certified plan	EA, MDR,	

Subdivision Act 1988			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	where not referred to referral authority	POs, PDOs	
s 10(1)	Power to require applicant to alter plan	MDR, POs	
s 10(2)	Power to agree to an alteration at request of applicant	MDR, POs	
s 10(5)	Duty to send altered plan to referral authority	EA, MDR, POs, PDOs	Must send notice in prescribed Form 7 in Schedule 1 outlining revised times, r 19 of the Subdivision (Procedures) Regulations 2021
s 10(7)	Duty to notify surveyor of alteration required by Council	EA, MDR, POs, PDOs	
s 11(1)	Function of receiving application to amend certified plan	EA, MDR, POs, PDOs	
s 11(2)	Duty to refer application under s 11(1) to referral authority	EA, MDR, POs, PDOs	
s 11(2A)	Power to amend without referral if minor amendment	EA, MDR, POs	
s 11(7)	Duty to re-certify plan or advise of refusal in writing with reasons	EA, MDR, POs	
s 11(10)	Duty to notify surveyor of an amendment by acquiring authority where plan prepared by surveyor	MDR, POs	
s 11(11)	Duty to give copy of re-certified plans to referral authority	EA, MDR, POs, PDOs	
s 11A(1)	Power to require more information	MDR, POs, PDOs	
s 15(1)	Power to require engineering plan	MDR,	Does not apply where s 14 applies

**Subdivision Act 1988**

<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
		POs	
s 15(2)	Duty to approve/refuse approval/require alterations of engineering plan	MDR, POs	Does not apply where s 14 applies
s 15(6)	Power to charge for engineering plans prepared by it	MDR	Does not apply where s 14 applies
s 17(2)(a)	Power to appoint supervisor of works	MDR	Does not apply where s 14 applies
s 17(2)(b)	Power to charge for supervision	MDR	Does not apply where s 14 applies
s 17(2)(c)	Power to enter into agreement with owner or applicant in anticipation of applicant becoming owner	MDR	Does not apply where s 14 applies
s 17(2A)	Power to request Minister to nominate authority to consider what works are required	MDR	Does not apply where s 14 applies
s 17(2D)	Power to transfer works/interest in land relating to the works by agreement from Council to a relevant authority	MDR, POs	Does not apply where s 14 applies
s 18(1)	Power to require applicant to set aside land for public open space and/or pay a percentage	MDR, POs	Does not apply where ss 14 and 18(8) apply
			Must have regard to matters in s 18(1A)-2
s 18(1B)	Power to vary time of payment by agreement with applicant	MDR, POs	
s 18(4)	Power to agree with applicant to set aside/pay different percentage	MDR, POs	Does not apply where s 14 applies
s 18(7)	Power to refund amount paid under s 18(1) where no longer intend to subdivide	MDR	Does not apply where s 14 applies
s 18(8)	Power to consider it unlikely that each lot will be further subdivided.	MDR	
s 18A(6)	Power to decide to refund the amount paid to it, if satisfied that it is no longer intended to subdivide the land	MDR	
s 19(1)	Power to obtain valuation where value is not agreed	MDR, POs	Does not apply where s 14 applies



Subdivision Act 1988			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 19(3)	Duty to give applicant copy of valuation	MDR, POs, PDOs	Does not apply where s 14 applies
s 19(5)	Power to obtain revaluation on each anniversary of the making of the public open space requirement and vary the requirement accordingly, where the public open space requirement has not been complied with	MDR, POs, PDOs	Does not apply where s 14 applies
s 21(1)	Duty to issue statement of compliance, subject to s 21(2C) and (2CA)	EA, MDR, POs	Does not apply where s 14 applies  Time limits apply (s 21(1)-(2))
s 21(2A)(a)&(b)	Duty to, in writing, notify Development Victoria of request within 7 days of receiving a request for issue of statement of compliance, and to provide Authority with a copy of planning permit	MDR, POs	
s 21(2CA)	Duty not to issue a statement of compliance in relation to a plan relating to land, in respect of which an infrastructure contribution is imposed under an approved infrastructure contributions plan, unless the applicant has satisfied the Council of the criteria set out in s 21(2CA)(a) and (2CA)(b)	MDR, POs	
s 21(4)	Power to provide in the statement of compliance that agreement pursuant to Planning and Environment Act 1987 no longer applies in certain circumstances	MDR, POs	Does not apply where s 14 applies
s 21(9)	Duty to give a notice to the Commissioner of State Revenue that a statement of compliance has been issued	MDR, POs	
s 21(10)(a)	Duty to, within 7 days after issuing a statement of compliance for a plan of subdivision relating to land in respect of which there is a levy recording (within the meaning of the Melbourne Strategic Assessment (Environment Mitigation Levy) Act 2020 (Vic)), give the Secretary to the Department of Environment, Land, Water and Planning written notice that the statement has been issued	MDR	
s 21(10)(b)	Duty to, within 7 days after issuing a statement of compliance for a plan of subdivision relating to land in	MDR	

**Subdivision Act 1988**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	respect of which there is a levy recording (within the meaning of the Melbourne Strategic Assessment (Environment Mitigation Levy) Act 2020 (Vic)), give the Secretary to the Department of Environment, Land, Water and Planning a copy of the statement		
s 21(10)(c)	Duty to, within 7 days after issuing a statement of compliance for a plan of subdivision relating to land in respect of which there is a levy recording (within the meaning of the Melbourne Strategic Assessment (Environment Mitigation Levy) Act 2020 (Vic)), give the Secretary to the Department of Environment, Land, Water and Planning a copy of the plan of subdivision	MDR	
s 24A(1)	Duty to do any of the things listed in the table in this s 24A where so required by planning scheme with respect to reserves, etc	MDR, POs	
s 24A(2)	Power to certify a plan prepared under s 24A(1) where applicant certifies land no longer reserved	MDR, POs	
s 25(1)	Function of being notified by Registrar of registration of plan and duty to notify any public authority for which easement has been created/reserve has vested.	MDR, POs	
s 25(2)	Function of being notified by Registrar if plan is withdrawn or refused registration	MDR, POs, PDOs	
s 25(3)	Duty to notify referral authority affected by withdrawal/refusal	MDR, POs, PDOs	
s 34E	Power to apply to VCAT for order compelling an owners corporation to carry out a requirement or perform a duty	MDR, POs	
s 34H(5)	Function of receiving notice from Registrar of amendment or cancellation of plan on winding up	MDR, POs, PDOs	
s 35(1)	Duty of acquiring authority to submit plan for certification and registration where land subdivided	MDR, POs	
s 35(2)	Power to require acquiring authority to submit	MDR,	s 35(3)-(5) apply

Subdivision Act 1988			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	certification new/amended plan	POs	
s 35(6)	Duty of an acquiring authority to advise Registrar of vesting date	MDR, POs	
s 35(8)	Power of acquiring authority to submit for certification and registration of any land vested/registered in its own name	MDR, POs	s 35(9) applies
s 35(11)	Duty to give notice to the Commissioner of State Revenue that the plan has been certified	MDR	Provision commences 5 June 2024
s 36(1)	Function of stating in writing that it considers that subdivision requires removal/acquisition of easement	MDR, POs	s 35(1AA) applies
s 38	Power to provide written consent	MDR, POs	
s 38A(1)	Power to provide written consent	MDR, POs	
s 38B	Power to provide written consent	MDR, POs	
s 38C	Power to provide written consent	MDR, POs	
s 39(1)	Power to refer disputes to VCAT	MDR, POs	Unless s 39(2) applies
s 39(3)	Power to apply to the County Court to order registration of plan be stopped in certain circumstances	MDR, POs	
sch 2 cl 11(1)	Power to apply to a court for an order regarding scheme of development	MDR, POs	

Summary Offences Act 1966			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 4	Power to give permission or consent to certain things	MDR, CSOs	
s 6A(1)	Duty to consult with Victoria Police before granting an application for a permit for the use of Council land, a road closure or anything	MDR, CSOs	Subject to s 6A(2)(b)



