

**Whitehorse City Council**

**Instrument of Sub-Delegation**

**by**

**Chief Executive Officer**

# Instrument of Sub-Delegation

By this instrument of Sub-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 a reference in the Schedule are as follows:

| Acronym | means | Title  |
|---------|-------|--|
| ABS     |       | Assistant Building Surveyor  |
| ACAO    |       | Active Communities Administration Officer  |
| AE      |       | Asset Engineer   |
| AMSTP   |       | Assistant Manager Statutory Planning   |
| AMS&W   |       | Assistant Manager Sustainability & Waste   |
| APO     |       | Team Leader Statutory Planning, Principal Planner, Development Planner, Senior Strategic Planner, Urban Planner and Planning Arborist. |
| BI      |       | Building Inspector   |
| CA&BS   |       | Coordinator Applications & Business Support  |
| CAC     |       | Coordinator Active Communities   |
| CCI     |       | Coordinator Corporate Information  |
| CCL     |       | Coordinator Community Laws   |
| CCSS    |       | Coordinator Community Safety Support   |
| CEA     |       | Coordinator Engineering Assets   |
| CEH     |       | Coordinator Environmental Health   |
| CFA     |       | Coordinator Financial Accounting   |
| CFP&A   |       | Coordinator Financial Planning & Analysis  |
| CG      |       | Coordinator Governance   |
| CHS&W   |       | Coordinator Health Safety & Wellbeing  |

| <b>Acronym</b> | <b>means</b> | <b>Title</b>                                    |
|----------------|--------------|---|
| CLAO           |              | Community Laws Administrative Officer           |
| CLEO           |              | Community Laws Education Officer                |
| CLO            |              | Community Laws Officer                          |
| CLPO           |              | Community Laws Project Officer                  |
| CPay           |              | Coordinator Payroll                             |
| CP&BA          |              | Coordinator Planning & Building Administration  |
| CP             |              | Coordinator Procurement                         |
| CPS            |              | Coordinator Parking Services                    |
| CR&OSD         |              | Coordinator Recreation & Open Space Development |
| CR&R           |              | Coordinator Revenue & Rates                     |
| CSTRP          |              | Coordinator Strategic Planning                  |
| CSL            |              | Cultural Services Lead                          |
| CT             |              | Coordinator Transport                           |
| D&AE           |              | Development & Approvals Engineer                |
| DMBS           |              | Deputy Municipal Building Surveyor              |
| DP             |              | Development Planner                             |
| Ds             |              | Directors                                       |
| DCD            |              | Director City Development                       |
| DCOM           |              | Director Community Services                     |
| DCOR           |              | Director Corporate Services                     |
| DI             |              | Director Infrastructure                         |
| EHA            |              | Environmental Health Administration             |
| EHO            |              | Environmental Health Officer                    |
| EMT            |              | Executive Manager Transformation                |
| FA             |              | Financial Accountant                            |
| FC             |              | Festivals Coordinator                           |
| FFSO           |              | Fee for Service Officer                         |

| <b>Acronym</b> | <b>means</b> | <b>Title</b>   |
|----------------|--------------|--|
| FPA            |              | Financial Planning Analyst                           |
| FP&AA          |              | Financial Planning & Analysis Accountant             |
| FIO            |              | Freedom of Information Officer                       |
| H&CCAO         |              | Home & Community Care Assessment Officer             |
| IRO            |              | Infringements Review Officer                         |
| L&RSAO         |              | Leisure & Recreation Services Administration Officer |
| Mgers          |              | Managers   |
| MA&CS          |              | Manager Arts & Cultural Services                     |
| MCP&D          |              | Manager City Planning & Development                  |
| MCITY          |              | Manager City Services                                |
| MCE&D          |              | Manager Community Engagement & Development           |
| MCS            |              | Manager Community Safety                             |
| MD&BT          |              | Manager Digital & Business Technology                |
| ME&I           |              | Manager Engineering & Investment                     |
| MF&CP          |              | Manager Finance & Corporate Performance              |
| MG&I           |              | Manager Governance & Integrity                       |
| MH&FS          |              | Manager Health & Family Services                     |
| MH&CS          |              | Manager Home & Community Services                    |
| ML&RS          |              | Manager Leisure & Recreation Services                |
| MP&NE          |              | Manager Parks & Natural Environment                  |
| MP&C           |              | Manager People & Culture                             |
| MPD&A          |              | Manager Project Delivery & Assets                    |
| MP&L           |              | Manager Property & Leasing                           |
| MSC&CS         |              | Manager Strategic Communications & Customer Service  |
| MADO           |              | Metro Access Development Officer                     |
| MBS            |              | Municipal Building Surveyor                          |

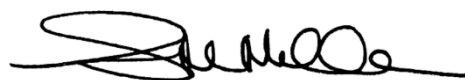
| <b>Acronym</b> | <b>means</b> | <b>Title</b>                               |
|----------------|--------------|--|
| MEMO           |              | Municipal Emergency Management Officer     |
| MFPO           |              | Municipal Fire Prevention Officer          |
| P&BAO          |              | Planning & Building Administration Officer |
| PEO            |              | Planning Enforcement Officer               |
| PIDC           |              | Public Interest Disclosure Coordinator     |
| PO             |              | Planning Officers                          |
| PP             |              | Principal Planner                          |
| PRSO           |              | Prosecution Support Officer                |
| PSO            |              | Parking Services Officer                   |
| RAO            |              | Rates Administration Officer               |
| RQSO           |              | Rates Quality Systems Officer              |
| RSO            |              | Recreation Services Officer                |
| SBCO           |              | Senior Building Control Officer            |
| SPO            |              | Subdivision Planning Officer               |
| SPSO           |              | Senior Parking Services Officer            |
| SRAO           |              | Senior Rates Administration Officer        |
| SSTRP          |              | Senior Strategic Planner                   |
| STRP           |              | Strategic Planner                          |
| TLECS          |              | Team Leader Early Childhood Services       |
| TLMCH          |              | Team Leader Maternal Child Health          |
| TLSTP          |              | Team Leader Statutory Planning             |
| TLSTPE         |              | Team Leader Statutory Planning Enforcement |
| UP             |              | Urban Planner                              |
| WCC            |              | Whitehorse Centre Coordinator              |

3. record that on the coming into force of this Instrument of Sub-Delegation each delegation under the Instrument of Sub-Delegation dated Monday 17 May 2021 and executed by Simon McMillan is revoked;
4. declare that this Instrument of Sub-Delegation:
  - a) comes into force immediately upon its execution;
  - b) remains in force until varied or revoked;
  - c) is subject to any conditions and limitations set out in paragraph 5, and in the Schedule; and
  - d) 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:
  - a) 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
  - b) 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
    - policy; or
    - strategyadopted by Council; or
  - c) 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 **1 July 2021** and is made by the Chief Executive Officer under authority of an instrument of delegation authorised by resolution of Council made on Monday 22 June 2020.

**Signed** by Simon McMillan,  
Chief Executive Officer of Council:

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## SCHEDULE

| ABORIGINAL HERITAGE ACT 2006 |  |                       |                          |
|------------------------------|--|-----------------------|--------------------------|
| Column 1                     | Column 2   | Column 3              | Column 4                 |
| PROVISION                    | THING DELEGATED  | DELEGATE              | CONDITIONS & 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 <i>Aboriginal Heritage Act 2006</i> . | DCD, MCP&D and AMSTP. |                          |
| s 74A(1)                     | Power to enter into an Aboriginal cultural heritage land management agreement with a registered Aboriginal party.                                    | Not delegated.        |                          |
| s 74E(1)                     | Duty to give copy of an Aboriginal cultural heritage land management agreement to the Secretary of the Department of Premier and Cabinet.            | MP&L.                 |                          |

| ASSOCIATIONS INCORPORATION REFORM ACT 2012 |  |                |  |
|--|--|----------------|--|
| Column 1                                   | Column 2   | Column 3       | Column 4   |
| PROVISION                                  | THING DELEGATED  | DELEGATE       | CONDITIONS & LIMITATIONS   |
| s 132                                      | Power to nominate a body to which assets should be returned. | Not delegated. | The power remains with the CEO.<br><br>Where a wound up incorporated association has assets consisting of property supplied by Council (which includes unexpended portion of a grant). |

| <b>AUDIT ACT 1994</b> |  |                 |                                     |
|-----------------------|--|-----------------|-------------------------------------|
| <b>Column 1</b>       | <b>Column 2</b>  | <b>Column 3</b> | <b>Column 4</b>                     |
| <b>PROVISION</b>      | <b>THING DELEGATED</b>   | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b> |
| 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 and audit of the financial statements of the public body and expressing an audit opinion on Council under s 11. | Ds.             |                                     |
| s 13(4)               | Power to dispute the reasonableness of an amount to be paid.   | Ds.             |                                     |
| s 17(1)               | Function of being consulted by the Auditor-General.  | Ds.             |                                     |
| s 18(1)               | Function of receiving a final specification of a performance audit.  | Ds.             |                                     |
| s 18(4)(a)            | Function of receiving an amended specification.  | Ds.             |                                     |
| s 18(4)(b)            | Function of being consulted by the Auditor-General.  | Ds.             |                                     |
| s 23(1)               | Power to enter into an agreement with the Auditor-General for the provision of other auditing services.  | Ds.             |                                     |
| s 44                  | Function of receiving a written notice and power to give consent to entry.   | Ds.             |                                     |
| s 45                  | Power to consent to earlier entry.   | Ds.             |                                     |
| s 46(1)               | Power to request that the Auditor-General, or authorised person, produce proof of identity.  | Ds.             |                                     |

| <b>AUDIT ACT 1994</b> |  |                 |                                      |
|-----------------------|--|-----------------|--------------------------------------|
| <b>Column 1</b>       | <b>Column 2</b>  | <b>Column 3</b> | <b>Column 4</b>                      |
| <b>PROVISION</b>      | <b>THING DELEGATED</b>   | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b>  |
| 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. | Ds.             |                                      |
| s 48                  | Power to request that the Auditor-General or authorised person serve an information gathering notice.  | Ds.             |                                      |
| s 58(2)(a)(i) & (ii)  | Function of receiving a copy of the report or part of the proposed report and the power to make comment.   | Ds.             |                                      |
| s 65(2)               | Duty to give Council's officer or employee a reasonable opportunity in relation to the adverse material.   | Ds.             |                                      |
| s 68(1)               | Function of receiving information acquired by the Auditor-General.   | Ds.             | Where Council is a specified entity. |

| BUILDING ACT 1993 |  |  |  |
|-------------------|--|--|--|
| Column 1          | Column 2   | Column 3                                 | Column 4   |
| PROVISION         | THING DELEGATED  | DELEGATE                                 | CONDITIONS & LIMITATIONS   |
| s 3(1)            | Power to appoint the municipal building surveyor.  | Not delegated.                           | The person must be a registered Building Surveyor {unlimited} as required by s 213 of Act.   |
| s 11(2)           | Duty to publish notice in a newspaper if a regulation under Part 2 ceases to have effect.  | MBS.                                     |  |
| s 25AD(1)         | Function of receiving written notice of the occurrence of each prescribed event and the prescribed information relating to that event.   | CCI, MBS and DMBS.                       |  |
| 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. | CCI, MBS and DMBS.                       |  |
| s 29A             | The function of giving a report and consent relating to a demolition application, in its capacity as responsible authority under the <i>Planning and Environment Act</i> 1987.   | MCP&D, MBS, DMBS, CSTRP, SSTRP and STRP. | <p>This section provides that if an application is made to the relevant Building Surveyor under the Act for a building permit for the demolition of a building on land and—</p> <p>(a) the demolition and all other demolitions completed or permitted in respect of the building within the period of three years immediately preceding the date of the application would together amount to the demolition of more than one half of the volume of the building as it existed at the date of the first building permit to be issued within that period for the demolition of any part of the building; or</p> |

| <b>BUILDING ACT 1993</b> |  |  |  |
|--------------------------|--|--|--|
| <b>Column 1</b>          | <b>Column 2</b>  | <b>Column 3</b>                          | <b>Column 4</b>  |
| <b>PROVISION</b>         | <b>THING DELEGATED</b>   | <b>DELEGATE</b>                          | <b>CONDITIONS &amp; LIMITATIONS</b>  |
|                          |  |  | (b) the demolition is of any part of the facade of a building - then the report and consent of the responsible authority under the Planning and Environment Act 1987 for the planning scheme relating to that land must be obtained to that application. |
| s 29B(1)                 | Duty to give notice where amendment of planning scheme sought in its capacity as responsible authority under the <i>Planning and Environment Act 1987</i> .              | MCP&D, MBS, DMBS, CSTRP, SSTRP and STRP. | This section refers to the suspension of a demolition permit pending amendment of the planning scheme.   |
| s 29B(3)                 | Duty to give notice where request for amendment is withdrawn, refused etc. in its capacity as responsible authority under the <i>Planning and Environment Act 1987</i> . | MCP&D, MBS, DMBS, CSTRP, SSTRP and STRP. |  |
| s 30                     | Function of receiving a copy of permit, plans and other documents.   | CCI, BS and DMBS.                        | Refers to building permits issued by private building surveyors.   |
| s 30B                    | Function of receiving checklist confirming all relevant documents to be provided by building surveyor.   | CCI, MBS, DMBS, ABS, SBCO and BI.        |  |
| s 31(1)                  | Duty to keep a register of building permits.   | MBS and DMBS.                            |  |
| s 31(2)                  | Duty to make the register available for inspection.  | MBS and DMBS.                            |  |
| s 32                     | Duty to keep documents.  | CCI and MBS.                             |  |

| <b>BUILDING ACT 1993</b> |   |                             |   |
|--------------------------|---|-----------------------------|---|
| <b>Column 1</b>          | <b>Column 2</b>   | <b>Column 3</b>             | <b>Column 4</b>   |
| <b>PROVISION</b>         | <b>THING DELEGATED</b>  | <b>DELEGATE</b>             | <b>CONDITIONS &amp; LIMITATIONS</b>   |
| s 32A(2)                 | Duty to provide Places Victoria with 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. | MCP&D, AMSTP and MBS.       |   |
| s 66(b)(i)               | Function of determining fees.   | Not delegated.              | Fees are determined by Council in the annual budget process.  |
|                          | Power to reduce (but not waive) non statutory fees in cases of hardship.  | MBS and DMBS.               |   |
| s 73                     | Function of receiving copy of permit, plans and other documents.  | CCI, MBS and DMBS.          |   |
| s 74(1)                  | Duty to keep a register of occupancy permits, temporary approvals and amendments.   | MBS and DMBS.               |   |
| s 74(2)                  | Duty to make the register available.  | MBS, DMBS, CP&BA and P&BAO. |   |
| s 75                     | Duty to keep documents.   | CCI and MBS.                |   |
| s 80                     | Function of receiving notification of appointment.  | CCI, MBS and DMBS.          | A private building surveyor must, within seven days after accepting an appointment under this Part, notify the relevant Council in writing of the appointment and the building or building work in respect of which the private building surveyor is appointed. |

