

# Whitehorse City Council

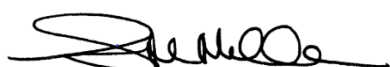
## S13 Instrument of Delegation CEO Powers, Duties and Functions

## Instrument of Delegation

By this Instrument of Delegation, in exercise of the power conferred by s 47(2) of the *Local Government Act 2020*, I, Simon McMillan as Chief Executive Officer of Whitehorse 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 on the coming into force of this Instrument of Delegation, each delegation under the Instrument of Delegation dated 6 August 2024 and executed by Simon McMillan is revoked;
3. declare that this Instrument of Delegation:
  - 3.1 comes into force immediately upon its execution;
  - 3.2 remains in force until varied or revoked;
  - 3.3 is subject to any conditions and limitations set out in paragraph 4, and and in the Schedule; and
4. declare that the delegate must not determine the issue, take the action of do the act or thing if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation.

This Instrument of Delegation is dated 1 April 2025 and is made by the Chief Executive Officer.



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**SIMON McMILLAN**  
Chief Executive Officer  
Whitehorse City Council

## Delegation Sources

- *Child Wellbeing and Safety Act 2005*
- *Emergency Management Act 2013*
- *Fines Reform Act 2014*
- *Fire Services Property Levy Act 2012*
- *Food Act 1984*
- *Freedom of Information Act 1982*
- *Independent Broad-Based Anti-Corruption Commission Act 2011*
- *Local Government Act 2020*
- *Local Government Act 1989*
- *Planning and Environment Act 1987*
- *Public Health and Wellbeing Act 2008*
- *Public Interest Disclosures Act 2012*
- *Rooming House Operators Act 2016*
- *Service Victoria Act 2018*
- *Sheriff Act 2009*
- *Tobacco Act 1987*
- *Valuation of Land Act 1960*
- *Victorian Data Sharing Act 2017*
- *Victorian Inspectorate Act 2011*
- *Local Government (Electoral) Regulations 2020*
- *Local Government (Governance and Integrity) Regulations 2020*
- *Local Government (Land Information) Regulations 2021*

## Schedule

| Child Wellbeing and Safety Act 2005 |   |   |                            |
|-------------------------------------|---|---|----------------------------|
| Provision                           | Power and Functions Delegated   | Delegate  | Conditions and Limitations |
| s 29(2)                             | Function of receiving written notice and consenting to inspection of relevant premises by the Commission for Children and Young People                    | Manager Health & Family Services<br>Coordinator Maternal and Child Health<br>Team Leader Maternal & Child Health<br>Team Leader Early Childhood Services                              |                            |
| s 29(3)                             | Power to consent to inspection of relevant premises without written notice by the Commission for Children and Young People                                | Manager Health & Family Services<br>Coordinator Maternal and Child Health<br>Team Leader Maternal & Child Health<br>Team Leader Early Childhood Services                              |                            |
| s 36                                | Duty to ensure that the Commission for Children and Young People is given any assistance reasonably required to perform functions                         | Manager Health & Family Services<br>Coordinator Maternal and Child Health<br>Team Leader Maternal & Child Health<br>Team Leader Early Childhood Services                              |                            |
| s 43                                | Function of receiving birth notice in certain circumstances   | Maternal & Child Health Nurse   |                            |
| s 45                                | Duty to send a copy of a birth notice to a nurse or the Secretary   | Maternal & Child Health Nurse   |                            |
| s 46K(1)(g)                         | Power to authorise, in writing, a person employed or engaged by Council, in relation to childhood services implementation or policy, as a Child Link user | Director Community Services<br>Manager Health & Family Services<br>Team Leader Maternal & Child Health<br>Coordinator Maternal & Child Health<br>Team Leader Early Childhood Services |                            |

| Child Wellbeing and Safety Act 2005 |   |   |                            |
|-------------------------------------|---|---|----------------------------|
| Provision                           | Power and Functions Delegated   | Delegate  | Conditions and Limitations |
| s 46K(1)(h)                         | Power to authorise, in writing, a nurse employed or engaged by Council, to provide maternal and child health programs for a Maternal and Child Health service, as a Child Link user | Director Community Services<br>Manager Health & Family Services<br>Team Leader Maternal & Child Health<br>Coordinator Maternal & Child Health<br>Team Leader Early Childhood Services |                            |

| Emergency Management Act 2013 |  |  |                                      |
|-------------------------------|--|--|--------------------------------------|
| Provision                     | Power and Functions Delegated  | Delegate                               | Conditions and Limitations           |
| s 54(1)(a)(vii)               | Power to nominate a person, position or role to be a member of the Regional Emergency Management Planning Committee        | Not delegated                          |                                      |
| s 59B(1)(b)                   | Power to nominate a member of Council staff to be the chairperson of the Municipal Emergency Management Planning Committee | Not delegated                          | Delegates cannot nominate themselves |
| s 74E3(d)                     | Function of receiving a copy of any Orders made by Governor in Council under this section                                  | Municipal Emergency Management Officer |                                      |