Summary Offences Act 1966			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	else that the Council believes will facilitate a public protest being held by the applicant		
s 50A(3)(a)	Power to apply to Governor in Council for declaration that municipal district be a 'district' for purposes of s 50A offences	MDR, CSOs	
s 50A(3)(b)	Power to apply to Governor in Council for revocation/variation of declaration under s 50A(3)(a)	MDR, CSOs	

Suburban Rail Loop Act 2021			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 12(2)(o)	Function of receiving advice from the Authority	N/A	
s 63	Power to enter into an agreement or arrangement with the Authority concerning the matters outlined at s 63(1) and (2)	N/A	Council as public authority and reciprocal entity
s 71(1)	Function of receiving a copy of Suburban Rail Loop planning area declaration and statement containing prescribed information	N/A	
s 90(3)	Duty to comply with requirement under subsection (1)	N/A	

Taxation Administration Act 1997			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 92(1)(e)(vfa)	Function of receiving information from a tax officer under or in relation to the administration of a taxation law	FSC	
s 92(1)(h)	Function of receiving information from a tax officer under or in relation to the administration of a taxation law, being in relation to the Short Stay Levy Act 2024	FSC	

Transfer of Land Act 1958			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 26X(1)	Function of receiving enquiries, from the Registrar, for personal information that identifies ratepayers and mortgagors of land, for the purpose of comparing that	RVO, PAO	

### Transfer of Land Act 1958

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	information with information retained by the Registrar or the Registrar-General in relation to land that is to be brought under the Act		
s 26X(2)	Function of disclosing personal information that identifies who is a ratepayer or mortgagor of the land	RVO, PAO	
s 45(1)	Power to sign a transfer of land in respect of which a decision to acquire or dispose of land has been made under the Local Government Act 2020	MDR, POs	Where Council is the landowner  Note: Where Council receives a request for consent to the creation or surrender of an easement (right of carriageway) in a s 45 transfer of land that Council is not a party to, see s 73B
s 54	Power to make application to be registered proprietor	RVO, PAO	Applies only where the Council is an 'acquiring authority' as defined in s 53
s 55(3)	Duty to take possession of any certificate of title, or other document produced to Council on any claim for compensation and to lodge them immediately with the registrar	RVO, PAO	Applies only where the Council is an 'acquiring authority' as defined in s 53
s 57(1)	Duty to lodge notification with the Registrar upon service of notice of intention	RVO, PAO	Applies only where the Council is an 'acquiring authority' as defined in s 53
s 57(2)	Power to withdraw notice of intention to acquire	RVO, PAO	Applies only where the Council is an 'acquiring authority' as defined in s 53
s 62(4)	Function of receiving notice from Registrar of where land is located	RVO, PAO	
s 73B	Power to consent to the creation or surrender of the right of carriageway	RVO, PAO	Where land is located in Council's municipal district
s 88(1B)	Power to consent to the varying or releasing of a restrictive covenant	RVO, PAO	Where land is located in Council's municipal district
s 88(2)	Power to lodge with the Registrar a notification of the acquisition of an easement or any other right over or affecting land	RVO, PAO	Applies only where the Council is an 'acquiring authority' as defined in s 53
s 106(1)(b)	Power to consent to the registration of a dealing or plan	MDR, POs	

### Transport Integration Act 2010

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 25(1)	Duty to have regard to the transport system objectives when exercising powers and performing functions under interface legislation which are likely to have a significant impact on the transport system	MDR	
s 25(2)	Duty to have regard to the decision making principles in making decisions under interface legislation* which are likely to have a significant impact on the transport system.	MDR	
s 25(3)	Duty to have regard to applicable specified policy principles	MDR	
s 25(4)	Duty to have regard to applicable specified policy principles	MDR	
s 26	Power to determine the weight to give to each transport system objective under ss 24 and 25	MDR	
s 27	Power to determine the weight to give to each decision making principle under ss 24 and 25	MDR	
s 115F(3)	Function of collaborating with the Commercial Passenger Vehicle Commission	MDR	
s 197B(2)	Function of receiving notice from regulated bodies	MDR	Where Council is the responsible authority and s 197 applies
s 197B(3)	Duty to meet with representatives from Director of Transport Safety	MDR	Where Council is the responsible authority and s 197 applies
s 197D	Duty to comply with guidelines issued under Act and directions of Secretary or Minister	MDR	

### Valuation of Land Act 1960

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 6(1)	Duty to give notice of the valuation to be each rating authority interested in the valuation of land in the area for which the valuation is being made	RVO, PAO	Where Council is the valuation authority
s 6(2)	Power to require the general valuation prepared by the valuation authority to show items in paragraphs (a) - (c)	RVO, PAO	Where Council is a rating authority
s 6(3)	Duty to give notice to valuer-general	RVO,	Where Council is the rating authority



**Valuation of Land Act 1960**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		PAO	
s 6(4)	Duty to ensure the valuer-general's request is given effect to	RVO, PAO	Where the Council is the valuation authority
s 7AB(2)	Power to adjust the rate or emergency services and volunteers funding levy payable retrospectively for any period it considers just	RVO, PAO	
s 7A(1)	Power to pay valuer subject to the requirements of this section	RVO, PAO	
s 7AE(2)	Duty to comply with an Order in Council requiring the making of a new valuation	RVO, PAO	
s 7A(2)	Power to make a payment, irrespective of s 7A(1), if Council satisfies paragraphs (a) and (b)	RVO, PAO	
s 7B(1)	Duty to provide valuation to valuer-general within 2 months of date on which the valuation was returned to Council	RVO, PAO	
s 8AA(1B)	Duty to pay the valuer-general in accordance with section where Council has requested a supplementary valuation	RVO, PAO	
s 8AA(2)(a)	Power to agree the fees in respect of servicing of a valuation	RVO, PAO	
s 10(1)	Power to make a nomination to have the power to cause a valuation of all land in its municipal district for a specified year	RVO, PAO	
s 10(6)	Power to revoke nomination made under s 10(1)	RVO, PAO	
s 11	Duty to cause a general valuation	RVO, PAO	Where Council is the valuation authority
s 12	Function of causing a valuation of rateable land at the direction of the Minister	RVO, PAO	Where Council is the valuation authority
s 13DA(1)	Power to appoint people to carry out valuations	RVO, PAO	Where Council is the valuation authority  The person(s) to be appointed must

Valuation of Land Act 1960			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			hold the qualifications or experience specified by Minister
s 13DC(2)	Power to use in force valuations in certain circumstances	RVO, PAO	
s 13DF(3A)	Power to use supplementary valuation before it is certified to levy or adjust municipal rate or emergency services and volunteers funding levy	RVO, PAO	
s 13DF(5)	Power to adjust rate or emergency services and volunteers funding levy payable retrospectively where supplementary valuation made in circumstance referred to in s 13DF(2)(o)	RVO, PAO	
s 13DFA(2)	Function of receiving written certification of supplementary valuation from valuer-general	RVO, PAO	
s 13DFB(1)	Power to request valuer-general to carry out a supplementary valuation	RVO, PAO	
s 13DFB(3)	Function of receiving the supplementary valuation within 10 business days after the supplementary valuation is returned to the valuer-general	RVO, PAO	
s 13DG(3)	Duty to make a valuation of all rateable land where Council has had annexed to its municipal district any area which is not part of a former municipal district.	RVO, PAO	Where Council is the valuation authority
s 13G(1)	Power to make a nomination to have the Power to cause a valuation of land specified in s 13G(2) for a specified year	RVO, PAO	Where Council is the collection agency
s 13G(7)	Power to revoke nomination made under s 13G(1)	RVO, PAO	Where Council is the collection agency
s 13H	Duty to cause a general valuation of non-rateable leviable land to be made, returned to it and provided to the relevant collection agency	RVO, PAO	Where Council is the valuation authority
s 13I	Duty to comply with a Ministerial Direction given under s 13I	RVO, PAO	Where Council is the collection agency and also the valuation authority
s 13J	Power to appoint people to carry out valuation	RVO,	The person(s) to be appointed must