| <b>BUILDING ACT 1993</b> |  |                    |                                     |
|--------------------------|--|--------------------|-------------------------------------|
| <b>Column 1</b>          | <b>Column 2</b>  | <b>Column 3</b>    | <b>Column 4</b>                     |
| <b>PROVISION</b>         | <b>THING DELEGATED</b>   | <b>DELEGATE</b>    | <b>CONDITIONS &amp; LIMITATIONS</b> |
| s 80A(3)(a)              | Function of receiving written notice of designated building surveyor referred to in s 80A(2).  | CCI, MBS and DMBS. |                                     |
| s 80A(4)(a)              | Function of receiving notice of the new designated building surveyor.  | CCI, MBS and DMBS. |                                     |
| s 80C(4)(c)              | Function of receiving a copy of the transfer form.   | CCI, MBS and DMBS. |                                     |
| 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). | CCI, MBS and DMBS. |                                     |
| s 81(2)                  | Function of receiving notification for work terminated.  | CCI, MBS and DMBS. |                                     |
| s 83F                    | Function of receiving notice of the appointment of a manager for a private building surveyor's business from the Authority.  | CCI and MBS.       |                                     |
| s 101(2)                 | Function of receiving a copy of documents.   | CCI, MBS and DMBS. |                                     |
| s 120(2)(a)              | Function of receiving notification that an order is complied with.   | CCI, MBS and DMBS. |                                     |
| 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                                       | MBS and DMBS.      |                                     |



| <b>BUILDING ACT 1993</b> |   |                 |  |
|--------------------------|---|-----------------|--|
| <b>Column 1</b>          | <b>Column 2</b>   | <b>Column 3</b> | <b>Column 4</b>                                    |
| <b>PROVISION</b>         | <b>THING DELEGATED</b>  | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b>                |
|                          | building surveyor as a debt due to Council pursuant to s 123(1) of the Act.   |                 |  |
| 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. | MBS and DMBS.   |  |
| s 125(1)                 | Function of receiving a copy of a notice or order.  | MBS and DMBS.   |  |
| s 125(2)                 | Function of receiving written notice of the compliance, amendment or cancellation.  | MBS and DMBS.   |  |
| s 126(1)                 | Duty to keep a register of emergency orders, building notices and building orders.  | MBS and DMBS.   |  |
| s 126(2)                 | Duty to make the register available for inspection.   | MBS and DMBS.   |  |
| s 138(5)                 | Power to appeal to the Building Appeals Board.  | MBS and DMBS.   | Where Council is a prescribed reporting authority. |
| s 160(3)(d)              | Power to make application to the Building Appeals Board.  | MBS and DMBS.   |  |
| s 162(1)(a)(i)           | Function of being consulted by the Building Appeals Board.  | MBS and DMBS.   |  |

| <b>BUILDING ACT 1993</b> |   |                 |   |
|--------------------------|---|-----------------|---|
| <b>Column 1</b>          | <b>Column 2</b>   | <b>Column 3</b> | <b>Column 4</b>   |
| <b>PROVISION</b>         | <b>THING DELEGATED</b>  | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b>                                       |
| s 162(4)(b)              | Function of entering into an agreement when directed by the Building Appeals Board.   | MBS and DMBS.   |   |
| s 164(1)                 | Power to agree to terminate or vary an agreement.   | MBS and DMBS.   |   |
| s 164(2)                 | Power to terminate or vary an agreement.  | MBS and DMBS.   |   |
| s 164(4)                 | Power to apply for approval of an agreement.  | MBS and DMBS.   |   |
| s 165(1)(a)              | Duty to lodge a copy of an agreement or variation (under ss 163 or 164) or give notice of the termination to the Building Appeals Board.                  | MBS and DMBS.   | Note: "register" refers to the Titles Register held by Land Use Victoria. |
| s 165(1)(b)              | Duty to apply to have a recording of the agreement or the variation or termination of the agreement made in the Register.                                 | MBS and DMBS.   |   |
| s 192(1)                 | Function of consulting with the Minister regarding Alpine resorts.  | Not applicable. | The section does not apply to Whitehorse.                                 |
| s 192A(7)                | Function of receiving a copy of the map prepared by the Minister.   | MBS and DMBS.   |   |
| 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. | MBS and DMBS.   |   |
| s 214(1)                 | Power to enter into an agreement with other Councils or the Victorian Building Authority regarding the functions of a municipal building surveyor.        | Not delegated.  | The power remains with the CEO.   |

| <b>BUILDING ACT 1993</b> |  |                 |   |
|--------------------------|--|-----------------|---|
| <b>Column 1</b>          | <b>Column 2</b>  | <b>Column 3</b> | <b>Column 4</b>   |
| <b>PROVISION</b>         | <b>THING DELEGATED</b>   | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b>   |
| s 215(1)                 | Power to enter into agreements with a private building surveyor.   | Not delegated.  | The power remains with the CEO.<br>Subject to Council's Procurement Policy. |
| s 216A                   | Power to apply to the Minister for an exemption.   | Not applicable. |   |
| s 216C                   | Power to appoint a municipal building surveyor to carry out certain functions outside the municipal district.  | Not delegated.  | The power remains with the CEO.   |
| s 216D(2)                | Duty to establish a register of swimming pools located in Council's municipal district.  | MBS and DMBS.   |   |
| 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.   | MBS and DMBS.   |   |
| 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.   | MBS and DMBS.   |   |
| s 222                    | Function of receiving an order from the Minister.  | Not delegated.  | The function remains with the CEO.  |
| 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 ss 230(2)(a) and (b). | MBS and DMBS.   |   |

| <b>BUILDING ACT 1993</b> |   |                     |  |
|--------------------------|---|---------------------|--|
| <b>Column 1</b>          | <b>Column 2</b>   | <b>Column 3</b>     | <b>Column 4</b>  |
| <b>PROVISION</b>         | <b>THING DELEGATED</b>  | <b>DELEGATE</b>     | <b>CONDITIONS &amp; LIMITATIONS</b>                              |
| 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.   | MBS and DMBS.       |  |
| 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.  | MBS and DMBS.       |  |
| s 230(7)(c)              | Duty to provide an extract under s 230(6), if requested.  | MBS and DMBS.       |  |
| 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. | MCP&D.              |  |
| s 234A                   | Duty to consider the complaint and give a written report to the complainant of the person's consideration of the complaint.   | MCP&D.              | If the complaint is brought under Part 12 Division 2 of the Act. |
| s 236(7)                 | Power to consent to remove or deface an order or notice put under s 236(4) or 236(4A).  | MBS and DMBS.       |  |
| s 241(1) & (4)           | Power to authorise a person or persons to bring proceedings for an 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).                               | MBS, DMBS and SBCO. | For the purposes of prosecution and court proceedings.           |

| <b>BUILDING ACT 1993</b> |  |                     |  |
|--------------------------|--|---------------------|--|
| <b>Column 1</b>          | <b>Column 2</b>  | <b>Column 3</b>     | <b>Column 4</b>  |
| <b>PROVISION</b>         | <b>THING DELEGATED</b>   | <b>DELEGATE</b>     | <b>CONDITIONS &amp; LIMITATIONS</b>  |
| s 242                    | Function of receiving funds recovered through prosecution.   | MBS and DMBS.       |  |
| 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. | MBS, DMBS and SBCO. | Note: refers to the power of a Council to apply to the Magistrates' Court for a warrant if a person refuses to vacate a building or land when required to do so by Order under the Act.    |
| s 259AB(1)               | Function of entering an information sharing arrangement with the Authority.  | Not delegated.      | Subject to s 259AB (2).<br>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.  | MBS and DMBS.       | 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.<br>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.   | MBS and DMBS.       | 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).  | MBS and DMBS.       | 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).  | MBS and DMBS.       | Where Council is a building regulator.   |

| <b>BUILDING ACT 1993</b> |  |                 |  |
|--------------------------|--|-----------------|--|
| <b>Column 1</b>          | <b>Column 2</b>  | <b>Column 3</b> | <b>Column 4</b>                                      |
| <b>PROVISION</b>         | <b>THING DELEGATED</b>   | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b>                  |
| 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. | MBS and DMBS.   | Where Council is a building regulator.               |
| sch 2 cl 1(c)(i)         | Function of determining fees.  | Not delegated.  | Fees determined by Council in annual budget process. |
| sch 2 cl 4(2)            | Function of receiving a copy of an application.  | MBS and DMBS.   |  |
| sch 2 cl 4(3)            | Function of receiving fees.  | MBS and DMBS.   |  |
| sch 2 cl 4(4)            | Power to fix fees in accordance with cl 4(5).  | Not delegated.  | Fees determined by Council in annual budget process. |
|                          | Power to reduce (but not waive) non statutory fees in cases of hardship.   | MBS and DMBS.   |  |
| 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.  | MBS and DMBS.   | Where Council is the “reporting authority”.          |

| <b>CATCHMENT AND LAND PROTECTION ACT 1994</b> |   |                 |  |
|---|---|-----------------|--|
| <b>Column 1</b>                               | <b>Column 2</b>   | <b>Column 3</b> | <b>Column 4</b>  |
| <b>PROVISION</b>                              | <b>THING DELEGATED</b>                                      | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b>  |
| s 22A(4)                                      | Function of receiving a copy of the Minister's declaration. | Not applicable. | Staff of the Department of Environment, Land, Water and Planning have indicated it is highly unlikely the Act would be relevant to Whitehorse. |

| <b>CHILD WELLBEING AND SAFETY ACT 2005</b> |   |                               |                                   |
|--|---|-------------------------------|-----------------------------------|
| <b>Column 1</b>                            | <b>Column 2</b>   | <b>Column 3</b>               | <b>Column 4</b>                   |
| <b>PROVISION</b>                           | <b>THING DELEGATED</b>  | <b>DELEGATE</b>               | <b>CONDITIONS AND LIMITATIONS</b> |
| s 19                                       | Duty to comply with Child Safe Standards.   | MP&C, MH&FS and TLECS.        |                                   |
| s 25                                       | Function of receiving education and advice from Commission for Children and Young People regarding the Child Safe Standards.        | MP&C, MH&FS, TLMCH and TLECS. |                                   |
| s 26                                       | Function of receiving requests from Commission for Children and Young People for any information or document.                       | MP&C, MH&FS, TLMCH and TLECS. |                                   |
| s 27(1)                                    | Function of receiving request from a relevant authority to provide any information or document.                                     | MP&C, MH&FS, TLMCH and TLECS. |                                   |
| s 29(2)                                    | Function of receiving written notice consenting to inspection of relevant premises by the Commission for Children and Young People. | MP&C, MH&FS, TLMCH and TLECS. |                                   |
| s 29(3)                                    | Power to consent to inspection of relevant premises without written notice by the Commission for Children and Young People.         | MP&C, MH&FS, TLMCH and TLECS. |                                   |
| s 30                                       | Duty to comply with notice to provide documents given under s 30(1).  | MP&C, MH&FS, TLMCH and TLECS. |                                   |
| s 31                                       | Duty to comply with a notice to comply given under S 31(1).   | MP&C, MH&FS, TLMCH and TLECS. |                                   |



| <b>CHILD WELLBEING AND SAFETY ACT 2005</b> |   |                               |  |
|--|---|-------------------------------|--|
| <b>Column 1</b>                            | <b>Column 2</b>   | <b>Column 3</b>               | <b>Column 4</b>  |
| <b>PROVISION</b>                           | <b>THING DELEGATED</b>  | <b>DELEGATE</b>               | <b>CONDITIONS AND LIMITATIONS</b>  |
| s 36                                       | Duty to ensure that Commission for Children and Young People is given any assistance reasonably required to perform its functions.                          | MP&C, MH&FS, TLMCH and TLECS. |  |
| s 41I                                      | Power to seek review by Commission for Children and Young People of a decision by the Commission to issue a notice to produce or a notice to comply.        | MP&C and MH&FS.               |  |
| s 41J                                      | Power to apply to VCAT for a review of decision by the Commission for Children and Young People to issue a notice to comply.                                | DCOM.                         | The delegate must have first exhausted all available avenues for review under s 41I. |
| s 41M                                      | Function of being given the opportunity to comment on an adverse comment or opinion to be included in an annual report or further report of the Commission. | MP&C, MH&FS, TLMCH and TLECS. |  |
| s 41V                                      | Power to, on Council's own initiative, disclose confidential information, other than excluded information, to another information sharing entity.           | MP&C, MH&FS, TLMCH and TLECS. | Where Council is an "information sharing entity" and a "disclosing entity".          |
| s 41V                                      | Function of receiving confidential information, other than excluded information.  | MP&C, MH&FS, TLMCH and TLECS. | 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.                                  | MP&C, MH&FS, TLMCH and TLECS. | Where Council is an "information sharing entity" and a "requesting entity".          |
| s 41W(1)                                   | Function of receiving confidential information, other than excluded information.  | MP&C, MH&FS, TLMCH and TLECS. | Where Council is an "information sharing entity" and a "requesting entity".          |

| <b>CHILD WELLBEING AND SAFETY ACT 2005</b> |  |                               |   |
|--|--|-------------------------------|---|
| <b>Column 1</b>                            | <b>Column 2</b>  | <b>Column 3</b>               | <b>Column 4</b>   |
| <b>PROVISION</b>                           | <b>THING DELEGATED</b>   | <b>DELEGATE</b>               | <b>CONDITIONS AND LIMITATIONS</b>   |
| s 41W(1)                                   | Function of receiving a request for confidential information, other than excluded information.                           | MP&C, MH&FS, TLMCH and TLECS. | Where Council is an “information sharing entity” and a “responding entity”. |
| s 41W(2)                                   | Power to disclose to the responding entity any confidential information that may assist the responding entity.           | MP&C, MH&FS, TLMCH and TLECS. | Where Council is an “information sharing entity” and a “requesting entity”. |
| s 41W(2)                                   | Function of receiving confidential information from an information sharing entity.                                       | MP&C, MH&FS, TLMCH and TLECS. | Where Council is an “information sharing entity” and a “responding entity”. |
| s 41W(3)                                   | Duty to comply with request made under s 41W(1).   | MP&C, MH&FS, TLMCH and TLECS. | 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).                 | MP&C, MH&FS, TLMCH and TLECS. | 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).    | MP&C, MH&FS, TLMCH and TLECS. | 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). | MP&C, MH&FS, TLMCH and TLECS. | Where Council is an “information sharing entity”.                           |
| s 41Z                                      | Power to collect and use any confidential information disclosed to Council under Part 6A.                                | MP&C, MH&FS, TLMCH and TLECS. | Where Council is an “information sharing entity”.                           |