| Fines Reform Act 2014 |   |                          |                            |
|-----------------------|---|--------------------------|----------------------------|
| Provision             | Power and Functions Delegated   | Delegate                 | Conditions and Limitations |
| s 175(1)(b)           | Power to certify that exceptional circumstances apply requiring Council not to provide required information | Manager Community Safety |                            |

| Fire Services Property Levy Act 2014 |  |  |  |
|--------------------------------------|--|--|--|
| Provision                            | Power and Functions Delegated  | Delegate   | Conditions and Limitations   |
| s 66                                 | Power to disclose information in capacity as a collection agency unless that information will or is likely to identify a particular person | Manager Property & Leasing<br>Manager Finance<br>Coordinator Revenue & Rates | s 66 does not apply if the disclosure is permitted by, or is necessary for the administration of, this Act |
| s 68(1)(b)                           | Power to authorise the secondary disclosure of information obtained under, or in relation to the administration of, this Act               | Manager Finance<br>Coordinator Revenue & Rates                               |  |

| Food Act 1984 |  |                                  |                            |
|---------------|--|----------------------------------|----------------------------|
| Provision     | Power and Functions Delegated                    | Delegate                         | Conditions and Limitations |
| s 50AB        | Function of signing a certificate under this Act | Coordinator Environmental Health |                            |

| Freedom of Information Act 1982 |  |  |                            |
|---------------------------------|--|--|----------------------------|
| Provision                       | Power and Functions Delegated  | Delegate   | Conditions and Limitations |
| s 6W(4)                         | Duty to ensure that all officers and employees are informed about the requirements of the professional standards     | Manager Governance & Integrity<br>Coordinator Information Management<br>Privacy and Information Access Officer |                            |
| s 8(2)                          | Duty to make certain documents available for inspection and purchase   | Manager Governance & Integrity<br>Coordinator Information Management<br>Privacy and Information Access Officer |                            |
| s 8(3)                          | Duty to cause to be prepared a corresponding document, altered only to the extent necessary to exclude exempt matter | Manager Governance & Integrity<br>Coordinator Information Management<br>Privacy and Information Access Officer |                            |

| Freedom of Information Act 1982 |   |  |   |
|---------------------------------|---|--|---|
| Provision                       | Power and Functions Delegated   | Delegate   | Conditions and Limitations  |
| s 8(5)                          | Duty to cause the fact of the existence of a document to be published   | Manager Governance & Integrity<br>Coordinator Information Management<br>Privacy and Information Access Officer |   |
| s 61E                           | Duty to co-operate with the Information Commissioner in dealing with a complaint  | Manager Governance & Integrity<br>Coordinator Information Management<br>Privacy and Information Access Officer |   |
| s 61G                           | Function of consulting with the Information Commissioner  | Manager Governance & Integrity<br>Coordinator Information Management<br>Privacy and Information Access Officer |   |
| s 61GA(1)(a)                    | Function of processing or identifying a reasonable sample of the documents upon notice from the Information Commissioner  | Manager Governance & Integrity<br>Coordinator Information Management<br>Privacy and Information Access Officer | Where the Information Commissioner believes that an agency, principal officer or Minister has failed to undertake an adequate search for documents that relate to a decision that is the subject of the complaint under s 25A(1) or s .25A(5) |
| s 61GA(1)(b)                    | Function to undertake a further search, or to cause a further search to be undertaken, for documents in the possession, custody or control of the agency or Minister, upon notice from the Information Commissioner | Manager Governance & Integrity<br>Coordinator Information Management<br>Privacy and Information Access Officer | 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   | Manager Governance & Integrity<br>Coordinator Information Management<br>Privacy and Information Access Officer |   |

| Freedom of Information Act 1982 |  |  |                            |
|---------------------------------|--|--|----------------------------|
| Provision                       | Power and Functions Delegated  | Delegate   | Conditions and Limitations |
| s 61GA(3)                       | Power to apply for extension   | Manager Governance & Integrity<br>Coordinator Information Management<br>Privacy and Information Access Officer |                            |
| s 61H                           | Power to reach an agreement with a complaint                                     | Manager Governance & Integrity<br>Coordinator Information Management<br>Privacy and Information Access Officer |                            |
| s 61I(2)                        | Power to make submissions in relation to a complaint                             | Manager Governance & Integrity<br>Coordinator Information Management<br>Privacy and Information Access Officer |                            |
| s 61L(5)                        | Power to comment on and response to a draft recommendation or draft comment      | Manager Governance & Integrity<br>Coordinator Information Management<br>Privacy and Information Access Officer |                            |
| s 61R(4)                        | Power to respond to adverse material   | Manager Governance & Integrity<br>Coordinator Information Management<br>Privacy and Information Access Officer |                            |
| s 63BA(1)                       | Power to apply to the Supreme Court for a determination                          | Not delegated  |                            |
| s 63BA(4)(a)                    | Power to make an application   | Not delegated  |                            |
| s 63E(3)(b)                     | Power to give written consent to a disclosure                                    | Manager Governance & Integrity<br>Coordinator Information Management<br>Privacy and Information Access Officer |                            |
| s 64B                           | Duty to give the Information Commissioner any information referred to in s 64(2) | Manager Governance & Integrity<br>Coordinator Information Management<br>Privacy and Information Access Officer |                            |