**Valuation of Land Act 1960**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		PAO	hold qualifications or experience specified by Minister  Applies when Council is making a valuation for the purposes of the e Emergency Services and Volunteers Fund Act 2012
s 13L(4)	Power to use a supplementary valuation before it is certified by the valuer-general	RVO, PAO	Where Council is the collection agency
s 13L(6)	Power to adjust the emergency services and volunteers funding levy payable retrospectively for any period considered just	RVO, PAO	Where Council is the collection agency
s 13M(2)	Function of receiving certification in writing that the valuer-general is satisfied that the supplementary valuation is correct	RVO, PAO	Where Council is the collection agency
s 13N(1)	Power to request the Valuer-General to make a supplementary valuation	RVO, PAO	Where Council is the collection agency
s 13N(3)	Function of receiving the supplementary valuation within 10 business days after the supplementary valuation is returned to the valuer-general	RVO, PAO	Where Council is the collection agency
13Q(4)	Power to adjust a rate or emergency services and volunteers funding levy	RVO, PAO	
s 15(3)	Duty to give notices in paragraphs (a) and (b) if information is received from a valuation authority under s 15(1)(b) as to a general valuation	RVO, PAO	Where Council is the rating authority
s 20(3)	Function of receiving objection and written submission where objection is because the value is too low or too high, and the value is not less than the prescribed amount	RVO, PAO	Where Council is the valuation authority
s 21(2)	Duty to refer an objection received to the valuation authority	RVO, PAO	Where Council is not the valuation authority which made the valuation
s 21(2A)	Duty to refer objection to valuer	RVO, PAO	Where Council is the valuation authority
s 21(5)	Function of receiving written notice from the valuer-general of recommendation	RVO, PAO	Where Council is the rating authority



### Valuation of Land Act 1960

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 21(6)	Duty to give effect to the decision of the valuer-general	RVO, PAO	Where Council is the rating authority
s 22(5)	Function of receiving copy of application to VCAT for review of valuation decision	RVO, PAO	Where Council is the valuation authority
s 22(6)	Duty to forward to principal registrar of VCAT notice of objection and copies of any notices given under s 21 and any information given or submissions lodged under s 20, in relation to objection, within 1 month after being served with copy of objector's application for review under s 22(5)	RVO, PAO	Where Council is the valuation authority

### Victorian Environmental Assessment Council Act 2001

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 26D(1)	Function of conferring with the Victorian Environmental Assessment Council	MDR	If affected by the provision of an assessment or advice requested under s 26B
s 26D(2)	Duty to give practicable assistance to the Victorian Environmental Assessment Council in preparing an assessment or advice	MDR	

### Victorian Local Government Grants Commission Act 1976

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 10	Duty to supply prescribed information to the commission by certain time	FSC	

### Victoria State Emergency Service Act 2005

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 34(1)	Power to apply for registration of a group of persons as a unit of the Service	NOT	
s 35(2)	Power to consult with the Chief Officer of Operations regarding removal of controller of a registered unit from office	NOT	

### Victorian Data Sharing Act 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 10(a)	Power to provide some, or all, of the specified data to the Chief Data Officer	RGL	If the Chief Data Officer gives a notice under s 8
s 10(b)	Power not to respond to the request	RGL	If the Chief Data Officer gives a notice under s 8
s 13(a)	Power to provide some, or all, of the specified data to the Chief Data Officer	RGL	If the Chief Data Officer gives a notice under s 11
s 13(b)	Power not to respond to the request	RGL	If the Chief Data Officer gives a notice under s 11
s 24(3)(c)	Function of being informed by the Chief Data Officer, or data analytics body, if the Victorian Data Sharing Act 2017, Privacy and Data Protection Act 2014 or Health Records Act 2001 has been, or is likely to have been, breached in relation to data handled under the Victorian Data Sharing Act while in the control of the Chief Data Officer, or of the data analytics body	RGL	
s 33(4)	Duty to have regard to policies or guidelines issued under s 33(1)	RGL	

### Victorian Inspectorate Act 2011

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 28(2)	Power to enter into agreements or arrangements for use of services with the Victorian Inspectorate	NOT	

### Victorian Planning Authority Act 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 33(2)	Duty to comply with request by Authority under s 33(1) for information or assistance	MDR	
s 34(1)	Function of consulting with Authority where exercising its Powers likely to affect Council's functions	MDR	

### Water Act 1989

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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**Water Act 1989**

<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s12(1)(a)	Duty to make any authorisation or permission that may affect the drainage system subject to any conditions required to ensure the conservation of waterways, wetlands and aquifers	MDR, TOAs, POs	
s12(1)(b)	Power to withhold authorisation or permission until such works are carried out that are required to avoid or lessen any possible adverse effect	MDR, TOAs, POs	
s27(4)(a)(ii)	Function of receiving notice of a proposed declaration by the Minister that an area will be a water supply protection area	MDR	
s 32H	Duty to keep copy of approved management plan available for inspection	MDR	
s.36(3)(c)	Function of receiving a copy of an application for the grant of a bulk entitlement if Minister considers the Council is directly affected	MDR	
s67A	Function of receiving a copy of an application under s 67 in respect of a dam	MDR, POs	
s 67B	Duty to advise the Minister of response to application	MDR, POs	
s 122ZA(2)	Function of consenting to Minister's determination under s 122ZA(1)(b)	MDR	
s.122ZC	Power to contribute money to environmental or recreational area for improving or maintaining the area	NOT	
s144(2)(c)	Function of receiving a declaration by an Authority that land will be a serviced property for the purposes of the Act, if likely to be affected	MDR	
s152	Function of receiving notice of intention to affect works	NOT	
s153	Function of receiving notice to alter or remove works	NOT	
s.165(1)	Power to require an Authority to fix fire plugs to works	MFPO, MDR	



Water Act 1989			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s165(2)	Duty to meet costs of providing, installing, marking and maintaining all fire plugs that the Council requires	NOT	
s.171D(1)	Power to require Melbourne Water Corporation to fix fire plugs to works	N/A	
s.171D(2)	Duty to meet costs of providing, installing, marking and maintaining fire plug, where plug is in Council's municipal district	EMC	
s.180(1)	Duty to forward copy application for septic tank permit to Authority	MDR, EHOs	
s180(3)	Function of receiving any notification of the location of the nearest sewer, the availability of works to service the land and any requirements	NOT	
s180(4)	Duty to comply with any requirement of the Authority in regard to the application	NOT	
s180(5)	Duty to not make a decision within 21 days after the copy is forwarded to the Authority	NOT	
s188(3)	Function of receiving notice of proposed declaration of a waterway if the Council may have an interest in the waterway	MDR	
s205(3)	Function of receiving notice of proposed declaration that an area of land will be liable to flooding or be a floodway area	MDR	
s206(1)(b)	Function of receiving notice that an Order has been published in the Government Gazette	MDR, POs	
s206(3)	Duty to prevent land uses that are inconsistent with any identified flood hazards	MDR, POs	
s 208(2)	Duty to notify Authority of intention to undertake or erect any regulated works or structure before undertaking or erecting the works or structure	CE2, CE1, CE3	
s214(2)(b)	Duty to be represented on a committee to carry out investigations in relation to water management if the Council is affected	MDR	