| <b>CHILD WELLBEING AND SAFETY ACT 2005</b> |   |                               |  |
|--|---|-------------------------------|--|
| <b>Column 1</b>                            | <b>Column 2</b>   | <b>Column 3</b>               | <b>Column 4</b>  |
| <b>PROVISION</b>                           | <b>THING DELEGATED</b>  | <b>DELEGATE</b>               | <b>CONDITIONS AND LIMITATIONS</b>  |
| s 41ZC                                     | Duty to record prescribed information in respect of its collection, use and disclosure of confidential information. | MP&C, MH&FS, TLMCH and TLECS. | Where Council is an “information sharing entity”.  |
| s 41ZD(2)                                  | Power to collect, use or disclose confidential information.   | MP&C, MH&FS, TLMCH and TLECS. | Where Council is an “information sharing entity” within the meaning of Part 5A of the <i>Family Violence Protection Act 2008</i> . |
| s 41ZF                                     | Power to refuse to give an individual access to their confidential information under a relevant privacy law.        | MP&C, MH&FS, TLMCH and TLECS. | Where Council is an “information sharing entity”.  |
| s 43(1)(a)                                 | Function of receiving notice of the birth of a child.   | MH&FS and TLMCH.              | 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.   | MH&FS and TLMCH.              | When the municipal district in which the mother usually resides is unknown and the birth occurs in Council’s municipal district.   |

| <b>CHILDREN YOUTH AND FAMILIES ACT 2005</b> |   |                 |   |
|---|---|-----------------|---|
| <b>Column 1</b>                             | <b>Column 2</b>   | <b>Column 3</b> | <b>Column 4</b>   |
| <b>PROVISION</b>                            | <b>THING DELEGATED</b>  | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b>   |
| s 23(1)                                     | Function of being allocated money by the Secretary for the purposes of Part 3.1.  | MH&FS.          | “Secretary” refers to the Secretary of the Department of Health and Human Services.   |
| s 25  | Power to use land or property for the purposes of the Department of Health and Human Services.  | Not delegated.  | The power remains with the CEO.   |
| s 26  | Function of entering into an agreement with the Secretary.  | MH&FS.          |   |
| 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. | MH&FS.          | 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.  | MH&FS.          | Where Council is an information holder under the Act.   |
| s 196                                       | Function of receiving written direction from an authorised officer in relation to disclosure of information.  | MH&FS.          |   |
| s 197                                       | Duty to comply with written direction from authorised officer.  | MH&FS.          |   |

| <b>CHILDREN'S SERVICES ACT 1996</b> |  |                 |                                     |
|-------------------------------------|--|-----------------|-------------------------------------|
| <b>Column 1</b>                     | <b>Column 2</b>  | <b>Column 3</b> | <b>Column 4</b>                     |
| <b>PROVISION</b>                    | <b>THING DELEGATED</b>   | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b> |
| 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). | MH&FS.          |                                     |

| <b>CLIMATE CHANGE ACT 2017</b> |   |                 |   |
|--------------------------------|---|-----------------|---|
| <b>Column 1</b>                | <b>Column 2</b>   | <b>Column 3</b> | <b>Column 4</b>   |
| <b>PROVISION</b>               | <b>THING DELEGATED</b>  | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b>                                     |
| s 46                           | Power to make statement (a Council pledge) in respect of greenhouse gas emissions reductions.             | Not delegated.  | 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.             | Not delegated.  |   |
| s 49(3)                        | Duty to have regard to any directions of Minister regarding preparation of an emissions reduction pledge. | DI and MCITY.   |   |
| s 82(1)                        | Function of receiving notice of proposed Carbon Sequestration Agreement.                                  | MCITY.          | Where Council is the public land manager.                               |

| <b>CONSERVATION, FORESTS AND LAND ACT 1987</b> |  |                 |   |
|--|--|-----------------|---|
| <b>Column 1</b>                                | <b>Column 2</b>  | <b>Column 3</b> | <b>Column 4</b>   |
| <b>PROVISION</b>                               | <b>THING DELEGATED</b>   | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b>   |
| 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. | Not delegated.  | Specified works are listed in sch 3 to Act.<br>The section is unlikely to apply to Whitehorse.  |
| s 67   | Power to take action contrary to a Code of Practice if paragraphs (a) and (b) apply.   | Not delegated.  | Sections (a) and (b) are where:<br>a) the authority is satisfied that there is no feasible and prudent alternative; and<br>b) all measures that can reasonably be taken to minimise the adverse effect of the action are taken. |

| <b>COUNTRY FIRE AUTHORITY ACT 1958</b> |                        |                 |   |
|--|------------------------|-----------------|---|
| <b>Column 1</b>                        | <b>Column 2</b>        | <b>Column 3</b> | <b>Column 4</b>   |
| <b>PROVISION</b>                       | <b>THING DELEGATED</b> | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b>   |
|  |                        | Not applicable. | The City of Whitehorse is covered by Fire Rescue Victoria which serves metropolitan Melbourne and major regional centres. |

| <b>CULTURAL AND RECREATIONAL LANDS ACT 1963</b> |                              |                 |                                     |
|---|------------------------------|-----------------|-------------------------------------|
| <b>Column 1</b>                                 | <b>Column 2</b>              | <b>Column 3</b> | <b>Column 4</b>                     |
| <b>PROVISION</b>                                | <b>THING DELEGATED</b>       | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b> |
| s 4   | Function of receiving rates. | MF&CP and CR&R. |                                     |

| <b>DANGEROUS GOODS ACT 1985</b> |   |                 |                                     |
|---------------------------------|---|-----------------|-------------------------------------|
| <b>Column 1</b>                 | <b>Column 2</b>   | <b>Column 3</b> | <b>Column 4</b>                     |
| <b>PROVISION</b>                | <b>THING DELEGATED</b>  | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b> |
| s 29                            | Function of receiving statement from the Victorian WorkCover Authority about details of dangerous goods on licensed premises. | MEMO and MBS.   |                                     |

| <b>DEVELOPMENT VICTORIA ACT 2003</b> |   |                 |   |
|--------------------------------------|---|-----------------|---|
| <b>Column 1</b>                      | <b>Column 2</b>   |                 | <b>Column 4</b>   |
| <b>PROVISION</b>                     | <b>THING DELEGATED</b>  | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b>   |
| s 13(1)                              | Function of entering into an agreement with Development Victoria concerning particular issues.  | Not delegated.  | The function remains with the CEO.<br>Function of “public statutory body”.  |
| s 39(2)                              | Duty to comply with order from the Governor in Council issued under s 39(1) to surrender land in a project area.  | DCD and MCP&D.  | Duty of “public statutory body”.  |
| s 51I(3)(b)                          | Function of receiving notice of a resolution levying a general charge from Development Victoria.  | DCD and MCP&D.  |   |
| s 51Q(3)(b)                          | Function of receiving notice of a resolution levying an infrastructure recovery charge from Development Victoria.   | DCD and MCP&D.  |   |
| s 51ZA                               | Function of receiving written notice of a charge from Development Victoria, where Council has submitted notice to the Authority pursuant to s 21(2A) of the <i>Subdivision Act 1988</i> . | DCD and MCP&D.  | Section 51ZD provides as follows:<br>1) Development Victoria may recover any unpaid charge that is due and payable and any unpaid interest on that charge as a debt in any court of competent jurisdiction.<br>2) Any unpaid charge that is due and payable, any unpaid interest on that charge and any costs awarded to Development Victoria in any court proceedings in relation to that charge or interest are a first charge on the land. |
| s 56D(1)                             | Duty to give relevant Ministers and the Treasurer a statement allocating the property, rights and liabilities of Council in relation to designated project to Development Victoria.       | DCD and MCP&D.  | Duty of “nominated agency”.   |



| <b>DEVELOPMENT VICTORIA ACT 2003</b> |   |  |                                     |
|--------------------------------------|---|--|-------------------------------------|
| <b>Column 1</b>                      | <b>Column 2</b>   |  | <b>Column 4</b>                     |
| <b>PROVISION</b>                     | <b>THING DELEGATED</b>  | <b>DELEGATE</b>                            | <b>CONDITIONS &amp; LIMITATIONS</b> |
| s 56D(4)                             | Function of complying with a request from the Treasurer and relevant Minister to amend statement under s 56D(1).                          | DCD and MCP&D.                             | Function of “nominated agency”.     |
| s 56E(1)                             | Function of issuing a certificate certifying that property, rights or liabilities of Council have been allocated to Development Victoria. | DCD and MCP&D.                             | Function of “nominated agency”.     |
| s 56E(2)                             | Duty to revoke a certificate given under s 56E(1) and replacing with a new certificate, if directed by Treasurer and relevant Minister.   | DCD and MCP&D.                             | Duty of “nominated agency”.         |
| s 56E(3)                             | Duty to keep a register of certificates issues under s 56E, and make reasonably available for inspection.                                 | DCD, MCP&D, AMSTP, CSTRP, TLSTP and CP&BA. | Duty of “nominated agency”.         |

| <b>DISABILITY ACT 2006</b> |  |                 |  |
|----------------------------|--|-----------------|--|
| <b>Column 1</b>            | <b>Column 2</b>  | <b>Column 3</b> | <b>Column 4</b>  |
| <b>PROVISION</b>           | <b>THING DELEGATED</b>   | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b>  |
| s 38(4)                    | Power to prepare a Disability Action Plan in accordance with s 38.                             | MADO.           |  |
| s 38(5)                    | Duty to report on the implementation of the Disability Action Plan in Council's annual report. | MADO.           | 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.                   | MADO.           | If Council has not determined to prepare a plan under s 38(4) or is not taken to have prepared a plan under s 38(2). |

| <b>DOMESTIC ANIMALS ACT 1994</b> |   |                 |                                     |
|----------------------------------|---|-----------------|-------------------------------------|
| <b>Column 1</b>                  | <b>Column 2</b>   | <b>Column 3</b> | <b>Column 4</b>                     |
| <b>PROVISION</b>                 | <b>POWER, DUTY OR FUNCTION</b>  | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b> |
| s 10                             | Function of receiving applications for registration of dogs or cats.  | CLAO.           |                                     |
| s 10A(4)                         | Duty to not register or renew the registration of a dangerous dog or a restricted breed dog unless the dog is:<br>a) de-sexed; or<br>b) a dangerous dog that is not a restricted breed dog and is exempt under ss 10B(1)(c), 10B(1)(d) or 10B(1)(e) from the requirement to be de-sexed; or<br>c) a restricted breed dog that is not a dangerous dog and is exempt under s 10B(1)(e) from the requirement to be de-sexed.   | MCS.            |                                     |
| s 10C(1)                         | Duty to not register a dog or cat unless the dog/cat:<br>a) has been implanted with prescribed permanent identification device; or<br>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<br>c) is otherwise exempted under the Act from the requirement to be implanted with such a device, or<br>d) subject to s 10C(2), has previously been registered with Council at any time in the 12 month period immediately before the application for registration was lodged. | MCS.            |                                     |

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| <b>PROVISION</b>                 | <b>POWER, DUTY OR FUNCTION</b>  | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b>  |
| s 10C(5)                         | Duty to cause to be published a copy of the resolution.   | MCS.            | Refers to a resolution of the Council regarding refusal to register dogs and cats unless permanently identified.   |
| 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 a permanent identification device. | MCS.            |  |
| s 10D(6)                         | Duty to cause to be published a copy of the resolution.   | MCS.            | Refers to dogs that may be exempted from permanent identification but does not necessarily apply to a dangerous dog, menacing dog or restricted breed dog. |
| s 12(1)                          | Power to appoint an agent for Council in the registration of cats and dogs.   | MCS.            |  |
| s 13                             | Function of receiving notification of sale by domestic animal business or foster carer (including where the animal was not registered).                                     | MCS and CCL.    |  |
| s 14(b)                          | Power to approve the form of registration or renewal of registration of dogs and cats.  | MCS.            |  |
| s 15(2)                          | Power to permit pro-rata fees for dogs or cats registered for part of a year.   | MCS.            | Note: fees are determined by Council in the annual budget process.   |
| s 15(6)                          | Duty to waive 50% of a registration fee of dogs or cats if paragraphs (a) or (b) apply.   | MCS.            |  |

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| <b>PROVISION</b>                 | <b>POWER, DUTY OR FUNCTION</b>  | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b>   |
| 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.   | MCS.            |   |
| s 17(1)                          | Power to register or renew the registration of a dangerous dog and impose conditions upon the registration.   | MCS.            |   |
| s 17(1A)(a)                      | Power to register or renew the registration of a restricted breed dog.  | MCS and CCL.    | 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(1A)(b)                      | Power to impose conditions on the registration or the renewal of the registration of a restricted breed dog.  | MCS and CCL.    | 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 the owner and allow the owner the opportunity to make submissions, if Council proposes not to register or renew the registration of a dangerous dog or restricted breed dog. | MCS.            |   |
| s 17(3)                          | Duty to consider submissions in relation to the registration or renewal of registration of a dangerous dog before making decision.  | MCS.            |   |

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| <b>PROVISION</b>                 | <b>POWER, DUTY OR FUNCTION</b>   | <b>DELEGATE</b>              | <b>CONDITIONS &amp; LIMITATIONS</b> |
| s 17(4)                          | Duty to serve a written notice of decision not to register or renew the registration of a dangerous dog or registered breed dog. | MCS.                         |                                     |
| s 18(1)                          | Duty to keep a register and allow inspection of register of all registered dogs and cats.  | MCS.                         |                                     |
| s 18(2)(b)                       | Power to fix the fee for inspection of registrations of dogs and cats in the municipality.                                       | MCS.                         |                                     |
| s 18(3)                          | Power to fix fees for making of records or obtaining certificates.   | MCS.                         |                                     |
| s 19(1)(a)                       | Duty to allocate a registration number to every dog and cat which is registered.   | MCS.                         |                                     |
| s 19(1)(b)                       | Duty to give or send the owner a registration certificate.   | MCS, CCL, CPS and CCSS.      |                                     |
| s 19(1)(c)                       | Duty to issue to the owner an identification marker.   | MCS, CCL, CPS and CCSS.      |                                     |
| s 23(6)                          | Duty to give the owner or occupier of the private property a copy of a notice served under s 23(3).                              | MCS, CCL, CPS, CLO and CCSS. |                                     |
| s 25(3)                          | Duty to cause to be published any orders made by Council under s 25.   | MCS.                         | Refers to cats found at large.      |