| Independent Broad-Based Anti-Corruption Commission Act 2011 |  |               |   |
|---|--|---------------|---|
| Provision   | Power and Functions Delegated  | Delegate      | Conditions and Limitations                          |
| s 41  | Power of receiving information acquired by the Independent Broad-based Anti-corruption Commission (IBAC)   | Not delegated |   |
| s 57  | Duty to notify IBAC of any matter believed to constitute corrupt conduct   | Not delegated | Subject to any exemption notices issued under s 57B |
| s 57A(5)  | Duty to comply with Directions made by IBAC under s 57A  | Not delegated |   |
| s 59D(2)  | Duty to comply with request by IBAC under s 59D for relevant information   | Not delegated |   |
| s 73  | Power of receiving a complaint pertaining to Council staff, under circumstances in which it would be more appropriate for Council to conduct the investigation | Not delegated |   |
| s 159   | Power of receiving IBAC recommendations about the action to be taken following an IBAC investigation   | Not delegated |   |
| s 162(2)  | Power of receiving and responding to an IBAC special report that includes matters pertaining to Council  | Not delegated |   |
| s 163(3)  | Power of receiving written information about the commencement, conduct or results of an IBAC investigation pertaining to Council                               | Not delegated |   |
| s 165(2)  | Power of receiving and responding to IBAC material that includes matters pertaining to Council, to be published in the IBAC annual report                      | Not delegated |   |

| Local Government Act 2020 |  |               |  |
|---------------------------|--|---------------|--|
| Provision                 | Power and Functions Delegated  | Delegate      | Conditions and Limitations             |
| s 27A(5)(a)               | Duty to ensure that the Mayoral training is available to be taken within the relevant period as per s 27A(1) | Not delegated | Provision commences on 26 October 2024 |

| Local Government Act 2020 |  |               |  |
|---------------------------|--|---------------|--|
| Provision                 | Power and Functions Delegated  | Delegate      | Conditions and Limitations   |
| s 27A(5)(b)               | Duty to provide reasonable assistance to a Mayor, Deputy Mayor or Acting Mayor to enable them to access the Mayoral training                                       | Not delegated | Provision commences on 26 October 2024   |
| s 32(4)(a)                | Duty to ensure that the Councillor induction training is available to be taken by a Councillor from the day the Councillor takes the oath or affirmation of office | Not delegated |  |
| s 32(4)(b)                | Duty to provide reasonable assistance to a Councillor to enable them to access the Councillor induction training   | Not delegated |  |
| s 33A(5)(a)               | Duty to ensure that the Councillor professional development training is available to be undertaken annually within the relevant period                             | Not delegated | Provision commences on 26 October 2024   |
| s 33A(5)(b)               | Duty to provide reasonable assistance to a Councillor to enable them to access the professional development training   | Not delegated | Provision commences on 26 October 2024   |
| s 46(1)(a)                | Function of supporting the Mayor and the Councillors in the performance of their roles   | Not delegated |  |
| s 46(1)(b)                | Function of ensuring the effective and efficient management of the day to day operations of the Council  | Not delegated |  |
| s 46(3)(a)                | Duty of establishing and maintaining an organisational structure for the Council   | Not delegated |  |
| s 46(3)(b)                | Responsibility for appointing, directing, managing and dismissing Council staff and for all other issues relating to Council staff                                 | Not delegated | Subject to section 48(6) prohibiting appointment of a person who has been a Councillor of the Council within 2 years after the person ceases to hold that office |