**Water Act 1989**

<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s.217	Power to apply for an order for removal or modification of works	MDR	
s218(2)(b)(ii)	Function of receiving notice of proposed declaration that an area of land will be a drainage course	MDR	
s218(7)	Duty to act in accordance with a management plan approved by the Minister, if the Council has management and control of a drainage course	MDR	
s218(8)	Power to require an owner, occupier or other public statutory body to remove any interferences, carry out any works and maintain any structures, if the Council has the management and control of a drainage course	MDR	Subject to the limitations set out in 218
s218(10)	Duty to comply with any request by another public statutory body within 1 month	MDR	
s218(14)	Power to enter into and remain on the drainage course for the purpose of doing anything that an owner or occupier failed to do	MDR	
s244(7)	Function of receiving a copy of a community agreement, if land in the area is affected	MDR	
s244(8)(b)	Power to consent to community agreement where it involves the construction of a drain across a road reserve	MDR	
s246	Power to exercise the powers and perform the Functions of the committee if requested by the committee, where land is affected by a community drainage or salinity mitigation or community water supply scheme	MDR	
s263(2)	Function of receiving a request to arrange for a supplementary valuation to be made	RVO, PAO	
s 281A(1)	Power to enter into agreement with Melbourne Water Corporation to collect money owing to Melbourne Water Corporation under the Act	N/A	
s 281A(3)	Duty to collect money owing to Melbourne Water Corporation under the Act, that relates to Council's	N/A	On the terms and conditions agreed with Melbourne Water Corporation or, in

### Water Act 1989

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	municipal district		default of agreement, determined by the Essential Services Commission
s286(1)(a)	Duty to contribute to the revenue of the Authority if requested	NOT	Conditions set out in s285 and s286
s287(1)(a)	Duty to make a special contribution to the revenue of the Authority if requested	NOT	Conditions set out in s285 and s287

### Yarra River Protection (Willp-Gin Birrarung Murrn) Act 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 32(2)	Function of being given a reasonable opportunity to be heard by the panel	N/A	
s 40	Duty to make Yarra Strategic Plan available to the public	N/A	
s 43(1)(a)	Duty to prepare a report on the implementation of a Yarra Strategic Plan	N/A	
s 43(1)(b)	Duty to provide the report on the implementation of a Yarra Strategic Plan to the lead agency	N/A	

### Building Regulations 2018

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 5(2)	Power to designate an area liable to flooding	EMC, MDR, POs	Where Council is the relevant council
r 44	Function of receiving documents	PDOs	Where Council is the relevant council
r 49	Duty to keep documents in any manner specified by the Keeper of Public Records until the building is demolished or removed from the allotment	CBS, MDR, PDOs	Where Council is the relevant council
r 50	Duty to make documents available on request	CBS, MDR, PDOs	Where Council is the relevant council
r 51	Function of providing information	CBS, MDR, PDOs	Where Council is the relevant council
r 73(2)	Power of providing report and consent	MBS, MDR,	Where Council is the relevant council



Building Regulations 2018			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		MBS1	
r 74(4)	Power of providing report and consent	MBS, MDR, MBS1	Where Council is the relevant council
r 75(4)	Power of providing report and consent	MBS, MDR, MBS1	Where Council is the relevant council
r 76(4)	Power of providing report and consent	MBS, MDR, MBS1	Where Council is the relevant council
r 77(3)	Power of providing report and consent	MBS, MDR, MBS1	Where Council is the relevant council
r 78(6)	Power of providing report and consent	MBS, MDR, MBS1	Where Council is the relevant council
r 79(6)	Power of providing report and consent	MBS, MDR, MBS1	Where Council is the relevant council
r 80(6)	Power of providing report and consent	MBS, MDR, MBS1	Where Council is the relevant council
r 81(6)	Power of providing report and consent	MBS, MDR, MBS1	Where Council is the relevant council
r 82(5)	Power of providing report and consent	MBS, MDR, MBS1	Where Council is the relevant council
r 83(3)	Power of providing report and consent	MBS, MDR, MBS1	Where Council is the relevant council
r 84(9)	Power of providing report and consent	MBS, MDR, MBS1	Where Council is the relevant council
r 85(3)	Power of providing report and consent	MBS, MDR, MBS1	Where Council is the relevant council
r 86(3)	Power of providing report and consent	MBS, MDR, MBS1	Where Council is the relevant council
r 87(2)	Power of providing report and consent	MBS, MDR, MBS1	Where Council is the relevant council
r 89(3)	Power of providing report and consent	MBS, MDR, MBS1	Where Council is the relevant council

### Building Regulations 2018

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 90(2)	Power of providing report and consent	MBS, MDR, MBS1	Where Council is the relevant council
r 91(5)	Power of providing report and consent	MBS, MDR, MBS1	Where Council is the relevant council
r 92(2)	Power of providing report and consent	MBS, MDR, MBS1	Where Council is the relevant council
r 94(6)	Power of providing report and consent	MBS, MDR, MBS1	Where Council is the relevant Council
r 95(3)	Power of providing report and consent	MBS, MDR, MBS1	Where Council is the relevant council
r 96(3)	Power of providing report and consent	MBS, MDR, MBS1	Where Council is the relevant council
r 97(2)	Power of providing report and consent	MBS, MDR, MBS1	Where Council is the relevant council
r 109(1)	Power of providing report and consent	MBS, MDR, MBS1	Where Council is the relevant council
r 109(2)	Power of providing report and consent	MBS, MDR, MBS1	Where Council is the relevant council
r 109(3)	Power to give consent under rr 109(1) or 109(2)	MBS, MDR, MBS1	Where Council is the relevant council  if it considers that the projection of the part of the building beyond the street alignment will not be detrimental to the safety of the public
r 116(4)	Power of providing report and consent	MBS, MDR, MBS1	Where Council is the relevant council
r 130(1)	Power of providing report and consent	MBS, MDR, MBS1	Where Council is the relevant service authority
r 132(1)	Power of providing report and consent	MBS, MDR, MBS1	Where Council is the relevant council
r 133(2)	Power of providing report	MBS, MDR, MBS1	Where Council is the relevant council

# Building Regulations 2018

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 134(2)	Power of providing report and consent	MBS, MDR, MBS1	Where Council is the relevant council
r 147L(2)	Function of receiving an application for registration	MBS, CBI, CBS, BPI, MDR, MBS1, PDOs	Where Council is the relevant council
r 147M(2)	Function of receiving an application for registration	MBS, CBI, CBS, BPI, MDR, MBS1, PDOs	Where Council is the relevant council
r 147N(2)	Function of receiving an application for registration	MBS, CBI, CBS, BPI, MDR, MBS1, PDOs	Where Council is the relevant council
r 147O(1)	Power to give notice	MBS, CBI, CBS, MDR, MBS1	Where Council is the relevant council
r 147Q	Duty to enter information relating to a swimming pool or spa into Council's register	CBI, CBS, BPI, MDR, PDOs	Where Council is the relevant council
r 147R(1)	Duty to give notice of the matters in r 147R(1)(a) – (g)	MBS, CBI, CBS, BPI, MDR, MBS1, PDOs	Where Council is the relevant council
r 147R(4)	Duty to specify a date for the purposes of r 147R(1)(g)	MBS, CBI, CBS, BPI, MDR, MBS1, PDOs	Where Council is the relevant council
r 147R(5)	Power to specify date	MBS, CBI, CBS, BPI, MDR,	Where Council is the relevant council