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| <b>PROVISION</b>                 | <b>POWER, DUTY OR FUNCTION</b>  | <b>DELEGATE</b>                          | <b>CONDITIONS &amp; LIMITATIONS</b>  |
| s 26(2A)                         | Duty to obtain agreement of the owner or occupier of private property, where Council proposes to make, by resolution, an order under s 26(2).   | MCS.                                     |  |
| s 26(3)                          | Duty to cause to be published any orders made by Council under s 26.  | MCS.                                     |  |
| s 33A(1)                         | Duty to accept any dog or cat kept surrendered to Council by the owner of the animal.   | MCS, CCL, CPS, CLO, CLPO, CLEO and CCSS. |  |
| s 33A(3)                         | Duty to give the Secretary certain information about a dog under its control if the dog exhibits aggressive behaviour, may have been involved in a dog attack or may be a restricted breed dog. | MCS.                                     | This information must be given to the Secretary in 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.  | MCS, CCL, CPS, CLO, CLPO, CLEO and CCSS. |  |
| s 34(1)                          | Power to declare a dog dangerous.   | MCS.                                     |  |
| s 34(2)                          | Duty not to declare a dog dangerous in certain circumstances.   | MCS.                                     |  |
| s 35(2)                          | Duty to notify the owner and receive written and oral submissions from the owner if proposing that a dog be declared dangerous.   | MCS.                                     |  |

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| <b>PROVISION</b>                 | <b>POWER, DUTY OR FUNCTION</b>   | <b>DELEGATE</b>   | <b>CONDITIONS &amp; LIMITATIONS</b>  |
| s 35(3)                          | Duty to consider materials submitted before making a declaration.  | MCS.              |  |
| s 36                             | Duty to give written notice of declaration to owner.   | MCS.              |  |
| s 37                             | Function of receiving notification from owners of certain dogs.  | MCS, CPS and CCL. | Note: the section refers to: <ul style="list-style-type: none"> <li>• dogs that have been trained to attack or bite persons or things;</li> <li>• dogs that are being trained to attack or bite persons or things; and</li> <li>• guard dogs.</li> </ul> |
| s 41B(1)                         | Duty to notify the owner and allow it the opportunity to make submissions to the Council.  | MCS.              |  |
| s 41C                            | Duty to give notice of a menacing dog declaration to owner.  | MCS.              |  |
| s 41D                            | Function of receiving notification in relation to menacing dog.  | MCS, CPS and CCL. |  |
| s 41F                            | Function of receiving notification from owners of restricted breed dogs.   | MCS, CPS and CCL. |  |
| s 41J(2)(a)                      | Power to issue a permit to own more than two restricted breed dogs to any person who has applied to the Council for such a permit. | MCS.              |  |



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| <b>PROVISION</b>                 | <b>POWER, DUTY OR FUNCTION</b>  | <b>DELEGATE</b>                          | <b>CONDITIONS &amp; LIMITATIONS</b>  |
| s 41J(2)(b)                      | Power to issue a permit to keep more than two restricted breed dogs at premises to any person who has applied to the Council for such a permit. | MCS.                                     |  |
| s 41J(3)                         | Power to fix the fee for application for permit.  | MCS.                                     | Fees are determined in Council's annual budget process.  |
| s 44(1)                          | Power to require restraint of animals.  | Not applicable.                          | 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 a requirement in s 44(1).  | MCS.                                     |  |
| s 44AC(1)(c)                     | Power to inspect information kept on the register of dangerous, menacing and restricted breed dogs, in accordance with the regulations.         | MCS, CCL, CPS, CLO, CLPO, CLEO and CCSS. |  |
| s 44AE                           | Duty to provide details of dangerous, menacing or restricted breed dogs to the Secretary.   | MCS, CPS, CCL and CCSS.                  |  |
| s 44AEA                          | Duty to provide to the Secretary information relating to a dog destroyed under ss 84TA, 84TB or 84TC.   | MCS.                                     |  |
| s 44AF                           | Duty to provide to the Secretary information relating to dangerous, menacing or restricted breed dogs.  | MCS.                                     |  |

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| <b>PROVISION</b>                 | <b>POWER, DUTY OR FUNCTION</b>  | <b>DELEGATE</b>         | <b>CONDITIONS &amp; LIMITATIONS</b> |
| s 44AG                           | Duty to provide to the Secretary information about owners of dangerous, menacing or restricted breed dogs.  | MCS, CPS, CCL and CCSS. |                                     |
| s 44AH                           | Duty to provide, when requested under s 44AH(1) a statement to the Secretary confirming that information previously provided by Council is accurate.            | MCS.                    |                                     |
| s 46(1)                          | Function of receiving applications to register premises as a domestic animals business.   | MCS, CPS and CCL.       |                                     |
| s 46(2)                          | Power to approve the form of registration of domestic animal businesses and information required.   | MCS.                    |                                     |
| s 46(3)                          | Function of requiring and receiving any further information relating to an application.   | MCS.                    |                                     |
| 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. | MCS.                    |                                     |
| s 48(2)                          | Power to approve form of renewal of registration.   | MCS.                    |                                     |
| s 48(3)                          | Power to approve form of renewal of registration and information required.  | MCS and CCL.            |                                     |

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| <b>PROVISION</b>                 | <b>POWER, DUTY OR FUNCTION</b>   | <b>DELEGATE</b>         | <b>CONDITIONS &amp; LIMITATIONS</b>                      |
| s 48(4)                          | Function of requiring and receiving any further information relating to the application Council.   | MCS and CCL.            |  |
| s 49(1)                          | Power to fix fees for registration or renewal of registration of domestic animal premises.   | Not delegated.          | Fees are determined by Council in annual budget process. |
| s 49(2)                          | Power to refund all or part of an application fee.   | MCS.                    |  |
| s 52(1)                          | Function of receiving an application for transfer of registration to a new premises.   | CPS and CCL.            |  |
| s 52(2)(a)                       | Power to approve the form of application to transfer registration.   | MCS.                    |  |
| s 52(2)(c)                       | Power to fix the fee for transfer of registration and information required.  | Not delegated.          | Fees are determined by Council in annual budget process. |
| s 52(3)                          | Function of requiring and receiving any further information relating to the transfer of registration.  | MCS and CCL.            |  |
| 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. | MCS, CPS, CCL and CCSS. |  |
| s 54(1)                          | Power to refuse to register or renew the registration, refuse to transfer registration, suspend registration and revoke the registration of premises.          | MCS.                    |  |

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| <b>PROVISION</b>                 | <b>POWER, DUTY OR FUNCTION</b>  | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b> |
| 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.   | MCS.            |                                     |
| s 54(3)                          | Duty to refuse to register or renew the registration of premises in relation to a breeding domestic animal business in certain circumstances.   | MCS.            |                                     |
| 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.    | MCS.            |                                     |
| 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.         | MCS.            |                                     |
| 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.  | MCS.            |                                     |
| 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. | MCS.            |                                     |

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| <b>PROVISION</b>                 | <b>POWER, DUTY OR FUNCTION</b>   | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b>  |
| 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. | MCS.            |  |
| s 54B                            | Duty to refuse to register the premises on which a breeding domestic animal business is proposed to be conducted.  | MCS.            |  |
| s 54C                            | Duty to refuse to transfer the registration of premises on which a breeding domestic animal business is being conducted to another premises  | MCS.            |  |
| s 54D                            | Duty to refuse to renew the registration of a premises on which a breeding domestic animal business is being conducted.  | MCS.            |  |
| s 55                             | Duty to give notice if it is proposed that the powers under ss 54, 54A, 54B, 54C, 54D or 54E will be exercised.  | MCS.            | This section refers to the refusal to register or transfer the registration, suspend or revoke registration. |
| s 56                             | Duty to receive both oral and written submissions and take into account any submissions.   | MCS.            |  |
| s 57(1) & (2)                    | Duty to serve notice of a decision and give reasons for the decision.  | MCS.            |  |

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| <b>PROVISION</b>                 | <b>POWER, DUTY OR FUNCTION</b>  | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b>   |
| 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.                                | MCS.            |   |
| 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. | MCS.            |   |
| s 58AI(1)(a)                     | Power to cancel or not renew a commercial dog breeder approval.   | MCS.            | Where Council is the 'relevant Council'.  |
| s 58AI(1)(b)                     | Power to suspend a commercial dog breeder approval.   | MCS.            | Where Council is the 'relevant Council'.  |
| s 58AI(2)                        | Duty to give the Minister notice of any suspension, cancellation or refusal to renew.   | MCS.            |   |
| s 58AL                           | Function of receiving notice of the Minister's grant, renewal, revocation or cancellation of a commercial dog breeder approval as soon as possible after it occurs.               | MCS.            | Where Council is the 'relevant Council'.  |
| s 58B                            | Power to apply to Minister to register premises as premises on which a domestic animal business conducted.  | MCS.            | Council does not currently operate a domestic animals business (such as a pound). |
| s 58C(3)                         | Duty to comply with the terms, conditions, limitations and restrictions on registration of premises under s 58C.  | Not applicable. | Council does not currently operate a domestic animals business (such as a pound). |

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| <b>PROVISION</b>                 | <b>POWER, DUTY OR FUNCTION</b>   | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b>  |
| s 58D(2)                         | Power to apply to the Minister for renewal of registration of premises.  | Not applicable. |  |
| s 58E                            | Duty to pay a fee with an application for registration or renewal of registration of premises.                                       | Not applicable. |  |
| s 58F                            | Power to surrender registration of premises on which a domestic animal business is conducted by notice to the Minister.              | Not applicable. |  |
| s 58G                            | Duty to notify the Minister of transfer of registration.   | Not applicable. |  |
| s 58J                            | Power to make submissions to the Minister regarding Minister's exercise of power under s 58H.  | Not delegated.  | The power remains with the CEO.  |
| s 58K                            | Function of receiving notice of the Minister's decision.   | MCS.            | The section refers to the Minister's powers in relation to registration of premises. |
| s 58P                            | Function of receiving, from the Minister, a copy of the permit (including any conditions imposed on the permit).                     | MCS.            | 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. | MCS and CCL.    | Where Council is the 'relevant Council'.   |

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| <b>PROVISION</b>                 | <b>POWER, DUTY OR FUNCTION</b>  | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b>   |
| 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.   | MCS.            |   |
| s 68A(1)                         | Duty to, in consultation with Secretary, prepare a domestic animal management plan.   | MCS.            | Subject to s 68A(1A).<br>Note: the first plan does not need to be prepared until 4 December 2021. |
| s 68A(1A)                        | Power to apply to the Secretary for an extension of time within which to prepare a domestic animal management plan.   | MCS.            |   |
| s 68A(3)(a)                      | Duty to review the DAMP annually and, if appropriate, amend the plan.   | MCS.            |   |
| s 68A(3)(b)                      | Duty to provide the Secretary with a copy of the DAMP and any amendments to the DAMP.   | MCS.            |   |
| s 68A(3)(c)                      | Duty to prepare an evaluation of its implementation of the DAMP for publication in Council's annual report.   | MCS.            |   |
| 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. | MCS.            |   |



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| <b>PROVISION</b>                 | <b>POWER, DUTY OR FUNCTION</b>   | <b>DELEGATE</b>                | <b>CONDITIONS &amp; LIMITATIONS</b> |
| s 68C                            | Function of receiving an application for foster carer registration.  | MCS and CCL.                   |                                     |
| s 68D(1)                         | Power to renew registration.   | MCS.                           |                                     |
| s 68D(2)                         | Function of receiving an application for foster carer registration renewal.  | MCS, CCL, CLPO, CCSS and CLAO. |                                     |
| 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. | MCS.                           |                                     |
| s 68G(a)                         | Power to approve form of applications under ss 68C or 68D(2).  | MCS and CCL.                   |                                     |
| s 68G(b)                         | Power to require information in applications under ss 68C or 68D(2).   | MCS and CCL.                   |                                     |
| s 68G(c)                         | Power to fix fee for applications under ss 68C or 68D(2).  | Not delegated.                 |                                     |
| 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.                             | MCS and CCL.                   |                                     |
| s 68I(1)(b)                      | Power to impose conditions on a foster carer registration.   | MCS.                           |                                     |

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| <b>PROVISION</b>                 | <b>POWER, DUTY OR FUNCTION</b>  | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b> |
| s 68J(1)                         | Power to suspend or cancel a foster carer registration where the criteria in s 68J(1)(a) or (b) apply.  | MCS.            |                                     |
| s 68J(2)                         | Duty to notify the registered foster carer of a suspension or cancellation under s 68J(1).  | MCS.            |                                     |
| 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.   | MCS.            |                                     |
| s 68K(2)                         | Function of receiving written submissions from the holder of the registration.  | MCS.            |                                     |
| s 68K(3)                         | Duty to consider any submission may under s 68K(2) before deciding to suspend, cancel or not renew the registration.  | MCS.            |                                     |
| 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.  | MCS.            |                                     |
| 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. | MCS.            |                                     |
| 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   | MCS.            |                                     |