| Local Government Act 2020 |  |                                       |  |
|---------------------------|--|---------------------------------------|--|
| Provision                 | Power and Functions Delegated  | Delegate                              | Conditions and Limitations   |
| s 46(3)(b)                | Power to approve the filling of vacancies or the creation, reclassification, or abolition of positions within budget | Directors<br>Managers                 | Subject to section 48(6) prohibiting appointment of a person who has been a Councillor of the Council within 2 years after the person ceases to hold that office |
| s 46(3)(b)                | Power to fix salaries for vacant positions   | Not delegated                         |  |
| s 46(3)(b)                | Power to approve the appointment, engagement or promotion of full time, part time and casual staff                   | Directors<br>Managers<br>Coordinators | Subject to section 48(6) prohibiting appointment of a person who has been a Councillor of the Council within 2 years after the person ceases to hold that office |
| s 46(3)(b)                | Power to approve position descriptions   | Manager People & Culture              |  |
| s 46(3)(b)                | Power to create or approve creation of new positions   | Not delegated                         |  |
| s 46(3)(b)                | Power to conduct disciplinary action under relevant awards and policies  | Directors<br>Managers<br>Coordinators |  |
| s 46(3)(b)                | Power to terminate or suspend the employment of, or to suspend from duty, a member of Council staff                  | Chief Executive Officer<br>Directors  |  |
| s 46(3)(b)                | Power to conduct interviews for staff annual review  | Directors<br>Managers<br>Coordinators |  |
| s 46(3)(b)                | Power to authorise sick, annual and family leave   | Directors<br>Managers<br>Coordinators |  |

| Local Government Act 2020 |   |                                       |                            |
|---------------------------|---|---------------------------------------|----------------------------|
| Provision                 | Power and Functions Delegated   | Delegate                              | Conditions and Limitations |
| s 46(3)(b)                | Power to approve long service leave and compassionate leave                                     | Directors<br>Managers<br>Coordinators |                            |
| s 46(3)(b)                | Power to authorise all forms of study and training leave and educational assistance             | Directors                             |                            |
| s 46(3)(b)                | Power to approve leave without pay  | Directors                             |                            |
| s 46(3)(b)                | Power to authorise time sheets, higher duties, time-in-lieu, overtime and travel expense claims | Directors<br>Managers<br>Coordinators |                            |
| s 46(3)(b)                | Power to approve attendance at conferences and seminars by staff                                | Directors<br>Managers<br>Coordinators |                            |
| s 46(3)(b)                | Power to approve attendance at training programs by staff                                       | Directors<br>Managers<br>Coordinators |                            |
| s 46(3)(b)                | Power to give approval for staff to travel  | Directors<br>Managers<br>Coordinators |                            |
| s 46(3)(b)                | Power to approve travel accommodation for staff   | Directors<br>Managers<br>Coordinators |                            |

| Local Government Act 2020 |  |  |                            |
|---------------------------|--|--|----------------------------|
| Provision                 | Power and Functions Delegated  | Delegate                                 | Conditions and Limitations |
| s 46(3)(b)                | Power to sign Notice of Injury and Work Injury Form  | Directors<br>Managers<br>Coordinators    |                            |
| s 46(3)(b)                | Power to approve claims under WorkCover excess   | Coordinator Health<br>Safety & Wellbeing |                            |
| s 46(3)(b)                | Power to approve expenses relating to an approved course of study for staff  | Director Corporate<br>Services           |                            |
| s 46(3)(b)                | Power to approve staff engaging in other employment  | Not delegated                            |                            |
| s 46(3)(b)                | Power to determine acceptance or denial of liability in the event of a WorkCover claim   | Not delegated                            |                            |
| s 46(3)(b)                | Power to sign Letter of Acceptance of Resignation  | Not delegated                            |                            |
| s 46(3)(b)                | Power to provide references on Council letterhead  | Not delegated                            |                            |
| s 46(3)(b)                | Power to authorise access to a staff member's personal file  | Manager People &<br>Culture              |                            |
| s 46(4)(a)                | Duty to develop and maintain a workforce plan that describes the organisational structure of the Council and specifies the projected staffing requirements for a period of at least 4 years and sets out measures to seek to ensure gender equality, diversity and inclusiveness | Manager People &<br>Culture              |                            |
| s 46(4)(b)                | Duty to inform the Council before an organisational restructure that will affect the capacity of the Council to deliver the Council Plan is implemented  | Not delegated                            |                            |

| Local Government Act 2020 |   |   |  |
|---------------------------|---|---|--|
| Provision                 | Power and Functions Delegated   | Delegate  | Conditions and Limitations   |
| s 46(4)(c)                | Duty to consult members of Council affected by a proposed organisational restructure, before the organisational restructure is implemented  | Not delegated                                       |  |
| s 46(5)                   | Duty to, in giving effect to gender equality, diversity and inclusiveness, comply with any processes and requirements prescribed by the regulations for the purposes of this section of this Act            | Not delegated                                       |  |
| s 46(6)                   | Duty to ensure that the Mayor, Deputy Mayor, Councillors and members of Council staff have access to the workforce plan   | Not delegated                                       |  |
| s 47(6)                   | Duty to submit an annual report to the Council in relation to the activities and performance of a Community Asset Committee in respect of which the members have been given a delegation under this section | Not delegated                                       |  |
| s 47(7)                   | Duty to keep a register of delegations under section 47 of this Act   | Coordinator Governance<br>Senior Governance Officer |  |
| s 48(1)                   | Power to appoint as many members of Council staff as are required to enable the functions of the Council under this Act or any other Act to be performed  | Not delegated                                       | Subject to section 48(6) prohibiting appointment of a person who has been a Councillor of the Council within 2 years after the person ceases to hold that office |
| s 48(2)                   | Duty to adopt and maintain a recruitment policy addressing the matters listed in s 48(2)  | Manager People & Culture                            |  |
| s 49(1)                   | Duty to develop and implement a code of conduct for members of Council staff  | Not delegated                                       | Must develop and implement the first code of conduct within 6 months of commencement of this section   |