# Building Regulations 2018

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		MBS1, PDOs	
r 147S(1)	Duty to remove from the register the information about the swimming pool or spa set out in r 147J, as soon as practicable, where satisfied that a registered swimming pool or registered spa no longer exists or is no longer capable of containing water to a depth of greater than 300 mm	MBS, CBI, CBS, BPI, MDR, MBS1, PDOs	Where Council is the relevant council
r 147S(2)	Duty to give a notice in writing after removing the information about the swimming pool or spa from the register	CBI, CBS, BPI, MDR, PDOs	Where Council is the relevant council
r 147T(1)	Duty to determine the date of construction	MBS, CBI, BPI, MDR, MBS1	Where Council is the relevant council
r 147U(1)	Duty to determine the date of construction	MBS, CBI, BPI, MDR, MBS1	Where Council is the relevant council
r 147V(1)	Duty of receiving a certificate of compliance	CBI, BPI, MDR, PDOs	Where Council is the relevant council
r 147V(4)	Duty to give notice in writing following lodgement of a certificate of pool and spa barrier compliance by the owner	CBI, CBS, BPI, MDR, PDOs	Where Council is the relevant council
r 147W(1)	Power to exempt an owner from the requirement under r 147V(1) to lodge a certificate of pool and spa barrier compliance	MBS, CBI, BPI, MDR, MBS1	Where Council is the relevant council
r 147W(2)	Duty to give a notice in writing if an owner is exempted under r 147V(1)	CBI, CBS, BPI, MDR, PDOs	Where Council is the relevant council
r 147Z(1)	Power to extend the period for lodgement of a certificate of pool and spa barrier compliance if satisfied of the criteria in r 147Z(1)(a) – (e)	MBS, CBI, BPI, MDR, MBS1	Where Council is the relevant council

### Building Regulations 2018

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 147Z(3)	Duty to give a notice, in writing, to the owner of the land specifying a new due date for the lodgement of a certificate of pool and spa barrier compliance as soon as practicable after that decision is made	MBS, CBI, CBS, BPI, MDR, MBS1, PDOs	Where Council is the relevant council
r 147ZD	Duty to update the applicable barrier standard on the register to include the applicable barrier standard referred to in the certificate	MBS, CBI, CBS, BPI, MDR, MBS1, PDOs	Where Council is the relevant council
r 147ZE	Duty to give a notice, in writing, to the owner as soon as practicable following lodgement of a certificate of pool and spa barrier compliance under r 147ZC	MBS, CBI, CBS, BPI, MDR, MBS1, PDOs	Where Council is the relevant council
r 147ZJ(3)	Duty to give a notice, in writing, to the owner of the land on which the swimming pool or spa relating to the barrier is located	MBS, CBI, CBS, BPI, MDR, MBS1, PDOs	Where Council is the relevant council
r 147ZL(1)	Duty to update the register with details of the name of the new owner of the land as soon as practicable	MBS, CBI, CBS, BPI, MDR, MBS1, PDOs	Where Council is the relevant council
r 147ZL(2)	Duty to give a notice, in writing, to the new owner of the land	MBS, CBI, CBS, BPI, MDR, MBS1, PDOs	Where Council is the relevant council
r 147ZM	Duty to submit the requested information to the Authority in the form approved by the Authority	MBS, CBI, CBS, BPI, MDR, MBS1	Where Council is the relevant council
r 148	Duty to prepare maps	MBS, CBI, CBS, MDR, MBS1,	

### Building Regulations 2018

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		PDOs	
r 149(1)	Duty to amend or prepare map for the existing or new designated special area	MBS, CBI, MDR, MBS1	Where Council is the relevant council
r 149(2)	Duty to advise the Authority if a designated special area is altered or created	MBS, CBI, MDR, MBS1	
r 149(3)	Duty to lodge copies of designated special area maps with the Authority	MBS, CBI, MDR, MBS1	Where Council is the relevant council
r 149(4)	Duty to make an up-to-date copy of each designated special area map, applicable to council's municipal district, available to the public for inspection	CBI, CBS, MDR, PDOs	
r 150	Power to designate areas within council's municipal district in which buildings are likely to be subject to attack by termites.	MBS, CBI, MDR, MBS1	
r 152(1)	Power to designate areas in council's municipal district that are likely to be subject to significant snowfalls	MBS, CBI, MDR, MBS1	For the purposes of the BCA
r 153(2)	Power of providing report and consent	MBS, CBI, CBS, MDR, MBS1	Where Council is the relevant council
r 153(4)	Duty not to give consent under r 153(2) if there is likely to be a danger to the life, health or safety of the occupants of the building due to flooding of the site	MBS, CBI, MDR, MBS1	Where Council is the relevant council
r 153(5)	Power to specify, council's report, a level for the surface of the lowest floor of a building on the site	MBS, CBI, MDR, MBS1	Where Council is the relevant council
r 153(6)	Duty to consult with the floodplain management authority for the site and specify a level in line with r 153(6)(b) requirements	MBS, CBI, MDR, MBS1, PDOs	Where Council is the relevant council
r 153(7)	Duty to, without delay, advise the floodplain management authority and sewerage authority for the	MBS, CBI, CBS, MDR,	Where Council is the relevant council



### Building Regulations 2018

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	site of the floor level (if any) specified under r 153(5)	MBS1, PDOs	
r 154(1)	Power of providing report and consent	MBS, CBI, CBS, MDR, MBS1	Where Council is the relevant council
r 154(2)	Power to include, in the report and consent Council provides, recommendations controlling the location and construction of retaining walls and fences in relation to designated land or designated work	MBS, CBI, CBS, MDR, MBS1	Where Council is the relevant council
r 154(3)	Duty to consult with the waterway management authority for the designated land or designated works before giving consent under r 154(1)	MBS, CBI, MDR, MBS1	
r 166B(c)(ii)	Power to approve floor area size greater than 60m <sup>2</sup>	MDR	
r 166C(1)(a)	Function of receiving notification from building owner of intention to commence occupying the building as the owner's principal place of residence	CBS, MDR, PDOs	
r 166C(1)(b)	Function of receiving notification from building owner of the proposed commencement date of that occupation	CBS, MDR, PDOs	
r 166C(2)	Function of receiving notification from building owner of proposed commencement date of occupation	CBS, MDR, PDOs	
r 187(2)	Power of providing report and consent	MBS, CBI, MDR, MBS1	Where Council is the relevant council  Subject to r 187(3)
r 202(1)	Duty to keep the documents relating to occupancy permits in any manner specified by the Keeper of Public Records	MBS, CBI, CBS, MBS1, PDOs	For the purposes of s 75 of the Building Act 1993
r 202(2)	Duty to keep documents relating to a temporary approval for 3 years after the earlier of the two periods set out in rr 202(2)(a) and 202(2)(b)	MBS, CBI, CBS, MBS1,	For the purposes of s 75 of the Building Act 1993

### Building Regulations 2018

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		PDOs	
r 203	Function of receiving documents	MBS, MBS1	
r 205	Function of receiving information	MBS, CBI, MBS1	Where Council is the relevant council
r 215(3)(c)	Function of receiving a determination and report under s 120(2)(a) of the Building Act 1993	MBS, CBI, MBS1	Where Council is the relevant council  If the essential safety measure is required under an emergency order or a building order under Part 8 of the Building Act 1993
r 280(1)	Power to exempt a Class 10 building that is to be constructed on farm land and used for farming purposes, from all or any of the requirements of these Regulations	MBS, CBI, MBS1	Where Council is the relevant council

### Country Fire Authority Regulations 2014

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 105(3)	Duty to notify the executive officer of the regional fire prevention committee of the name of the nominee nominated in accordance with r 105(2)	MFPO, MDR	Regulations expire on 1 August 2025 in accordance with regulation 3 of the Subordinate Legislation (Country Fire Authority Regulations 2024) Extension Regulations 2024
r 105(8)	Duty to give written notice to Authority of names and addresses of persons elected as representatives of Council	MFPO, MDR	Regulations expire on 1 August 2025 in accordance with regulation 3 of the Subordinate Legislation (Country Fire Authority Regulations 2024) Extension Regulations 2024

### Dangerous Goods (Explosives) Regulations 2022

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 147(3)	Function of receiving written notice of intention to discharge firework, Chinese firecrackers or theatrical fireworks	EA, CSOs	Does not apply if local law requires a person to give Council greater notice of an intention to discharge fireworks
r 147(6)	Function of receiving written notice of intention to	N/A	Where Council administers the relevant area

Dangerous Goods (Explosives) Regulations 2022			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	discharge fireworks or firecrackers in or near port waters		of water