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| <b>PROVISION</b>                 | <b>POWER, DUTY OR FUNCTION</b>   | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b>  |
|                                  | under Part 4 to refuse to grant, renew or transfer a registration under that Part.   |                 |  |
| 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 not to grant or renew a registration under that Part.                   | MCS.            |  |
| s 68Y(3)                         | Function of receiving, from the Secretary, the source number issued under s 68Y.   | MCS.            |  |
| s 68Z(3)                         | Function of receiving, from the Secretary. The source number issued under s 68Z.   | MCS.            |  |
| s 69(1)                          | Duty to make payment to the Treasurer of specified amounts in respect of registration of cats, dogs or registered animal business.   | MCS.            |  |
| 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. | MCS.            |  |
| s 72                             | Power to appoint, by instrument, employees to be authorised officers.  | Not delegated.  | The power remains with the CEO.  |
| s 72A(1)                         | Power to appoint person who is not an employee of Council as authorised officer.   | Not delegated.  | The power remains with the CEO.<br>Person appointed must have qualifications and experience prescribed by Secretary. |

| <b>DOMESTIC ANIMALS ACT 1994</b> |  |                   |                                     |
|----------------------------------|--|-------------------|-------------------------------------|
| <b>Column 1</b>                  | <b>Column 2</b>  | <b>Column 3</b>   | <b>Column 4</b>                     |
| <b>PROVISION</b>                 | <b>POWER, DUTY OR FUNCTION</b>   | <b>DELEGATE</b>   | <b>CONDITIONS &amp; LIMITATIONS</b> |
| s 73(1)                          | Duty to issue identity card to authorised officers.  | MP&C.             |                                     |
| s 84J                            | Power to retain custody of dog or cat until animal recovered under Division 5 or disposed of under Division 6 of the Act.  | MCS, CCL and CPS. |                                     |
| 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 of the Act. | MCS, CCL and CPS. |                                     |
| s 84L(2)                         | Power to retain custody of a dog before destruction under Division 6 of the Act where the dog is seized under s 80 and the officer cannot serve a declaration because the owner cannot be identified.                  | MCS, CCL and CPS. |                                     |
| 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.  | MCS and CCL.      |                                     |
| s 84N(1)(c)                      | Power to require custody of restricted breed dog until the outcome of prosecution under the Act or Regulations in relation to the dog.   | MCS and CCL.      |                                     |
| 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 recovery.  | MCS.              |                                     |

| <b>DOMESTIC ANIMALS ACT 1994</b> |   |  |  |
|----------------------------------|---|--|--|
| <b>Column 1</b>                  | <b>Column 2</b>   | <b>Column 3</b>                          | <b>Column 4</b>  |
| <b>PROVISION</b>                 | <b>POWER, DUTY OR FUNCTION</b>  | <b>DELEGATE</b>                          | <b>CONDITIONS &amp; LIMITATIONS</b>  |
| s 84O(1)                         | Power to destroy a cat seized under Part 7A of the Act, if cat does not bear an identification marker or device or cat is wild, uncontrollable or diseased.   | MCS, CCL, CPS and CCSS.                  |  |
| s 84O(2)                         | Duty to destroy a dangerous dog or restricted breed dog as soon as possible where owner is entitled to recover dog under Division 5 of the Act, but does not recover the dog in accordance with the time period in that Division.   | MCS.                                     |  |
| s 84O(3)                         | Duty to sell or destroy a cat or dog (other than a dangerous or restricted breed dog) as soon as possible where owner is entitled to recover dog under Division 5, but does not recover the dog in accordance with the time period in that Division.  | MCS.                                     | 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).   | MCS.                                     |  |
| 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 s 84B and in any other case, duty to retain custody until the outcome of the prosecution in s 84Q is known. | MCS, CCL, CPS, CLO, CLPO, CLEO and CCSS. |  |

| <b>DOMESTIC ANIMALS ACT 1994</b> |  |  |  |
|----------------------------------|--|--|--|
| <b>Column 1</b>                  | <b>Column 2</b>  | <b>Column 3</b>                          | <b>Column 4</b>  |
| <b>PROVISION</b>                 | <b>POWER, DUTY OR FUNCTION</b>   | <b>DELEGATE</b>                          | <b>CONDITIONS &amp; LIMITATIONS</b>  |
| 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.         | MCS, CCL, CLPO and CLEO.                 |  |
| 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.  | MCS, CCL, CLPO and CLEO.                 |  |
| s 84Q(3)(a)                      | Duty to serve a declaration on an owner.   | MCS.                                     |  |
| s 84R                            | Power to require the owner to provide his or her current address to the Council in certain circumstances.  | MCS, CCL, CPS, CLO, CLPO, CLEO and CCSS. |  |
| s 84S                            | Power to destroy a dog seized under Part 7A, in the time periods listed, if the owner is suspected of committing an offence set out in paragraph (a), (b) or (c) of s 84Q(2) and cannot be identified. | MCS, CPS, CCL and CCSS.                  |  |
| s 84T(1)                         | Duty to a destroy dog seized under s 80 within 8 days after seizure if the owner cannot be identified and an authorised officer reasonably believes dog is a restricted breed dog.                     | MCS, CPS, CCL and CCSS.                  |  |
| s 84T(2)                         | Duty to notify the Secretary of certain information after destroying a dog under s 84T(1).   | MCS.                                     | The notice must comply with the requirements of s 84T(3).  |
| s 84TA(1)                        | Power to destroy a dog seized under Part 7A in circumstances listed (a) – (c).   | MCS and CCL.                             | s 84TA(4) and (5) Council must make decision within 48 hours and record the time and date of decision. |

| <b>DOMESTIC ANIMALS ACT 1994</b> |   |                                |  |
|----------------------------------|---|--------------------------------|--|
| <b>Column 1</b>                  | <b>Column 2</b>   | <b>Column 3</b>                | <b>Column 4</b>  |
| <b>PROVISION</b>                 | <b>POWER, DUTY OR FUNCTION</b>  | <b>DELEGATE</b>                | <b>CONDITIONS &amp; LIMITATIONS</b>  |
| s 84TC(1)                        | Power to destroy a dangerous dog if the dog was declared dangerous dog and it is believed that the owner of the dog is guilty of an offence under s 24 or 26.   | MCS and CCL.                   | s 84TC(4) and (5) Council must make decision within 48 hours and record the time and date of decision. |
| s 84U                            | Duty to ensure a seized animal is de-sexed before selling it.   | MCS, CPS, CCL and CCSS.        |  |
| s 84V(2)                         | Power to give the animal to an approved person or body.   | MCS, CPS, CCL and CCSS.        | Where Council is authorised under the 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.          | MCS, CCL, CLPO, CLEO and CCSS. |  |
| s 84VA(2)                        | Power to recover costs under s 84VA(1) from the owner, or person in charge of the dog or cat when the dog or cat was seized.  | MCS, CCL, CLPO, CLEO and CCSS. |  |
| s 84Y                            | Power to enter written agreement to seize, retain, sell and/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. | MCS.                           |  |

| <b>DOMESTIC ANIMALS ACT 1994</b> |  |                 |  |
|----------------------------------|--|-----------------|--|
| <b>Column 1</b>                  | <b>Column 2</b>  | <b>Column 3</b> | <b>Column 4</b>  |
| <b>PROVISION</b>                 | <b>POWER, DUTY OR FUNCTION</b>   | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b>  |
| s 95                             | Function of receiving payment of fines.  | MF&CP.          |  |
| s 98(1A)                         | Power to apply to the VCAT for review of a decision by the Minister in relation to registration of domestic animal business.   | Not applicable. | Council does not operate a pound as all stray animals are taken to the Contractor's pound (currently the RSPCA). |
| s 100A                           | Duty to notify the Secretary where the VCAT or the Supreme Court sets aside a decision to declare a dog to be a dangerous dog, menacing dog or restricted breed dog.   | MCS.            | 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.  | MCS and CCL.    |  |
| 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. | MCS and CCL.    |  |



| <b>DOMESTIC BUILDING CONTRACTS ACT 1995</b> |  |                 |                                     |
|---|--|-----------------|-------------------------------------|
| <b>Column 1</b>                             | <b>Column 2</b>  | <b>Column 3</b> | <b>Column 4</b>                     |
| <b>PROVISION</b>                            | <b>THING DELEGATED</b>   | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b> |
| s 48R                                       | Function of receiving details of alleged contraventions of building legislation. | MBS.            |                                     |

| <b>EDUCATION AND CARE SERVICES NATIONAL LAW ACT 2010</b> |   |                 |                                     |
|--|---|-----------------|-------------------------------------|
| <b>Column 1</b>  | <b>Column 2</b>   | <b>Column 3</b> | <b>Column 4</b>                     |
| <b>PROVISION</b>   | <b>THING DELEGATED</b>  | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b> |
| s 271(1)   | Function of receiving information from National Authority in respect of education and care services.              | DCOM and MH&FS. |                                     |
| s 271(2)   | Function of receiving information from Regulatory Authority in respect of education and care services.            | DCOM and MH&FS. |                                     |
| s 271(3)   | Power to disclose information to authorities or government departments in respect of education and care services. | DCOM and MH&FS. |                                     |

| <b>EDUCATION AND TRAINING REFORM ACT 2006</b> |   |                 |   |
|---|---|-----------------|---|
| <b>Column 1</b>                               | <b>Column 2</b>   | <b>Column 3</b> | <b>Column 4</b>   |
| <b>PROVISION</b>                              | <b>THING DELEGATED</b>  | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b>   |
| s 2.3.13                                      | Power to enter into and carry out a contract with the school Council.   | DCOM and ML&RS. |   |
| s 4.9.4(1AAA)                                 | Function of responding to requests by Victorian Registration and Qualifications Authority for information under s 4.9.4 | Not delegated.  | The Authority may seek information to assist the Authority in determining whether or not a school complies with any of the prescribed minimum standards for registration of schools”. |

| <b>ELECTRICITY SAFETY ACT 1998</b> |   |                 |  |
|------------------------------------|---|-----------------|--|
| <b>Column 1</b>                    | <b>Column 2</b>   | <b>Column 3</b> | <b>Column 4</b>  |
| <b>PROVISION</b>                   | <b>THING DELEGATED</b>  | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b>  |
| s 84C                              | Duty to keep trees clear of electrical lines on public land managed by Council. | MP&NE.          | Applies to public land, managed by Council, which has been declared under s 81 of the Act for the purposes of Part 8 of the Act. |
| s 86B                              | Duty to specify certain matters in a municipal emergency management plan.       | Not applicable. | Refers to areas subject to Country Fire Authority Act 1958.  |

| <b>ELECTORAL ACT 2002</b> |   |                 |                                     |
|---------------------------|---|-----------------|-------------------------------------|
| <b>Column 1</b>           | <b>Column 2</b>                             | <b>Column 3</b> | <b>Column 4</b>                     |
| <b>PROVISION</b>          | <b>THING DELEGATED</b>                      | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b> |
| s 108(1)(d)(ii)           | Power to enable identification of a person. | CR&R.           |                                     |

| <b>EMERGENCY MANAGEMENT ACT 2013</b> |  |                 |                                       |
|--------------------------------------|--|-----------------|---------------------------------------|
| <b>Column 1</b>                      | <b>Column 2</b>  | <b>Column 3</b> | <b>Column 4</b>                       |
| <b>PROVISION</b>                     | <b>THING DELEGATED</b>   | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b>   |
| S 59                                 | Duty to establish a Municipal Emergency Management Planning Committee.   | Not delegated.  |                                       |
| s 59B(1)                             | Duty to nominate a chairperson of the Municipal Emergency Management Planning Committee.   | Not delegated.  | Delegates cannot nominate themselves. |
| s 59B(1)(a)                          | Power to nominate a member of Council staff to be the chairperson of the Municipal Emergency Management Planning Committee.  | Not delegated.  |                                       |
| 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 delegated.  |                                       |
| s 59H(1)                             | Duty to appoint one or more municipal recovery managers.   | Not delegated.  |                                       |
| s 60AI(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.           |                                       |

| <b>EMERGENCY MANAGEMENT ACT 2013</b> |   |                 |                                     |
|--------------------------------------|---|-----------------|-------------------------------------|
| <b>Column 1</b>                      | <b>Column 2</b>   | <b>Column 3</b> | <b>Column 4</b>                     |
| <b>PROVISION</b>                     | <b>THING DELEGATED</b>  | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b> |
| s 69                                 | Duty to comply with an information gathering notice issued by the Inspector-General for Emergency Management.                 | Not applicable. | Not applicable to Whitehorse.       |
| s 70                                 | Function of receiving draft review or report and providing comment or response to Inspector-General for Emergency Management. | Not applicable. | Not applicable to Whitehorse.       |
| s 70A(2)                             | Power to consent to entry of a vessel, premises or vehicle.   | Not applicable. | Not applicable to Whitehorse.       |
| s 70A(3)                             | Duty to provide Inspector-General with a written response to a request for consent under s 70A(2).                            | Not applicable. | Not applicable to Whitehorse.       |
| s 70B                                | Function of giving reasonable assistance to the Inspector-General for Emergency Management.                                   | Not applicable. | Not applicable to Whitehorse.       |

| <b>ENVIRONMENT PROTECTION ACT 1970</b> |   |                            |   |
|--|---|----------------------------|---|
| <b>Column 1</b>                        | <b>Column 2</b>   | <b>Column 3</b>            | <b>Column 4</b>   |
| <b>PROVISION</b>                       | <b>THING DELEGATED</b>  | <b>DELEGATE</b>            | <b>CONDITIONS &amp; LIMITATIONS</b>   |
| s 4                                    | Power to appoint a litter enforcement officer.  | Not delegated.             | The power remains with the CEO.   |
| s 19B(3A)                              | Duty to make a copy of documentation pertaining to an application available for inspection. (*)                           | DCD, MCP&D, APO and P&BAO. | Where Council is the responsible authority.<br>(*) "Application" refers to an application for an approval of works under s 19B. |
| s 19B(4A)(a)                           | Duty to tell the Authority information in respect to subparagraphs (i) - (v).   | DCD and MCP&D.             | Where Council is the responsible authority.   |
| s 19B(4A)(b)                           | Power to tell the Authority its position on application.  | DCD and MCP&D.             | Where Council is the responsible authority.   |
| s 19B(4A)(c)                           | Power to ask Authority to include specified conditions in a works approval.   | DCD and MCP&D.             |   |
| s 19B(4B)                              | Duty to give Authority a copy of permit issued under the <i>Planning and Environment Act 1987</i> .                       | DCD, MCP&D and APO.        |   |
| s 20(8)(ba)                            | Duty to make a copy of application and all accompanying documents submitted under paragraph (a) available for inspection. | DCD, MCP&D APO and P&BAO.  |   |
| s 20(8)(ca)                            | Duty to advise Authority of items set out in paragraph (ca).  | DCD and MCP&D.             |   |
| s 20(8)(cb)(i)                         | Power to tell Authority of its position on an application.  | DCD and MCP&D.             |   |

| <b>ENVIRONMENT PROTECTION ACT 1970</b> |  |   |  |
|--|--|---|--|
| <b>Column 1</b>                        | <b>Column 2</b>  | <b>Column 3</b>                               | <b>Column 4</b>  |
| <b>PROVISION</b>                       | <b>THING DELEGATED</b>   | <b>DELEGATE</b>                               | <b>CONDITIONS &amp; LIMITATIONS</b>                          |
| s 20(8)(cb)(ii)                        | Power to ask Authority to include conditions in licence.   | DCD and MCP&D.                                |  |
| s 20(8)(cc)                            | Duty to provide a copy of any permit issued under the <i>Planning and Environment Act 1987</i> to the Authority. | DCD, MCP&D, APO and P&BAO.                    |  |
| s 20A(6)(ba)                           | Duty to make copy of an application referred to under paragraph (a) available.                                   | DCD, MCP&D, APO and P&BAO.                    | Where Council is the responsible authority.                  |
| s 20A(6)(ca)                           | Duty to advise the Authority of items set out in subparagraphs (i)-(v).  | DCD and MCP&D.                                |  |
| s 20A(6)(cb)(i)                        | Power to tell the Authority of its position on an application.   | DCD and MCP&D.                                |  |
| s 20A(6)(cb)(ii)                       | Power to ask Authority to include conditions in a licence.   | DCD and MCP&D.                                |  |
| s 20A(6)(cc)                           | Duty to give Authority a copy of permit issued under the <i>Planning and Environment Act 1987</i> .              | DCD, MCP&D, APO and P&BAO.                    |  |
| s 28                                   | Duty to comply with order of Authority.  | DCD, MCP&D and APO.                           |  |
| s 45X(2)                               | Power to direct, by written notice, any person who deposited litter to do certain things.                        | MCS, CPS, CCL, SPSO, CLO, PSO, CLPO and CLEO. | Where Council is a litter authority.<br>s 45X(1) must apply. |