| Local Government Act 2020 |   |   |  |
|---------------------------|---|---|--|
| Provision                 | Power and Functions Delegated   | Delegate  | Conditions and Limitations   |
| s 49(4)                   | Duty to ensure that members of Council staff have access to the code of conduct for members of Council staff  | Manager People & Culture                                      |  |
| s 54(6)                   | Duty to ensure the preparation and maintenance of agendas, minutes and reports of the Audit and Risk Committee  | Director Corporate Services<br>Manager Governance & Integrity |  |
| s 97(1)                   | Duty to ensure that a quarterly budget report is presented to the Council at a Council meeting which is open to the public  | Director Corporate Services<br>Manager Finance                |  |
| s 105                     | Power to designate a person as a Principal Accounting Officer   | Not delegated   |  |
| s 109(2)                  | Duty to ensure that any report of the Council that recommends entering into a procurement agreement includes information in relation to any opportunities for collaboration with other Councils or public bodies which may be available | Director Corporate Services<br>Manager Finance                |  |
| s 121                     | Function of receiving application for land information certificate  | Coordinator Revenue & Rates                                   |  |
| s 122                     | Function of receiving acquisition notice  | Coordinator Revenue & Rates                                   | See prescribed information under r 7 of the Local Government (Land Information) Regulations 2021 |
| s 130(7)                  | Duty to notify the Chief Municipal Inspector as soon as practicable after the Chief Executive Officer becomes aware that a relevant person, who is a member of Council staff, has failed to disclose a conflict of interest             | Not delegated   |  |

| Local Government Act 2020 |   |                                    |                            |
|---------------------------|---|------------------------------------|----------------------------|
| Provision                 | Power and Functions Delegated   | Delegate                           | Conditions and Limitations |
| s 130(8)                  | Duty to notify the Council if a relevant person, who is not a Councillor or member of Council staff, fails to disclose a conflict of interest and make a recommendation to the Council as to the action that is to be taken | Not delegated                      |                            |
| s 132(1)                  | Power to nominate a 'nominated officer'   | Not delegated                      |                            |
| s 133                     | Function of receiving an initial personal interests return  | Coordinator Governance             |                            |
| s 134                     | Function of receiving a biannual personal interests return  | Coordinator Governance             |                            |
| s 135(1)                  | Duty to prepare a summary of the personal interests information disclosed in the last personal interests return lodged with the Chief Executive Officer   | Coordinator Governance             |                            |
| s 135(3)                  | Duty to ensure the summary of personal interests is published on the Council's Internet site and available for inspection at the Council office   | Coordinator Governance             |                            |
| s 136(1)                  | Duty to ensure that personal interests return are kept in accordance with the Public Records Act 1973   | Coordinator Information Management |                            |
| s 136(2)                  | Duty to ensure that only the 'specified persons' have access to or can inspect a personal interests return  | Coordinator Governance             |                            |
| s 150(1)                  | Duty to appoint the Councillor Conduct Officer and notify the Principal Councillor Conduct Registrar of the appointment   | Not delegated                      |                            |
| s 230(16)                 | Duty to summon a Council Meeting within 14 days after the public declaration of the election result   | Not delegated                      |                            |



| Local Government Act 2020 |   |   |                            |
|---------------------------|---|---|----------------------------|
| Provision                 | Power and Functions Delegated   | Delegate  | Conditions and Limitations |
| s 240(10)                 | Duty to send notice   | Manager Finance<br>Coordinator Revenue &<br>Rates |                            |
| s 240(11)                 | Duty to send notice   | Manager Finance<br>Coordinator Revenue &<br>Rates |                            |
| s 240(12)                 | Duty to send notice   | Manager Finance<br>Coordinator Revenue &<br>Rates |                            |
| s 246(1)                  | Duty to enrol a person following receipt of a written application for enrolment unless she or he believes the personal is not entitled to be enrolled | Manager Finance<br>Coordinator Revenue &<br>Rates |                            |
| s 246(2)                  | Power to refuse enrolment and duty to give written reasons for refusal application for enrolment  | Manager Finance<br>Coordinator Revenue &<br>Rates |                            |
| s 246(3)                  | Power to request information orally or in writing to enable her or him to determine a person's eligibility for enrolment                              | Manager Finance<br>Coordinator Revenue &<br>Rates |                            |
| s 246(4)                  | Power to require information to be given in writing and signed by the person giving the information   | Manager Finance<br>Coordinator Revenue &<br>Rates |                            |
| s 247(3)                  | Power to decide whether address should be placed on voters' roll and to then take action accordingly  | Manager Finance<br>Coordinator Revenue &<br>Rates |                            |