Drugs, Poisons and Controlled Substances Regulations 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 7(1)	Power to have possession of 'Schedule 4 poisons' that are necessary for immunisation programs coordinated by Council in accordance with the Public Health and Wellbeing Act 2008	MDR, EHOs, MCHNs	

Electricity Safety (Electric Line Clearance) Interim Regulations 2025			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
sch 1 cl 16(3)(b)	Function of receiving notice before cutting or removing certain trees	PGS	
sch 1 cl 19(2)(b)	Function of receiving notice after completion of cutting or removal of the trees	PGS	
sch 1 cl 20(1)	Power to consult relating to safety of cutting or removal of trees close to an electric line	PGS	
sch 1 cl 21(1)	Power to consult relating to assisting to determine an additional distance that allows for conductor sag and sway	PGS	
sch 1 cl 21(3)	Duty to keep record of the additional distance for at least 5 years	PGS	

Infringements Regulations 2016			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 8	Duty to report listed information to Attorney-General	MDR	

Land Acquisition and Compensation Regulations 2021			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 11	Function of providing certain information as set out in (a)-(h) as requested by an Authority	COO	



Land Acquisition and Compensation Regulations 2021			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 12	Function of providing certain information as set out in (a) - (d) as requested by an Authority	COO	Where Council is responsible authority

Local Government (General) Regulations 2015			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 10	Duty to include in the notice of rates and charges the information prescribed	RVO, PAO	

Local Government (Land Information) Regulations 2021			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 5(2)	Duty to sign a land information certificate	RVO	Refer also to s 121(4) of the Local Government Act 2020.  Signing of a land information certificate must be by the member of staff of the Council to whom the power to sign a land information certificate has been delegated.

Local Government (Long Service Leave) Regulations 2021			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 7(2)	Function of receiving request from member to grant pay instead of long service leave	NOT	
r 7(3)	Duty to pay the member one-tenth of 3 months ordinary pay for each year of completed recognised service	NOT	
r 7(5)(a)	Duty to transfer long service leave entitlement to the other Council with the payment to be transferred under r 19(3)	NOT	
r 7(5)(b)	Duty to pay the public body or special body (as the case requires) an amount equal to one-fortieth of one month's ordinary pay for each completed month of recognised of the member calculated in accordance with these Regulations	NOT	
r 7(6)(b)	Duty to pay the member one-tenth of 3 months	NOT	If, before the member's termination

**Local Government (Long Service Leave) Regulations 2021**

<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
	ordinary pay for each year of completed recognised service		becomes effective, the member has not taken the whole of the long service leave to which the member is entitled or pay instead of that leave, or deferred the taking of the long service leave entitlement under subregulation (4)
r 8(2)	Power to receive notice in writing from member who ceases employment in any of the circumstances set out under subregulation (1) to elect to take pay instead of all or any part of the long service leave to which the member is entitled	NOT	
r 8(3)	Duty to pay the member one-tenth of 3 months ordinary pay for each year of completed recognised service	NOT	
r 8(4)(b)	Duty to pay member one-tenth of 3 months ordinary pay for each year of completed recognised service	NOT	If a member who ceases employment in any of the circumstances set out under subregulation (1) has not taken the whole of the long service leave to which the member is entitled or pay instead of that leave before their termination or retirement becomes effective
r 8(6)	Duty to pay the member referred to in subregulation (5) one-tenth of 3 months ordinary pay for each year of completed recognised service	NOT	
r 8(7)(b)(i)	Function of approving medical practitioner	NOT	
r 9(2)	Duty to pay the legal personal representative of the member referred to in subregulation (1) (as the case requires) (a) the pay which the member elected to take; and (b) pay instead of any long service leave to which the member was entitled and which the member had not taken, or for which the member has not paid	NOT	
r 13(6)	Power to include, to the extent determined in each particular case by first Council, the whole or any portion of a period of service when the member was absent from duty with the prior or subsequent approval	NOT	

### Local Government (Long Service Leave) Regulations 2021

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 14(1)(b)	Duty to grant the member a day off instead of a public holiday	NOT	
r 14(2)	Power to agree on a mutually convenient time with the member	NOT	
r 15	Power to agree on a mutually convenient time with the member to take all or part of long service leave entitlement	NOT	
r 16	Power to approve long serve leave entitlement at half the salary for twice the period	NOT	
r 17	Power to approve a member to engage in any employment for hire or reward while the member is on long service leave	NOT	
r 18	Duty to provide another Council with any information in its possession which may be required by that other Council for the purposes of these Regulations	NOT	
r 19(2)	Duty to, within 2 months of being informed of the employment, pay to the Council an amount equal to one-fortieth of one month's pay for each completed month of service of the member with Council	NOT	Where Council is the member's former employer
r 19(3)	Duty to, within 2 months of being informed of the employment, pay to the Council an amount equal to one-fortieth of one month's pay for each completed month of service of the member with Council	NOT	Where Council is the member's former employer
r 19(4)	Duty to refund a payment made to it under subregulation (3)	NOT	Where Council is the member's new employer
r 20	Power to enter into an agreement with an authority, person responsible for an office or Authority referred to in regulation 13(4) regarding transfer of entitlements	NOT	

### Local Government (Planning and Reporting) Regulations 2020

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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**Local Government (Planning and Reporting) Regulations 2020**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 5(1)	Duty to include statements describing the financial resources are in the prescribed form	FSC	
r 5(2)	Duty to include a statement of capital works in the Financial Plan	FSC	
r 6	Duty to include prescribed information in the Financial Plan	FSC	
r 7	Duty to include the prescribed information in the financial statements included in the budget	FSC	
r 8	Duty to include other prescribed information in the budget or revised budget	FSC	
r 9(2)	Duty to include the prescribed information in the report of operations	RGL, FSC	
r 10	Duty to include in the report of operations a description of the operations of Council	RGL, FSC	
r 11	Duty to include prescribed information relating to performance results in the performance statements	FSC	
r 14	Duty to include the prescribed information in financial statements contained in the annual report	FSC	

**Occupational Health and Safety Regulations 2017**

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 375(3)(c)(ii)	Function to assist in the preparation of an emergency management plan for a major hazard facility	NOT	
r 376(c)	Function to receive a copy of the parts of the emergency plan relating to the off-site consequences of a major incident occurring	NOT	
r 379(4)(b)	Function to review and, if necessary, revise the emergency management plan in relation to the off-site consequences of a major incident occurring	NOT	
r 394(1)	Function to receive information about the safety of a major hazard facility	NOT	
r 396	Function to be consulted on all matters that could affect the health and safety of members of the local community in the event	NOT	

Occupational Health and Safety Regulations 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	of a major incident occurring		
r 433(2)(b)(ii)	Function of assisting in the preparation of an emergency management plan for a prescribed mine	NOT	
r 434(b)(ii)	Function to receive a copy of the emergency plan relating to the off-site consequences of a major incident occurring	NOT	

Public Health and Wellbeing Regulations 2019			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 19(6)	Function of receiving a copy of a disease vector control notice	MEMO, MDR, EHOs	
r 59(4)	Function of being notified of test results	MEMO, MDR, EHOs	
r 59(7)	Function of receiving written notice	MEMO, MDR, EHOs	
r 98	Function of being notified by the Secretary	MEMO, MDR, EHOs	
r 112(1)	Power to request information	MEMO, MDR, EHOs	

Public Health and Wellbeing (Prescribed Accommodation) Regulations 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 12(2)	Power to determine a building to be of cultural heritage significance if one of the circumstances in (2)(a) - (d) exist	MDR, EHOs	

Road Safety Road Rules 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 200(2)	Power to permit drivers of heavy and long vehicles to stop on roads in a built-up area for longer than 1 hour	EMC, MDR, CSOs	
r 244C	Function of consulting with the Head, Transport for Victoria regarding specification of a route or area under r 244C(1)	EMC, MDR, CSOs	

### Road Safety Road Rules 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 289(1)(d)	Power to prohibit drivers riding bicycles or animals on the nature strip	EMC, MDR, CSOs	