| <b>ENVIRONMENT PROTECTION ACT 1970</b> |  |   |   |
|--|--|---|---|
| <b>Column 1</b>                        | <b>Column 2</b>  | <b>Column 3</b>                               | <b>Column 4</b>   |
| <b>PROVISION</b>                       | <b>THING DELEGATED</b>   | <b>DELEGATE</b>                               | <b>CONDITIONS &amp; LIMITATIONS</b>                             |
| s 45X(4)                               | Power to direct, by written notice, the occupier to remove or dispose of litter.                                   | MCS, CPS, CCL, SPSO, CLO, PSO, CLPO and CLEO. | Where Council is a litter authority.                            |
| s 45Y(2)                               | Power to direct, by written notice, any person who deposited an object or thing to do certain things.              | MCS, CPS, CCL, SPSO, CLO, PSO, CLPO and CLEO. |   |
| s 45Y(4)                               | Power to direct, by written notice, the occupier to remove or dispose of object or thing.                          | MCS, CPS, CCL, SPSO, CLO, PSO, CLPO and CLEO. | Where Council is a litter authority.                            |
| s 45Z(1)                               | Power to remove or dispose of litter upon failure to comply with direction given under ss 45X(2) or (4).           | MCS, CPS, CCL, SPSO, CLO, PSO, CLPO and CLEO. |   |
| s 45Z(2)                               | Power to remove or dispose of object or thing upon failure to comply with direction given under ss 45Y (2) or (4). | MCS, CPS, CCL, SPSO, CLO, PSO, CLPO and CLEO. |   |
| s 45Z(3)                               | Power to recover reasonable costs incurred in taking action under s 45Z.   | MCS, CPS, CCL and SPSO.                       |   |
| s 45ZK(1)                              | Function of receiving reports of offences under Part VIIA.   | MCS, CPS, CCL, SPSO, CLO, PSO, CLPO and CLEO. | Part VIIA refers to litter and material that may become litter. |
| s 45ZK(2)                              | Power to take proceedings upon receiving a report.   | DCOR and MCS.                                 |   |



| <b>ENVIRONMENT PROTECTION ACT 1970</b> |   |                      |  |
|--|---|----------------------|--|
| <b>Column 1</b>                        | <b>Column 2</b>   | <b>Column 3</b>      | <b>Column 4</b>  |
| <b>PROVISION</b>                       | <b>THING DELEGATED</b>  | <b>DELEGATE</b>      | <b>CONDITIONS &amp; LIMITATIONS</b>  |
| s 48A                                  | Power to authorise a person to enforce s 48A(3) and (8).  | Not delegated.       | The power remains with the CEO.<br>Note: the section refers to unreasonable noise from residential premises. |
| s 49B(2)                               | Power to nominate a representative to be part of the Local Government Waste Forum.  | Not delegated.       | The power remains with the Council.  |
| s 49G(2)                               | Function of collaborating with a Waste and Resource Recovery Group.   | DI, MCITY and AMS&W. |  |
| s 50BH                                 | Duty to perform waste management functions consistently with a Regional Waste and Resource Recovery Implementation Plan.                | DI, MCITY and AMS&W. |  |
| s 53A(2)                               | Duty to obtain a permit for the transport of prescribed waste.  | Not delegated.       | The duty remains with the CEO.   |
| s 53K                                  | Power (and duty) to declare an area requiring septic tank systems to be of a type that treats all sewage.                               | CEH.                 |  |
| s 53MB                                 | Power to inspect a septic tank system and issue certificate approving its use.  | CEH and EHO.         |  |
| s 53O                                  | Duty to lodge an annual return with the Authority.  | CEH.                 |  |
| s 53ZA(3)                              | Function of receiving notice from the environmental auditor if the auditor withdraws a certificate or statement of environmental audit. | DCD and MCP&D.       |  |

| <b>ENVIRONMENT PROTECTION ACT 1970</b> |  |                 |   |
|--|--|-----------------|---|
| <b>Column 1</b>                        | <b>Column 2</b>  | <b>Column 3</b> | <b>Column 4</b>                         |
| <b>PROVISION</b>                       | <b>THING DELEGATED</b>   | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b>     |
| s 53ZA(4)                              | Function of receiving a new or amended certificate or statement of environmental audit.  | DCD and MCP&D.  |   |
| s 53ZA(6)                              | Function of receiving notice from the Authority that an incorrect certificate or statement of environmental audit has been withdrawn.          | DCD and MCP&D.  |   |
| s 53ZB(2)                              | Function of receiving an environmental audit report, and a copy of the certificate of environmental audit or statement of environmental audit. | DCD and MCP&D.  |   |
| s 59(3)                                | Power to authorise a person to take proceedings for an offence against Part IXB.   | CEH.            | Part IXB refers to septic tank systems. |

| <b>ESTATE AGENTS ACT 1980</b> |  |                 |  |
|-------------------------------|--|-----------------|--|
| <b>Column 1</b>               | <b>Column 2</b>  | <b>Column 3</b> | <b>Column 4</b>                                      |
| <b>PROVISION</b>              | <b>THING DELEGATED</b>   | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b>                  |
| s 70E(3)                      | Duty to comply with a request of the Director or an Inspector under s 70E(1) to provide answers or supply information. | Not delegated.  | Relates to the conduct of business by estate agents. |

| <b>FAMILY VIOLENCE PROTECTION ACT 2008</b> |  |                  |   |
|--|--|------------------|---|
| <b>Column 1</b>                            | <b>Column 2</b>  | <b>Column 3</b>  | <b>Column 4</b>   |
| <b>PROVISION</b>                           | <b>THING DELEGATED</b>   | <b>DELEGATE</b>  | <b>CONDITIONS &amp; LIMITATIONS</b>   |
| s 144D(3)                                  | Duty to only share confidential information to the extent permitted by Part 5A, or the Regulations.  | MH&FS and TLECS. | 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.   | MH&FS and TLECS. | 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.   | MH&FS and TLECS. | Where Council is an “information sharing entity”.                           |
| s 144KB(2)                                 | Function of receiving confidential information from a risk assessment entity to assist with identifying the confidential information that is relevant to the request and determining whether to disclose confidential information. | MH&FS and TLECS. | Where Council is an “information sharing 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.  | MH&FS and TLECS. | 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.   | MH&FS and TLECS. | 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.   | MH&FS and TLECS. | Where Council is an “information sharing entity”.                           |

| <b>FAMILY VIOLENCE PROTECTION ACT 2008</b> |  |                  |   |
|--|--|------------------|---|
| <b>Column 1</b>                            | <b>Column 2</b>  | <b>Column 3</b>  | <b>Column 4</b>   |
| <b>PROVISION</b>                           | <b>THING DELEGATED</b>   | <b>DELEGATE</b>  | <b>CONDITIONS &amp; LIMITATIONS</b>   |
| s 144LB(1)                                 | Power to request confidential information from another information sharing entity for a family violence protection purpose.  | MH&FS and TLECS. | 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.   | MH&FS and TLECS. |   |
| 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. | MH&FS and TLECS. | 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.                     | MH&FS and TLECS. | 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.   | MH&FS and TLECS. | 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.   | MH&FS and TLECS. | Where Council is an “information sharing entity” and a “requesting entity”. |

| <b>FAMILY VIOLENCE PROTECTION ACT 2008</b> |   |                  |   |
|--|---|------------------|---|
| <b>Column 1</b>                            | <b>Column 2</b>   | <b>Column 3</b>  | <b>Column 4</b>   |
| <b>PROVISION</b>                           | <b>THING DELEGATED</b>  | <b>DELEGATE</b>  | <b>CONDITIONS &amp; LIMITATIONS</b>   |
| s 144LC(1)                                 | Duty to disclose confidential information to another information sharing entity that has requested the confidential information for a family violence protection purpose.   | MH&FS and TLECS. | Where Council is an “information sharing entity” and a “responding entity”. |
| 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.   | MH&FS and TLECS. | 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.  | MH&FS and TLECS. | Where Council is an “information sharing entity”.                           |
| s 144LM(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.                      | MH&FS and TLECS. | 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. | MH&FS and TLECS. | Where Council is an “information sharing entity”.                           |
| s 144N                                     | Power to collect, use and disclose confidential information about a relevant person without consent.  | MH&FS and TLECS. | Where Council is an “information sharing entity”.                           |

| <b>FAMILY VIOLENCE PROTECTION ACT 2008</b> |   |                  |   |
|--|---|------------------|---|
| <b>Column 1</b>                            | <b>Column 2</b>   | <b>Column 3</b>  | <b>Column 4</b>                                   |
| <b>PROVISION</b>                           | <b>THING DELEGATED</b>  | <b>DELEGATE</b>  | <b>CONDITIONS &amp; LIMITATIONS</b>               |
| 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.  | MH&FS and TLECS. | 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.   | MH&FS and TLECS. | 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.  | MH&FS and TLECS. | 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). | MH&FS and TLECS. | Where Council is an “information sharing entity”. |
| s 144ND(1)                                 | Power to obtain consent from the primary or linked person’s authorised representatives, unless the authorised representative is a person of concern, or is alleged to pose a risk of family violence.   | MH&FS and TLECS. | Where Council is an “information sharing entity”. |
| s 144P(5)                                  | Duty to comply with any guidelines issued under s 144P when handling confidential information in accordance with Part 5A.   | MH&FS and TLECS. | Where Council is an “information sharing entity”. |

| <b>FAMILY VIOLENCE PROTECTION ACT 2008</b> |  |                  |   |
|--|--|------------------|---|
| <b>Column 1</b>                            | <b>Column 2</b>  | <b>Column 3</b>  | <b>Column 4</b>   |
| <b>PROVISION</b>                           | <b>THING DELEGATED</b>   | <b>DELEGATE</b>  | <b>CONDITIONS &amp; LIMITATIONS</b>   |
| 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. | MH&FS and TLECS. | 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.   | MH&FS and TLECS. | 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.   | MH&FS and TLECS. | Where Council is a "framework organisation" that provides services relevant to family violence risk assessment and family violence risk management. |

| <b>FENCES ACT 1968</b> |   |                  |  |
|------------------------|---|------------------|--|
| <b>Column 1</b>        | <b>Column 2</b>   | <b>Column 3</b>  | <b>Column 4</b>  |
| <b>PROVISION</b>       | <b>THING DELEGATED</b>  | <b>DELEGATE</b>  | <b>CONDITIONS &amp; LIMITATIONS</b>                            |
| s 14(2)                | Function of providing certain information to assist an owner of land to give a fencing notice.  | MP&NE and MCITY. |  |
| s 16(1)                | Power to agree with the adjoining owner of land on a fence line other than the common boundary. | MP&NE and MCITY. | With respect to land owned by or under the control of Council. |

| <b>FILMING APPROVAL ACT 2014</b> |  |                    |                                     |
|----------------------------------|--|--------------------|-------------------------------------|
| <b>Column 1</b>                  | <b>Column 2</b>  | <b>Column 3</b>    | <b>Column 4</b>                     |
| <b>PROVISION</b>                 | <b>THING DELEGATED</b>   | <b>DELEGATE</b>    | <b>CONDITIONS &amp; LIMITATIONS</b> |
| 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.   | MA&CS, CSL and FC. |                                     |
|                                  | 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 and heritage impacts when approving a permit application. | MA&CS, CSL and FC. |                                     |
| 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.  | MA&CS, CSL and FC. |                                     |
| sch 1 Principle 3                | Duty to give reasons for refusal of a film permit application.   | MA&CS, CSL and FC. |                                     |
| sch 1 Principle 4                | Duty to take reasonable steps to provide a single point of contact to deal with commercial filming on public land.   | MA&CS, CSL and FC. |                                     |
| 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.   | MA&CS, CSL and FC. |                                     |



| <b>FILMING APPROVAL ACT 2014</b> |  |                    |                                     |
|----------------------------------|--|--------------------|-------------------------------------|
| <b>Column 1</b>                  | <b>Column 2</b>  | <b>Column 3</b>    | <b>Column 4</b>                     |
| <b>PROVISION</b>                 | <b>THING DELEGATED</b>   | <b>DELEGATE</b>    | <b>CONDITIONS &amp; LIMITATIONS</b> |
| sch 1 Principle 6                | Duty for fees charged for applications for film permits and issuing film permits not to exceed cost recovery.  | MA&CS, CSL and FC. |                                     |
| 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.                                   | MA&CS, CSL and FC. |                                     |
| 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. | MA&CS, CSL and FC. |                                     |

| <b>FINES REFORM ACT 2014</b> |  |                                    |   |
|------------------------------|--|------------------------------------|---|
| <b>Column 1</b>              | <b>Column 2</b>  | <b>Column 3</b>                    | <b>Column 4</b>   |
| <b>PROVISION</b>             | <b>THING DELEGATED</b>   | <b>DELEGATE</b>                    | <b>CONDITIONS &amp; LIMITATIONS</b>   |
| s 10D(3)                     | Power to take action where work and development permit cancelled or partially completed.   | MCS and CCSS.                      |   |
| s 10F(4)                     | Function of receiving notice from Secretary regarding where infringement notice waived   | MCS.                               |   |
| s 10S(1)                     | Function of receiving a direction to suspend any enforcement action.   | MCS.                               |   |
| s 10S(4)                     | Function of receiving notice of family violence scheme (FVS) applications.   | MCS.                               |   |
| 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. | MCS, CCSS, IRO, PRSO, CCL and CPS. |   |
| s 10U(2)(a)                  | Duty to withdraw an infringement notice.   | MCS, CCSS, IRO, PRSO, CCL and CPS. | If directed by the Director of Fines Victoria and within 28 days of the direction.<br><br>By issuing a withdrawal notice that complies with s 19(a) and (b)(iii) of the <i>Infringements Act 2006</i> . |
| s 10U(2)(b)                  | Duty to notify the Director and the FVS eligible person of the withdrawal of the infringement notice.                                | MCS, CCSS, IRO, PRSO, CCL and CPS. |   |
| s 10V(4)                     | Function of receiving a direction to, and a duty to, take no enforcement action during the enforcement suspension period.            | MCS, CCSS, IRO, PRSO, CCL and CPS. |   |