| Local Government Act 2020 |   |  |                                      |
|---------------------------|---|--|--------------------------------------|
| Provision                 | Power and Functions Delegated   | Delegate                                       | Conditions and Limitations           |
| s 247(4)                  | Duty to notify the person in writing of a decision to grant or refuse a request to remove the person's address from Council voters' roll  | Manager Finance<br>Coordinator Revenue & Rates |                                      |
| s 248(1)                  | Duty to supply to the Victorian Electoral Commission list of voters who appear to be entitled to be enrolled as ratepayers or corporation representatives and any information required by the Victorian Electoral Commission to compile or amend the voters' roll | Manager Finance<br>Coordinator Revenue & Rates |                                      |
| s 248(2)                  | Power to include in the list supplied to the Victorian Electoral Commission people whose address on the rate notice is outside of the municipal district  | Manager Finance<br>Coordinator Revenue & Rates | For the purposes of section 243      |
| s 254(1)                  | Power to use the Council voters' roll for communicating or consulting the local community on the performance of the Council's functions   | Manager Finance<br>Coordinator Revenue & Rates | Subject to section 254(2)(a) and (b) |
| s 254(2)                  | Duty to obtain undertaking  | Manager Finance<br>Coordinator Revenue & Rates |                                      |
| s 254(4)                  | Power to request the Victorian Electoral Commission to provide a copy of the voters' roll   | Manager Finance<br>Coordinator Revenue & Rates |                                      |
| s 258(8)                  | Duty to notify the Minister and the Victorian Electoral Commission that an extraordinary vacancy has occurred within 3 days of receiving a written resignation from a Councillor or becoming aware of an extraordinary vacancy                                    | Not delegated                                  |                                      |
| s 306(1)                  | Function of receiving election campaign donation return   | Not delegated                                  |                                      |

| Local Government Act 2020 |   |  |                            |
|---------------------------|---|--|----------------------------|
| Provision                 | Power and Functions Delegated   | Delegate   | Conditions and Limitations |
| s 307(1)(a)               | Duty to submit a report to the Minister specifying details of the candidates in the election and who submitted an election campaign donation return within 14 days after the period specified in section 360(1) | Not delegated  |                            |
| s 307(2)                  | Duty to provide a summary of each election campaign donation return given to the Chief Executive Officer on the Council's Internet site   | Coordinator Governance<br>Senior Governance<br>Officer |                            |
| s 307(3)                  | Duty to ensure that a summary of the return is made available on the Council's Internet   | Coordinator Governance<br>Senior Governance<br>Office  |                            |
| s 308(2)                  | Duty to ensure that a summary of an election campaign donation return is made available on the Council's Internet site until the close of the roll for the next general election                                | Coordinator Governance<br>Senior Governance<br>Office  |                            |
| s 308(3)                  | Duty to ensure that a copy of an election campaign donation return is available for inspection at the Council's office for a period of 4 years from the date specified in section 360(1)                        | Coordinator Governance<br>Senior Governance<br>Office  |                            |
| s 313(2)                  | Power to represent the Council in all respects as though the person was the party concerned in any proceedings in which the Council is a party or has an interest   | Not delegated  |                            |

| Local Government Act 2020 |  |                             |   |
|---------------------------|--|-----------------------------|---|
| Provision                 | Power and Functions Delegated  | Delegate                    | Conditions and Limitations  |
| s 324(2)                  | Power to sign a certificate certifying any matter relating to the contents of any document kept by a Council | Director Corporate Services | <p>Subject to limitations below:</p> <p>Director City Development and Manager Community Safety - documents in relation to proceedings under Domestic Animals Act 1994</p> <p>Not delegated - documents in relation to proceedings under Food Act 1984, Tobacco Act 1987 and Public Health and Wellbeing Act 2008 remain with the CEO.</p> |

| Local Government Act 1989 |   |  |                            |
|---------------------------|---|--|----------------------------|
| Provision                 | Power and Functions Delegated   | Delegate                                       | Conditions and Limitations |
| s 181G                    | Duty to ensure that quarterly statement prepared under section 138 of Local Government Act 1989 includes relevant details of environmental upgrades and charges | Director Corporate Services<br>Manager Finance |                            |