### Road Safety (General) Regulations 2019

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
79(1)(b)	Power to authorise staff member to file a charge	NOT	

### Road Safety (Traffic Management) Regulations 2019

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 5	Power to appoint school crossing supervisor	NOT	
r 10(1)	Function of receiving notice, in writing, from the Head, Transport for Victoria if the Head, Transport for Victoria proposes to erect, display, place, remove or alter a traffic control device of a kind referred to in r 9(4)(a) to (f) (a proposal) on a road or road related area that is within the municipal district of the Council	NOT	Unless the road or road related area forms part of a freeway or arterial road
r 10(2)	Power to disagree, in writing, with the proposal	NOT	
r 11(1)	Power to erect, display, place, remove or alter traffic control devices on roads or road related areas	SRC	Where Council is a responsible entity
r 11(2)(a)	Power to erect, display, place, remove or alter a minor traffic control device that is for the control of stopping or parking of vehicles in accordance with Part 12 of the Road Safety Road Rules 2017 (Vic)	SRC	On a road or road related area forming part of an arterial road within Council's municipal district
r 11(2)(b)	Power to erect, display, place, remove or alter a traffic control device that is associated with a children's crossing	SRC	
r 11(2)(c)	Power to erect, display, place, remove or alter a traffic control device installed in accordance with r 15	SRC	
r 11(2)(d)	Power to erect, display, place, remove or alter any other minor traffic control device or a major traffic control device	SRC	With the authorisation of the Head, Transport for Victoria Subject to r 11(3)



Road Safety (Traffic Management) Regulations 2019			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 11(4)	Duty to alter the minor traffic control device to remove the inconsistency or remove the minor traffic control device	SRC	If a minor traffic control device referred to in r 11(2)(a) is inconsistent with a major traffic control device located on the same length of road
r 12(1)(d)	Power to authorise an authorised works manager, or a person acting on behalf of an authorised works manager, to erect, display, place, remove or alter any other minor traffic control device	SRC	Where Council is the coordinating road authority for that road or road related area Note: see r 23(b)
r 13(1)(f)	Power to authorise a person, to whom a coordinating road authority has issued a permit under section 99B of the Road Safety Act 1986 (Vic) to conduct a nonroad activity, to erect, display, place, remove or alter any other minor traffic control device	SRC	Where Council is the coordinating road authority for that road or road related area Note: see r 23(b)
r 18(1)(b)	Power to authorise a person to erect, display, place, remove or alter traffic control devices	SRC	Where Council is the coordinating road authority Note: see r 23(b)
r 27	Power to permit, in writing, a person to drive a vehicle on a road in an organised procession (other than a funeral procession) or a parade	SRC	Where Council is the coordinating road authority for that road
r 30(4)	Power to approve, in writing, a police-controlled rolling road closure	SRC	Where Council is the coordinating road authority
r 32(2)(d)(ii)	Power to approve a highway collection being conducted	CSOs	
r 34(1)	Function of receiving an application for a permit under s 99B of the Road Safety Act 1986 (Vic) from a person intending to conduct a non-road activity on a highway	SRC	Where Council is the coordinating road authority
r 34(4)	Power to reduce, waive or refund the fee for a permit	NOT	Where Council is a coordinating road authority If there are special circumstances that justify the reduction, waiver or refund of the fee

#### Road Safety (Vehicles) Regulations 2021

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 122(3)	Power to enter into an agreement with Secretary to provide extracts for fees	MDR	

#### Subdivision (Fees) Regulations 2016

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 9	Power to fix a fee for considering an engineering plan submitted under s 15 of the Subdivision Act 1988	MDR	
r 12	Power to waive or rebate the payment of a fee payable under the Subdivision Act 1988	MDR	
r 13	Duty to record reasons for waiving or rebating payment of a fee under r 12 in writing	MDR	

#### Subdivision (Procedures) Regulations 2021

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 20	Function of being advised by Registrar of any amendments made to any certified plan under s 22(2)(a) of Subdivision Act 1988	MDR, POs, PDOs	
r 11	Duty to give the applicant the street address and lot location of each plot on the plan	RVO, PDO1, PAO, MDR	
r 14(a)	Duty to provide the referral authority with a copy of the application and certain details	PDO1, MDR, POs	
r 14(b)	Duty to provide the applicant with a copy of the application and certain details	PDO1, MDR, POs	
r 19(1)	Duty to send the referral authority notice of revised time for consideration of the plan, when sending a copy of altered plan under s 10(5) of Subdivision Act 1988	PDO1, MDR, POs	
r 19(3)	Duty to send the applicant notice of revised time for consideration of the plan when altered plan is sent to a referral authority under s 10(5) of Subdivision Act 1988	PDO1, MDR, POs	
r 23(a)	Duty to provide the referral authority with a copy of	PDO1,	

### Subdivision (Procedures) Regulations 2021

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	the plan and certain details, when referring an application to amend a certified plan under s 11(2) of Subdivision Act 1988	MDR, POs	
r 23(b)	Duty to provide the applicant with a copy of the application and certain details, when referring an application to amend a certified plan under s 11(2) of Subdivision Act 1988	PDO1, MDR, POs	
r 29	Duty to provide the applicant with the amended street address and lot location of each lot on amended plan or new plan	RVO, PDO1, PAO, MDR	In circumstances described in r 29
r 33(1)	Duty to maintain a register of applications	PDO1, MDR	May be kept in conjunction with register of permit applications kept under s 49(1) of the Planning and Environment Act 1987
r 33(4)	Duty to make the register available for inspection	PDO1, MDR	
r 36(4)	Duty to send notice of refusal where Council refuses to issue a statement of compliance under s 21 of Subdivision Act 1988	PDO1, MDR	

### Miscellaneous and Administrative Powers

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Section A - Finance Issues	Power to sign and issue Council order forms for purchase of goods, services and works and to enter into contracts for provision of goods, services and works to the Council	N/A	Refer to Council's Procurement Policy
Section A - Finance Issues	Power to authorise payment of wages, salaries, related payments.	HRBP	
Section A - Finance Issues	Power to authorise payment of Councillor and Mayoral allowances	RGL, EA	Within the amount of allowance as determined by Council the Victorian Independent Remuneration Tribunal in accordance with s 7439 of the Local



### Miscellaneous and Administrative Powers

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			Government Act 1989 2020 In accordance with s 39(6) of the Local Government Act 2020, s 74 of the Local Government Act 1989 continues to apply in respect of allowances payable to Mayors, Deputy Mayors and Councillors until the first Determination made by the Victorian Independent Remuneration Tribunal in accordance with s 39(6) of the Local Government Act 2020
Section A - Finance Issues	Power to open bank accounts in Council's name	FSC	
Section A - Finance Issues	Power to approve invoices and accounts for payment. Budget items - e.g. super.	HRBP, FSC	
Section A - Finance Issues	Power to authorise enforcement of overdue debts	FSC	
Section A - Finance Issues	Power to appoint collection agency	FSC	
Section A - Finance Issues	Power to approve contract variations	NOT	Refer to Council's Procurement Policy
Section A - Finance Issues	Power to amend or vary agreements	NOT	
Section A - Finance Issues	Power to sign cheques	HRBP, RGL, MDR	
Section A - Finance Issues	Power to authorise Petty Cash	HRBP, RGL, MDR	
Section A -	Power to issue credit cards to staff	NOT	