| <b>FINES REFORM ACT 2014</b> |  |  |   |
|------------------------------|--|--|---|
| <b>Column 1</b>              | <b>Column 2</b>  | <b>Column 3</b>                          | <b>Column 4</b>   |
| <b>PROVISION</b>             | <b>THING DELEGATED</b>   | <b>DELEGATE</b>                          | <b>CONDITIONS &amp; LIMITATIONS</b>   |
| s 10V(6)                     | Power to take any action referred to in s 38(1)(a) with respect to the FVS eligible offence.   | MCS, CCSS, IRO, PRSO, CCL, CPS and CLAO. | If an effective known user statement is cancelled under s 84BF of the <i>Road Safety Act 1986</i> , 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. | MCS, CCSS, IRO, PRSO, CCL and CPS.       |   |
| s 10V(9)(a)                  | Duty to withdraw an infringement notice.   | MCS, CCSS, IRO, PRSO, CCL and CPS.       | If directed by the Director of Fines Victoria and within 28 days of the direction.<br><br>By issuing a withdrawal notice that complies with s 19(a) and (b)(iii) of the <i>Infringements Act 2006</i> . |
| s 10V(9)(b)                  | Duty to notify the Director and the FVS eligible person of the withdrawal of the infringement notice.                                | MCS, CCSS, IRO, PRSO, CCL and CPS.       |   |
| s 10W(1)                     | Function of receiving a written notice of the Director of Fines Victoria's determination.  | MCS, CCSS, IRO, PRSO, CCL and CPS.       | 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 immediately resume enforcement action.  | MCS, CCSS, IRO, PRSO, CCL and CPS.       | If the Director of Fines Victoria determines that an FVS applicant is not an FVS eligible person in respect of an FVS eligible offence under s 10T.   |

| <b>FINES REFORM ACT 2014</b> |   |                                    |   |
|------------------------------|---|------------------------------------|---|
| <b>Column 1</b>              | <b>Column 2</b>   | <b>Column 3</b>                    | <b>Column 4</b>   |
| <b>PROVISION</b>             | <b>THING DELEGATED</b>  | <b>DELEGATE</b>                    | <b>CONDITIONS &amp; LIMITATIONS</b>   |
| s 10X(2)                     | Function of receiving referred matters from the Director of Fines Victoria.   | MCS, CCSS, IRO, PRSO, CCL and CPS. |   |
| s 10Y(1)(a)                  | Power to withdraw an infringement notice and take no further action or issue an official warning.                                     | MCS, CCSS, IRO, PRSO, CCL and CPS. | Where the Director of Fines Victoria refers an infringement offence under s 10X(2) by issuing a withdrawal notice under s 19 of the <i>Infringements Act 2006</i> . |
| s 10Y(1)(b)                  | Power to file a charge-sheet changing the offence.  | MCS, CCSS, IRO, PRSO, CCL and CPS. |   |
| s 16                         | Function of registering infringement fines with the Director of Fines Victoria.   | MCS and CCSS.                      |   |
| s 20(4)                      | Function of being advised by the Director of Fines Victoria of determination.   | MCS and CCSS.                      |   |
| s 21(1)                      | Power to withdraw infringement notices, issue official warnings or file a charge-sheet upon receipt of a notice under s 20.           | MCS and CCSS.                      |   |
| s 21A                        | Duty to notify the Director of Fines Victoria of the commencement of proceeding by filing a charge-sheet under s 21(1)(c) in writing. | MCS and CCSS.                      |   |
| s 22                         | Power to request the Director of Fines Victoria not to issue or serve a notice of final demand.                                       | MCS and CCSS.                      |   |

| <b>FINES REFORM ACT 2014</b> |   |                 |                                     |
|------------------------------|---|-----------------|-------------------------------------|
| <b>Column 1</b>              | <b>Column 2</b>   | <b>Column 3</b> | <b>Column 4</b>                     |
| <b>PROVISION</b>             | <b>THING DELEGATED</b>  | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b> |
| s 37(2)                      | Function of receiving written notice of an enforcement cancellation from Director of Fines Victoria.  | MCS and CCSS.   |                                     |
| s 38                         | Duty, upon receipt of an enforcement cancellation notice, to withdraw the notice, withdraw notice and issue a written warning or withdraw notice and commence proceeding. | MCS and CCSS.   |                                     |
| s 38A                        | Duty to notify the Director of Fines of commencement of proceeding by filing a charge-sheet under s 38(1)(a)(iii) in writing.   | MCS and CCSS.   |                                     |
| s 43                         | Power to refer an infringement fine to the Director of Fines Victoria for management by payment arrangement upon request.   | MCS and CCSS.   |                                     |
| s 44                         | Function of receiving notice of notification of refusal of application under s 43.  | MCS and CCSS.   |                                     |
| s 48(2)                      | Duty to request the Director of Fines Victoria to remove infringement fine, if infringement notice is withdrawn.  | MCS and CCSS.   |                                     |
| s 54(1)                      | Duty to provide the Director of Fines Victoria with most up-to-date contact details of persons where referring infringement fine.   | MCS and CCSS.   |                                     |

| <b>FINES REFORM ACT 2014</b> |   |                 |  |
|------------------------------|---|-----------------|--|
| <b>Column 1</b>              | <b>Column 2</b>   | <b>Column 3</b> | <b>Column 4</b>  |
| <b>PROVISION</b>             | <b>THING DELEGATED</b>  | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b>  |
| s 54(5)                      | Function of receiving notice from the Director of Fines Victoria where fine recipient makes certain requests.   | MCS and CCSS.   |  |
| s 174                        | Function of receiving request from the Director of Fines Victoria or the Sheriff.   | MCS and CCSS.   | 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. | MCS and CCSS.   | Where Council is a “specified body”.<br>Unless the CEO of the Council certifies in writing that exceptional circumstances apply. |

| <b>FIRE RESCUE VICTORIA ACT 1958 FORMERLY KNOWN AS THE METROPOLITAN FIRE BRIGADES ACT 1958</b> |  |                     |                                     |
|--|--|---------------------|-------------------------------------|
| <b>Column 1</b>  | <b>Column 2</b>  | <b>Column 3</b>     | <b>Column 4</b>                     |
| <b>PROVISION</b>   | <b>THING DELEGATED</b>   | <b>DELEGATE</b>     | <b>CONDITIONS &amp; LIMITATIONS</b> |
| s 4J(4)  | Function of consulting with Fire District Review Panel.  | DCD and MCS.        |                                     |
| s 5  | Duty to take all practicable steps to prevent fire and minimise spread of fires.                                     | MCS, MEMO and MFPO. |                                     |
| 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. | MCS, MEMO and MFPO. |                                     |
| s 5A(1)(a)   | Duty to appoint fire prevention officer.   | Not delegated.      | The power remains with the CEO.     |
| s 5A(1)(b)   | Power to appoint assistant fire prevention officer.  | MCS, MEMO and MFPO. |                                     |
| s 72(1)  | Power to request the Board to carry out fire prevention works.   | MCS, MEMO and MFPO. |                                     |
| s 72(2)  | Duty to pay for any fire prevention work carried out.  | DCD.                |                                     |
| s 72(3)  | Power to consent to carrying out fire prevention work.   | DCD.                |                                     |
| s 77(3)  | Function of receiving penalties recovered for offences committed against s 91.                                       | DCD and MCS.        |                                     |

| <b>FIRE SERVICES PROPERTY LEVY ACT 2012</b> |  |                 |   |
|---|--|-----------------|---|
| <b>Column 1</b>                             | <b>Column 2</b>  | <b>Column 3</b> | <b>Column 4</b>   |
| <b>PROVISION</b>                            | <b>THING DELEGATED</b>   | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b>   |
| s 9(9)                                      | Power to apportion any levy amount.  | CR&R.           | For two or more parcels of land which have a combined valuation and are owned separately. |
| s 9A(1)                                     | Function of receiving application for a single farm enterprise exemption.                          | Not applicable. | Refers to farm land.  |
| s 9A(2)(b)                                  | Power to specify the form and timeframe for making applications under s 9A(1).                     | Not applicable. |   |
| s 9A(3)                                     | Power to require further particulars or for applicant to verify particulars regarding application. | Not applicable. |   |
| s 9A(4)                                     | Function of receiving notice of changes in circumstances.  | Not applicable. |   |
| ss 19 and 20                                | Duty to pay the levy amount in respect of leviable land owned by Council.                          | DCOR.           |   |
| s 21(3)(a)                                  | Function of assessing the amount of levy payable.  | MF&CP and CR&R. |   |
| s 21(3)(b)                                  | Function of collecting the levy payable.   | MF&CP and CR&R. |   |
| s 21(4)(a)                                  | Function of assessing the amount of levy payable.  | Not applicable. |   |
| s 21(4)(b)                                  | Function of collecting the levy payable.   | Not applicable. |   |



| <b>FIRE SERVICES PROPERTY LEVY ACT 2012</b> |   |                        |  |
|---|---|------------------------|--|
| <b>Column 1</b>                             | <b>Column 2</b>   | <b>Column 3</b>        | <b>Column 4</b>  |
| <b>PROVISION</b>                            | <b>THING DELEGATED</b>  | <b>DELEGATE</b>        | <b>CONDITIONS &amp; LIMITATIONS</b>  |
| s 22  | Power to exercise powers and functions under s 229 of the <i>Local Government Act 1989</i> (land information certificates) and s 313 of the <i>Local Government Act 2020</i> (institute proceedings). | MF&CP and CR&R.        |  |
| s 24  | Duty to keep levy records in accordance with s 24.  | MF&CP and CR&R.        |  |
| s 25(1)                                     | Duty to give a written notice to the owner of leviable land or to another specified person if requested by the owner.   | MF&CP and CR&R.        |  |
| s 25(6)                                     | Duty to transfer the amount of levy collected to the Commissioner.  | MF&CP, CR&R and CFP&A. | Note: "Commissioner" refers to the Commissioner of State Revenue.  |
| s 27(1)                                     | Power to defer payment of the levy in respect of rateable leviable land where the applicant shows hardship.   | MF&CP and CR&R.        | Subject to modifications set out in s 27. Also refer to Council's Rates Hardship Assistance Policy.        |
| s 27(1)                                     | Power to require payment of the levy in respect of rateable leviable land where the applicant is no longer in hardship or no longer occupies the land.  | MF&CP and CR&R.        | Subject to the modifications set out in s 27. Also refer to Council's Rates Hardship Assistance Policy.    |
| s 27(1)                                     | Power to waive the levy in respect of rateable leviable land.   | MF&CP and CR&R.        | Subject to the modifications set out in s 27(4). Also refer to Council's Rates Hardship Assistance Policy. |

| <b>FIRE SERVICES PROPERTY LEVY ACT 2012</b> |  |                 |   |
|---|--|-----------------|---|
| <b>Column 1</b>                             | <b>Column 2</b>  | <b>Column 3</b> | <b>Column 4</b>   |
| <b>PROVISION</b>                            | <b>THING DELEGATED</b>   | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b>   |
| s 27(1)                                     | Duty to waive the levy upon receipt of an application which complies with s 171(4) of the Local Government Act 1989, in respect of rateable leviable land.   | MF&CP and CR&R. | Subject to the modifications set out in s 27(4).<br>Also refer to Council's Rates Hardship Assistance Policy.                         |
| 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 <i>Local Government Act 1989</i> . | CR&R.           | Subject to the modifications set out in s 27(4).<br>Also refer to Council's Rates Hardship Assistance Policy.                         |
| s 27(1)                                     | Function of receiving application for waiver of levy in respect of rateable leviable land.   | CR&R.           | Subject to the modifications set out in s 27(4).<br>Note: may only waive the levy if rates or charges have been waived for that land. |
| s 27(1)                                     | Power to require information or verification in respect of rateable leviable land.   | CR&R.           | Also refer to Council's Rates Hardship Assistance Policy.   |
| s 27(1)                                     | Power to waive levy or levy interest in respect of rateable leviable land.   | MF&CP and CR&R. |   |
| s 28(1)                                     | Power to defer payment of levy in respect of non-rateable leviable land where applicant shows hardship.  | MF&CP and CR&R. | Subject to the modifications set out in s 28.<br>Also refer to Council's Rates Hardship Assistance Policy.                            |
| 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.  | CR&R.           |   |

| <b>FIRE SERVICES PROPERTY LEVY ACT 2012</b> |   |                 |   |
|---|---|-----------------|---|
| <b>Column 1</b>                             | <b>Column 2</b>   | <b>Column 3</b> | <b>Column 4</b>   |
| <b>PROVISION</b>                            | <b>THING DELEGATED</b>  | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b>   |
| s 28(1)                                     | Power to waive levy in respect of non-rateable leviable land.   | MF&CP and CR&R. | Subject to the modifications set out in s 28(4).<br>Also refer to the Council's Rates Hardship Assistance Policy.   |
| s 28(1)                                     | Duty to waive levy upon receipt of an application which complies with s 171(4) of the <i>Local Government Act 1989</i> , in respect of non-rateable leviable land.  | MF&CP and CR&R. |   |
| 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) of the <i>Local Government Act 1989</i> . | MF&CP and CR&R. |   |
| s 28(1)                                     | Function of receiving application for waiver of levy in respect of non- rateable leviable land.   | MF&CP and CR&R. |   |
| s 28(1)                                     | Power to require information or verification in respect of non-rateable leviable land.  | MF&CP and CR&R. |   |
| s 28(1)                                     | Power to waive levy or levy interest in respect of non-rateable leviable land.  | MF&CP and CR&R. |   |
| s 29(1)                                     | Duty to give a concession.  | MF&CP and CR&R. | Subject to subsection (2), an owner of leviable land who holds a concession card is entitled to receive a discount of \$50 off total levy amount due in respect of leviable land which is used exclusively for residential purposes by owner and is owner's principal place of residence. |

| <b>FIRE SERVICES PROPERTY LEVY ACT 2012</b> |  |                       |   |
|---|--|-----------------------|---|
| <b>Column 1</b>                             | <b>Column 2</b>  | <b>Column 3</b>       | <b>Column 4</b>   |
| <b>PROVISION</b>                            | <b>THING DELEGATED</b>   | <b>DELEGATE</b>       | <b>CONDITIONS &amp; LIMITATIONS</b>                         |
| s 30(1)                                     | Duty to require a person to pay levy interest.   | MF&CP and CR&R.       |   |
| s 30(3)                                     | Power to obtain a court order requiring payment of the levy.   | MF&CP.                |   |
| s 30(4)                                     | Power to waive levy interest where a court order is obtained under s 30(3).  | DCOR, MF&CP and CR&R. |   |
| 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).   | MF&CP and CR&R.       |   |
| s 30(6)                                     | Power to recover levy interest due in the same way as Council recovers the levy amount.  | CR&R.                 |   |
| s 31(1)                                     | Power to recover the whole of the levy from either all, any or one person's jointly liable to pay levy.  | CR&R.                 | Where 2 or more persons are jointly liable to pay the 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 the levy payment has already been made. | CR&R.                 |   |
| s 31A(2)(b)                                 | Duty to only require proportionate amount of levy to be paid where land ceases to be leviable land and the levy payment has not already been made.               | CR&R.                 |   |
| s 32(7)                                     | Power to recover amount in arrears, in accordance with s 32(7).  | CR&R.                 |   |