| Planning and Environment Act 1987 |   |  |   |
|-----------------------------------|---|--|---|
| Provision                         | Power and Functions Delegated   | Delegate   | Conditions and Limitations                              |
| s 140                             | Power to certify copies of instruments, documents, maps or plans under this Act | Director City Development<br>Manager City Planning & Development<br>Assistant Manager Statutory Planning<br>Coordinator Strategic Planning<br>Team Leader Statutory Planning | Where the Council is the relevant responsible authority |

| Planning and Environment Act 1987 |  |  |   |
|-----------------------------------|--|--|---|
| Provision                         | Power and Functions Delegated  | Delegate   | Conditions and Limitations                              |
| s 141                             | Power to provide evidentiary statement pertaining to land use and permits under this Act | Director City Development<br>Manager City Planning & Development<br>Assistant Manager Statutory Planning<br>Coordinator Strategic Planning<br>Team Leader Statutory Planning | Where the Council is the relevant responsible authority |
| s 142                             | Power to provide evidentiary statement pertaining to s 173 agreements under this Act     | Director City Development<br>Manager City Planning & Development<br>Assistant Manager Statutory Planning<br>Coordinator Strategic Planning<br>Team Leader Statutory Planning | Where the Council is the relevant responsible authority |

| Public Health and Wellbeing Act 2008 |   |               |                            |
|--------------------------------------|---|---------------|----------------------------|
| Provision                            | Power and Functions Delegated                         | Delegate      | Conditions and Limitations |
| s 226(2)                             | Power to sign evidentiary certificates under this Act | Not delegated |                            |

| Public Interest Disclosures Act 2012 |                                    |  |                            |
|--------------------------------------|------------------------------------|--|----------------------------|
| Provision                            | Power and Functions Delegated      | Delegate                               | Conditions and Limitations |
| s 12(2)                              | Function of receiving a disclosure | Public Interest Disclosure Coordinator |                            |

| Rooming House Operators Act 2016 |  |                                  |                            |
|----------------------------------|--|----------------------------------|----------------------------|
| Provision                        | Power and Functions Delegated  | Delegate                         | Conditions and Limitations |
| s 4                              | Function of liaising with Business Licensing Authority   | Coordinator Environmental Health |                            |
| s 15(1)                          | Duty to provide information to Business Licensing Authority on request                                       | Coordinator Environmental Health |                            |
| s 15(2)                          | Duty to give a report to Business Licensing Authority on inquiries made in response to request under s 15(1) | Coordinator Environmental Health |                            |
| s 24(2)                          | Duty to give a report to Business Licensing Authority on inquiries made in response to request under s 24(1) | Coordinator Environmental Health |                            |

| Service Victoria Act 2018 |   |                             |  |
|---------------------------|---|-----------------------------|--|
| Provision                 | Power and Functions Delegated   | Delegate                    | Conditions and Limitations   |
| s 5(2)                    | Function of receiving a copy of the agreement made under s 5(1)   | Director Corporate Services |  |
| s 5(4)                    | Function of receiving a copy of a notice under s 5(3)   | Director Corporate Services |  |
| s 6                       | Duty to use best endeavours to give effect to a notice under s 5(3) which applies to Council  | Director Corporate Services |  |
| s 7(3)                    | Function of receiving a copy of the agreement made under s 7(1)   | Director Corporate Services |  |
| s 7(4)                    | Function of receiving a copy of a notice under s 7(3)   | Director Corporate Services |  |
| s 8(2)                    | Power to delegate the transferred customer service function to any person or class of person employed by, or acting on behalf of, the service agency from which the function is transferred | Not delegated               | Where Council's CEO has been transferred a transferred customer service function |
| s 9A(1)                   | Power to agree in writing for the Service Victoria CEO to perform a customer service function   | Not delegated               |  |

| Service Victoria Act 2018 |  |                             |   |
|---------------------------|--|-----------------------------|---|
| Provision                 | Power and Functions Delegated  | Delegate                    | Conditions and Limitations  |
| s 10(2)                   | Function of receiving a copy of the agreement made under s 10(1)   | Director Corporate Services |   |
| S 10(4)                   | Function of receiving a copy of a notice under s 10(3)   | Director Corporate Services |   |
| s 11                      | Duty to use best endeavours to give effect to a notice under s 10(3) which applies to Council  | Director Corporate Services |   |
| s 12(3)                   | Function of receiving a copy of the agreement made under s 12(1)   | Director Corporate Services |   |
| s 12(4)                   | Function of receiving a copy of a notice under s 12(2)   | Director Corporate Services |   |
| s 13(2)                   | Power to delegate the transferred identity verification function to any person or class of person employed by, or acting on behalf of, the service agency from which the function is transferred | Not delegated               | Where Council's CEO has been transferred a transferred identity verification function |
| a 14A(1)                  | Power to agree in writing for the Service Victoria CEO to perform an identity verification function  | Not delegated               |   |
| s 24A(2)(a)               | Function of agreeing on form of delivery   | Not delegated               |   |