### Miscellaneous and Administrative Powers

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Finance Issues			
Section A - Finance Issues	Power to authorise calling of invitations for expressions of interest or tenders for works, services and equipment.	MPL	
Section A - Finance Issues	Power to authorise to sign contracts of sale and vendor statements for land approved for sale.	NOT	
Section A - Finance Issues	Power to sign contracts of sale for the approved acquisition of Real Estate (see 2A).	NOT	
Section A - Finance Issues	Power to authorise the order, release, refund, or return of securities, bank guarantees and bonds, relating to property transactions only.	FSC	
Section A - Finance Issues	Power to authorise progress payments.	NOT	Refer to Council's Procurement Policy
Section A - Finance Issues	Power to authorise payment of contract variations.	NOT	Refer to Council's Procurement Policy
Section A - Finance Issues	Power to determine fees and charges.	NOT	Fees and charges determined by Council in the annual Budget process
Section A - Finance Issues	Power to authorise the sale or disposal of assets other than land.	NOT	
Section A - Finance Issues	Power to write off bad debts	NOT	
Section A - Finance Issues	Power to approve electronic payments and transfers	HRBP, RGL, MDR	
Section B - Building	Power to determine fees required under cl 1(c)(i) of sch 2, ss 18, 42 and 54 of the Building	NOT	Fees and charges determined by Council

Miscellaneous and Administrative Powers			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Issues	Act 1993 for building permit, application for an occupancy permit (building work), application for an occupancy permit (places of public entertainment) and under rr 147P(3), 147X and 147ZJ of the Building Regulations 2018 in relation to swimming pool or spa barriers.		in the annual Budget process
Section B - Building Issues	Power to determine fees payable, person responsible for payment of fees and method of payment and recovery of fees for any application, approval, permit, consent, referral, request, information, inspection, consultation, advice, report, the keeping of documents and records or other function, service or work performed or provided under the Building Act 1993, Building Regulations 2018 or for the purposes of any other building control or related function of the Council by the Council or its delegate or any member of staff of the Council.	NOT	Fees and charges determined by Council in the annual Budget process
Section C - Miscellaneous Issues	Power to appoint agent, and enter into agency agreement, for the purposes of s108 of the Local Government Act 2020	NOT	
Section C - Miscellaneous Issues	Power to obtain legal opinions and instruct external legal providers	HRBP, RGL, MDR	
Section C - Miscellaneous Issues	Power to approve legal costs	HRBP, RGL, MDR	
Section C - Miscellaneous Issues	Power to make "ex gratia" settlement of insurance claims.	NOT	
Section C - Miscellaneous Issues	Power to manage processing of insurance claims.	RGL	
Section C - Miscellaneous Issues	Power to execute funding and service agreements with other levels of government.	NOT	



### Miscellaneous and Administrative Powers

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Section C - Miscellaneous Issues	Power to execute applications for government grants.	NOT	
Section C - Miscellaneous Issues	Power to determine suitability and value of "in kind" local contributions toward \$ for \$ capital works.	NOT	
Section C - Miscellaneous Issues	Power to assess and determine applications for HACC services.	MDR	
Section C - Miscellaneous Issues	Power to grant approval for storage or sale of liquor on Council premises.	CEO	
Section C - Miscellaneous Issues	Power to make seasonal and casual allocation of sporting grounds.	MDR	
Section C – Miscellaneous Issues	Power to lodge with the Register a caveat, and subsequently seek its withdrawal in accordance with s 89(1) of the Transfer of Land Act 1958	RVO, MDR	
Section C - Miscellaneous Issues	Power to enter into agreements for voluntary or not-for-profit organisation to use Council facilities	NOT	
Section C - Miscellaneous Issues	Power to make statements to the press	NOT	
Section C - Miscellaneous Issues	Power to make a decision relating to the conduct of a proceeding before the Victorian Civil and Administrative Tribunal, including a decision to settle the proceeding	NOT	Where Council is a party to a proceeding at the Victorian Civil and Administrative Tribunal
Section C – Miscellaneous Issues	Power to enter into or vary a lease or licence of vehicles	NOT	#Insert any financial limitation
Section C – Miscellaneous	Power to enter into or vary a lease or licence of equipment	NOT	#Insert any financial limitation

Miscellaneous and Administrative Powers			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Issues			
Section C - Miscellaneous Issues	Power to give authority to make statements to the press	NOT	
Section C - Miscellaneous Issues	Power to authorise the issue of media releases	MCO2, GPL, MCO1, MCO3	
Section C - Miscellaneous Issues	Power to authorise access to Council files and documents	NOT	
Section C - Miscellaneous Issues	Power to sign correspondence	MDR	
Section C - Miscellaneous Issues	Power to enter into a licence for the occupation or use of property	NOT	
Section C - Miscellaneous Issues	Power to make a decision relating to the conduct of a proceeding before Court, including a decision to settle the proceeding	NOT	
Section C - Miscellaneous Issues	Power to approve litigation settlement amounts	NOT	up to ## insert amount##
Section C - Miscellaneous Issues	Power to appeal a decision of the Victorian Civil and Administrative Tribunal or Court	NOT	
Section C - Miscellaneous Issues	Duty to administer a competition and consumer protection compliance program	NOT	
Section C - Miscellaneous Issues	Duty to administer a privacy compliance program	HRBP, RGL	
Section C - Miscellaneous	Power to authorise entertainment expenses	CEO	

### Miscellaneous and Administrative Powers

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Issues			
Section C - Miscellaneous Issues	Power to authorise publication on the internet	CEC, MCO2, GPL, RGL, TCIC, MDR, MCO1, MCO3	
Section C - Miscellaneous Issues	Power to authorise publication on the Intranet	CEC, MCO2, GPL, TCIC, MCO1, MCO3	
Section C - Miscellaneous Issues	Power to make or authorise the making of submissions to external bodies	MDR	
Section C - Miscellaneous Issues	Power to approve arrangements having important public relations aspect (e.g. opening ceremony for new facilities)	MCO2, GPL, HRBP, RGL, MDR, MCO1, MCO3	
Section C - Miscellaneous Issues	Power to authorise expenditure on advertising and media	CEC, MCO2, GPL, RGL, TCIC, MCO1, MCO3	
Section C - Miscellaneous Issues	Power to give permission to publish any document or publication	MDR	
Section C - Miscellaneous Issues	Power to authorise allocation or changeover of garbage bins	MDR	



Miscellaneous and Administrative Powers			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Section C - Miscellaneous Issues	Power to serve statements under the Land Acquisition and Compensation Act 1986	FSC	
Section C - Miscellaneous Issues	Power to sign transfer-related documentation under the Duties Act 2000	FSC	
Section C - Miscellaneous Issues	Power to authorise the release of deposit moneys under the Sale of Land Act 1962	FSC	
Section C - Miscellaneous Issues	Power to serve statutory notices in relation to land owned or managed by Council	FSC	
Section C - Miscellaneous Issues	Power to request a Minister or Secretary to appoint a Council officer to be an authorised officer or authorised for a particular purpose under an Act	NOT	
Section C - Miscellaneous Issues	Function of lodging claims for Natural Disaster Financial Assistance and liaising with the Department of Treasury and Finance regarding claims	NOT	
Section C - Miscellaneous Issues	Power to acquire or dispose of an interest in land other than the fee simple	NOT	#Insert any financial limitation
Section C – Miscellaneous Issues	Power to enter into or vary a lease or licence where Council is the lessor or licensor	NOT	
Section C – Miscellaneous Issues	Power to review and determine rents under rent review provisions of leases and licences	NOT	
Section C – Miscellaneous Issues	Power to approve urgent repairs to buildings and equipment owned by Council (including replacement of equipment)	RGL, MPL	#Insert any financial limitation
Section C – Miscellaneous	Power to purchase or dispose of equipment and other fixed assets	MPL	#Insert any financial limitation

### Miscellaneous and Administrative Powers

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Issues			
Section C – Miscellaneous Issues	Power to approve the purchase or hire of vehicles	NOT	#Insert any financial limitation
Section C – Miscellaneous Issues	Power to use credit cards	CSIO1, MFPO, CEO, MPL, EMC	#Insert any financial limitation
Section C – Miscellaneous Issues	Power to approve sponsorships and charitable donations	NOT	#Insert any financial limitation
Section C – Miscellaneous Issues	Power to verify identity for the purposes of property and land use matters	FSC	#Insert any financial limitation