| Sheriff Act 2009 |  |                          |                            |
|------------------|--|--------------------------|----------------------------|
| Provision        | Power and Functions Delegated  | Delegate                 | Conditions and Limitations |
| s 54             | Power to exempt Council from providing information to the Sheriff otherwise authorised by a warrant if exceptional circumstances apply | Manager Community Safety |                            |

| Tobacco Act 1987 |   |  |                            |
|------------------|---|--|----------------------------|
| Provision        | Power and Functions Delegated                           | Delegate   | Conditions and Limitations |
| s 36             | Power to nominate a person to be appointed an inspector | Manager Health & Family Services<br>Coordinator Environmental Health |                            |

| Valuation of Land Act 1960 |                                     |                            |                            |
|----------------------------|-------------------------------------|----------------------------|----------------------------|
| Provision                  | Power and Functions Delegated       | Delegate                   | Conditions and Limitations |
| s 3(5)(ba)                 | Power to request valuations of land | Manager Property & Leasing |                            |

| Victorian Data Sharing Act 2017 |   |   |  |
|---------------------------------|---|---|--|
| Provision                       | Power and Functions Delegated   | Delegate  | Conditions and Limitations   |
| s 8(1)                          | Function of receiving a written notice to provide the Chief Data Officer with data held by Council, and data that is specified in the Chief Data Officer's notice | Director Corporate Services<br>Coordinator Information Management |  |
| s 11(1)                         | Function of receiving a written notice to provide information about Council's data holding  | Director Corporate Services<br>Coordinator Information Management |  |
| s 15(1)                         | Power to disclose identifiable data to the Chief Data Officer in response to a request under s 8  | Director Corporate Services<br>Coordinator Information Management | In accordance with s 5   |
| s 15(2)                         | Power to disclose identifiable data to a data analytics body for the purpose of data integration  | Director Corporate Services<br>Coordinator Information Management | In accordance with s 5   |
| s 21                            | Duty to inform the Chief Data Officer of the secrecy provisions which apply to the disclosed data   | Director Corporate Services<br>Coordinator Information Management | Where the CEO is aware of secrecy provisions that apply to data that they have disclosed in accordance with this Act |



| Victorian Inspectorate Act 2011 |   |               |                            |
|---------------------------------|---|---------------|----------------------------|
| Provision                       | Power and Functions Delegated   | Delegate      | Conditions and Limitations |
| s 87(2)                         | Function of responding to adverse material the Victorian Inspectorate intends to include in a report      | Not delegated |                            |
| s 91(2)                         | Function of responding to adverse material the Victorian Inspectorate intends to include in annual report | Not delegated |                            |

| Local Government (Electoral) Regulations 2020 |  |  |                            |
|---|--|--|----------------------------|
| Provision                                     | Power and Functions Delegated  | Delegate   | Conditions and Limitations |
| r 15(1)                                       | Duty to provide details of a person's entitlement to be enrolled as a ratepayer on the voters' roll      | Coordinator Revenue & Rates<br>Senior Rates Administration Officer |                            |
| r 15(2)                                       | Power to exchange relevant information to enrolment entitlements with the VEC                            | Coordinator Revenue & Rates<br>Senior Rates Administration Officer |                            |
| r 18  | Duty to maintain a list of silent voters   | Coordinator Revenue & Rates<br>Senior Rates Administration Officer |                            |
| r 19  | Duty to ensure that only authorised persons have access to details of silent voters                      | Coordinator Revenue & Rates<br>Senior Rates Administration Officer |                            |
| r 33  | Duty to cause the Local Government Candidate Training to be conducted                                    | Manager Governance & Integrity                                     |                            |
| r 34  | Function of receiving prescribed information from person undertaking Local Government Candidate Training | Manager Governance & Integrity                                     |                            |
| r 35  | Duty to keep a register of attendance  | Manager Governance & Integrity                                     |                            |
| r 36(2)                                       | Duty to comply with notice under subsection (1)  | Manager Governance & Integrity                                     |                            |
| r 83  | Duty to submit report on election received by the VEC to Council   | Manager Governance & Integrity                                     |                            |

| Local Government (Governance and Integrity) Regulations 2020 |   |               |                            |
|--|---|---------------|----------------------------|
| Provision  | Power and Functions Delegated   | Delegate      | Conditions and Limitations |
| r 5(b)   | Power to approve the taking of the oath or affirmation of office by means of an audio visual link for the purposes of s 30 of the Local Government Act 2020 | Not delegated |                            |

| Local Government (Land Information) Regulations 2020 |  |  |                            |
|--|--|--|----------------------------|
| Provision  | Power and Functions Delegated                | Delegate   | Conditions and Limitations |
| r 5(2)   | Power to sign a land information certificate | Coordinator Revenue & Rates<br>Senior Rates Administration Officer<br>Rates Administration Officer |                            |