| <b>FIRE SERVICES PROPERTY LEVY ACT 2012</b> |   |                       |   |
|---|---|-----------------------|---|
| <b>Column 1</b>                             | <b>Column 2</b>   | <b>Column 3</b>       | <b>Column 4</b>   |
| <b>PROVISION</b>                            | <b>THING DELEGATED</b>  | <b>DELEGATE</b>       | <b>CONDITIONS &amp; LIMITATIONS</b>   |
| s 33(1)                                     | Power to send a notice where levy is due and unpaid.  | CR&R.                 |   |
| s 33(5)                                     | Power to recover unpaid amount due.   | CR&R.                 |   |
| s 34  | Duty to make adjustment and apply or refund an overpayment in accordance with s 34 and give revised assessment notice to owner or specified person. | MF&CP and CR&R.       | 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.  | MF&CP and CR&R.       |   |
| s 35(4)(b)                                  | Power to request the occupier to disclose the amount of rent and the name and address of the person to whom the rent is payable.                    | CR&R.                 |   |
| s 36(1)                                     | Function of receiving an application for a refund of amounts overpaid.  | CR&R.                 |   |
| s 36(4)                                     | Duty to refund an overpayment, if determined that the payment was in excess of amount owed.   | DCOR, MF&CP and CR&R. |   |
| s 36(5)                                     | Power to refund overpayment, if determined that the payment was in excess of the amount owed.   | DCOR, MF&CP and CR&R. |   |
| s 37(1)                                     | Duty to separately account for levy amounts and levy interest collected.  | Not applicable.       |   |

| <b>FIRE SERVICES PROPERTY LEVY ACT 2012</b> |   |                       |  |
|---|---|-----------------------|--|
| <b>Column 1</b>                             | <b>Column 2</b>   | <b>Column 3</b>       | <b>Column 4</b>  |
| <b>PROVISION</b>                            | <b>THING DELEGATED</b>  | <b>DELEGATE</b>       | <b>CONDITIONS &amp; LIMITATIONS</b>  |
| s 37(3)                                     | Power to retain any interest earned on levy amounts and levy interest.  | MF&CP.                |  |
| s 37(5)                                     | Duty to refund an over payment.   | DCOR, MF&CP and CR&R. |  |
| s 38(1)                                     | Power to cancel the assessment of person's liability to pay the levy if satisfied that an assessment has been made in error.  | MF&CP and CR&R.       |  |
| s 38(2)                                     | Duty to comply with the requirements in s 38(2) where Council has made an assessment in error.  | MF&CP and CR&R.       |  |
| s 39(2)                                     | Duty to conduct another assessment of the levy amount and, if applicable, give the owner or a specified person a revised assessment notice, in accordance with s 39(2). | MF&CP and CR&R.       |  |
| s 39(3)                                     | Duty to refund payment in excess of the amount owed and any interest accrued.   | DCOR, MF&CP and CR&R. |  |
| s 40  | Duty to submit a return to the Commissioner.  | DCOR, MF&CP and CR&R. | Form approved by Commissioner and in accordance with directions issued by Minister |
| s 41(1)                                     | Duty to pay all levy amounts and levy interest received to the Commissioner in 4 instalments.   | DCOR, MF&CP and CR&R. |  |

| <b>FIRE SERVICES PROPERTY LEVY ACT 2012</b> |  |                 |                                     |
|---|--|-----------------|-------------------------------------|
| <b>Column 1</b>                             | <b>Column 2</b>  | <b>Column 3</b> | <b>Column 4</b>                     |
| <b>PROVISION</b>                            | <b>THING DELEGATED</b>   | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b> |
| 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. | DCOR and MF&CP. |                                     |
| s 71(1)                                     | Function of receiving an application for alteration of levy records.   | DCOR and MF&CP. |                                     |
| s 71(2)                                     | Power to specify the manner and form of applications under s 71(1).  | DCOR and MF&CP. |                                     |
| s 72  | Duty to comply with any Ministerial directions issued under s 72.  | DCOR.           |                                     |

| <b>FLORA AND FAUNA GUARANTEE ACT 1988</b> |  |                 |  |
|---|--|-----------------|--|
| <b>Column 1</b>                           | <b>Column 2</b>  | <b>Column 3</b> | <b>Column 4</b>  |
| <b>PROVISION</b>                          | <b>THING DELEGATED</b>   | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b>  |
| s 4C(1)                                   | Function of receiving a request for information from the Minister.   | DI and MP&NE.   | Where Council is a public authority.   |
| s 4C(2)                                   | Duty to comply with a Minister's request for information under s 4C(1).  | DI and MP&NE.   | 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. | DI and MP&NE.   | Where Council is a public authority.   |
| s 20B(1)(a)                               | Function of receiving written notice from the Secretary.   | DI and MP&NE.   | 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.   | DI and MP&NE.   | 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.   | DI and MP&NE.   | Where Council is a landholder.   |
| s 25(1)                                   | Function of being party to an agreement for management of flora and fauna.   | DI.             |  |
| 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.              | DI and MP&NE.   | Where Council is a landholder.   |



| <b>FLORA AND FAUNA GUARANTEE ACT 1988</b> |  |                 |   |
|---|--|-----------------|---|
| <b>Column 1</b>                           | <b>Column 2</b>  | <b>Column 3</b> | <b>Column 4</b>   |
| <b>PROVISION</b>                          | <b>THING DELEGATED</b>   | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b>   |
| s 29(1)(b)                                | Function of receiving notice of the making of a habitat conservation order from the Minister.  | DI and MP&NE.   | 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 anything 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. | DI and MP&NE.   | Where Council is the landholder of the 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.   | DI and MP&NE.   | Where Council is the landholder of the land.  |

| <b>FOOD ACT 1984</b> |   |                      |  |
|----------------------|---|----------------------|--|
| <b>Column 1</b>      | <b>Column 2</b>   | <b>Column 3</b>      | <b>Column 4</b>  |
| <b>PROVISION</b>     | <b>THING DELEGATED</b>  | <b>DELEGATE</b>      | <b>CONDITIONS &amp; LIMITATIONS</b>                                  |
| s 7D(3)              | Duty to comply with a declaration made by the Secretary under s 7D(1).  | CEH.                 |  |
| s 7E(6)              | Duty to publish a copy of a direction given by the Minister under s 7E(1) in the annual report.   | MH&FS.               |  |
| s 19(4)(b)           | Duty to notify the Department of the making of the order.   | MH&FS and CEH.       | 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.  | MH&FS and CEH.       | If s 19(1) applies and if Council is not the registration authority. |
| s 19A(4)(b)          | Function of receiving notice from authorised officer.   | CEH and EHO.         | 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.  | DCOM, MH&FS and CEH. | 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.   | CEH and EHO.         | Where Council is the registration authority.                         |
| s 19H(5)(a) & (5)(b) | Duty to take into account:<br>a) the food safety performance of the food business; and<br>b) any guidelines issued by the Secretary in determining the frequency and intervals of the assessments and audits. | MH&FS and CEH.       | Where Council is the registration authority.                         |

| <b>FOOD ACT 1984</b> |  |                 |   |
|----------------------|--|-----------------|---|
| <b>Column 1</b>      | <b>Column 2</b>  | <b>Column 3</b> | <b>Column 4</b>   |
| <b>PROVISION</b>     | <b>THING DELEGATED</b>   | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b>                               |
| s 19I                | Duty to conduct a food safety assessment as required under s 19H.  | CEH and EHO.    | Subject to s 19J.<br>Where Council is the registration authority. |
| 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 191A(3) applies.                             | CEH and EHO.    | Where Council is the registration authority.                      |
| s 19N                | Function of receiving information from a food safety auditor.  | CEH and EHO.    |   |
| s 19U(4)             | Duty to ensure that information relating to costs of a food safety audit are available for inspection by the public.   | Not delegated.  | Council does not currently conduct food safety auditing services. |
| s 19UA(4)            | Duty to consider proprietor's history of compliance in deciding whether to charge the fee.   | MH&FS and CEH.  |   |
| 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. | MH&FS and CEH.  |   |
| s 20(1C)             | Duty to ensure authorised officers are suitably qualified or trained.  | MH&FS and CEH.  |   |
| s 20(2)              | Power to limit or impose conditions on the authority granted to an authorised officer.   | MH&FS and CEH.  |   |
| s 26(5)              | Duty to destroy or dispose of article.   | CEH and EHO.    |   |

| <b>FOOD ACT 1984</b> |  |                 |   |
|----------------------|--|-----------------|---|
| <b>Column 1</b>      | <b>Column 2</b>  | <b>Column 3</b> | <b>Column 4</b>   |
| <b>PROVISION</b>     | <b>THING DELEGATED</b>   | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b>   |
| s 32(1)              | Duty to submit samples of food for analysis.   | CEH and EHO.    |   |
| s 32(3)              | Function of receiving a report by an analyst.  | CEH and EHO.    |   |
| s 35A(2)             | Function of receiving notice of operation from the proprietor of a food premises.  | CEH and EHO.    | Where Council is the registration authority.<br>Section refers to temporary food premises, mobile food premises or food vending machines or fixed premises that are the principal premises in relation to temporary food premises, mobile food premises or food vending machines. |
| s 37                 | Function of receiving application, information and documents required under s 36 from the proprietor of a food business.           | CEH and EHO.    |   |
| s 38(3)              | Duty to consult with the Secretary about the proposed exemption under s 38(2).   | MH&FS and CEH.  |   |
| s 38AA(2)            | Function of being notified of the operation of a food business which the proprietor is of the opinion is exempt from registration. | CEH and EHO.    | Where Council is the registration authority.  |
| s 38AA(4)            | Duty to determine whether the food premises are exempt from the requirement of registration.                                       | CEH and EHO.    | Where Council is the registration authority.  |
| s 38A(5) & (6)       | Function of receiving a food safety audit certificate from a proprietor.   | CEH and EHO.    | Where Council is the registration authority.  |

| <b>FOOD ACT 1984</b> |  |                 |  |
|----------------------|--|-----------------|--|
| <b>Column 1</b>      | <b>Column 2</b>  | <b>Column 3</b> | <b>Column 4</b>                              |
| <b>PROVISION</b>     | <b>THING DELEGATED</b>   | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b>          |
| s 38B(1)(c)          | Duty to inspect premises.  | CEH and EHO.    | Where Council is the registration authority. |
| s 38E(1)(c)          | Function of assessing the requirement for a food safety program.   | CEH and EHO.    | Where Council is the registration authority. |
| s 38E(3)(a)          | Function of receiving certificates.  | CEH and EHO.    | 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.       | CEH and EHO.    | Where Council is the registration authority. |
| s 39(2)              | Duty to inspect within 12 months before renewal of registration.   | CEH and EHO.    | Where Council is the registration authority. |
| s 39(3)              | Duty to inspect within three months before renewal of registration if circumstances in s 39(3)(a)-(d) apply. | CEH and EHO.    | Where Council is the registration authority. |
| s 39A(6)             | Duty to comply with a direction of Secretary.  | MH&FS and CEH.  |  |
| s 40(1)              | Duty to issue a certificate of registration in the prescribed form.  | CEH.            | Where Council is the registration authority. |
| s 40D(2)             | Duty to specify how long a suspension is to last under s 40D(1).   | MH&FS and CEH.  | Where Council is the registration authority. |
| s 40E(4)             | Duty to comply with direction of Secretary.  | MH&FS and CEH.  |  |
| s 43(1) and (2)      | Duty to maintain records of the prescribed particulars and orders in force under Part III.                   | MH&FS and CEH.  | Where Council is the registration authority. |

| FOOD ACT 1984 |  |                |  |
|---------------|--|----------------|--|
| Column 1      | Column 2   | Column 3       | Column 4   |
| PROVISION     | THING DELEGATED  | DELEGATE       | CONDITIONS & LIMITATIONS                                       |
| s 43(3)       | Duty to make available information held in records, free of charge, on request.  | MH&FS and CEH. | Where Council is the registration authority.                   |
| s 43I         | Function of receiving a statement of trade of a proprietor of a food business.   | CEH and EHO.   |  |
| s 45AA        | Power to act in proceedings against the Crown.   | CEH.           | Power of the responsible agency.                               |
| s 45AC        | Power to bring proceedings for an offence under Act.   | CEH and EHO.   |  |
| 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.  | CEH and EHO.   | <i>Where Council is the "relevant Council" under s 53G(6).</i> |
| s 53G(2)      | Duty to advise the Secretary that a person has not appealed a conviction within the time allowed.  | CEH and EHO.   | <i>Where Council is the "relevant Council" under s 53G(6).</i> |
| s 53G(3)      | Duty to advise the Secretary of the fact that an appeal or application for leave is lodged against the conviction and of other matters in this subs.   | CEH and EHO.   | <i>Where Council is the "relevant Council" under s 53G(6).</i> |
| s 53G(4)      | Duty to inform the Secretary of the outcome of the appeal or application.  | CEH and EHO.   | <i>Where Council is the "relevant Council" under s 53G(6).</i> |
| s 58(1)       | Duty to notify the Victorian Commission for Gambling and Liquor Regulation of Liquor Licensing when a holder of a permit/licence under the <i>Liquor Control Reform Act 1998</i> is found guilty or pleads guilty and in respect of which no conviction is recorded. | CEH and EHO.   | Where Council is the registration authority.                   |

| <b>FOOD ACT 1984</b> |  |                 |  |
|----------------------|--|-----------------|--|
| <b>Column 1</b>      | <b>Column 2</b>  | <b>Column 3</b> | <b>Column 4</b>  |
| <b>PROVISION</b>     | <b>THING DELEGATED</b>   | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b>  |
| s 58(2)              | Duty to notify the Victorian Commission for Gambling and Liquor Regulation of Liquor Licensing where an order is made under s 19 of the Act and a permit/ licence under the <i>Liquor Control Reform Act 1998</i> is in force. | CEH and EHO.    | 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.  | CEH and EHO.    | 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 registration authority in relation to temporary or mobile food premises.  | CEH and EHO.    | Where Council is the registration authority for the temporary or mobile food premises.                     |
| s 59C(2)             | Power to take actions necessary to ensure compliance with a direction under Part III or Part VII.  | CEH and EHO.    | Note: ss 19 and 19B relate to the registration of food premises; and Part VII relates to emergency powers. |
| s 59C(7)(b)          | Power to recover costs incurred under s 59C(2) or (3).   | CEH and EHO.    |  |
| s 71(a)              | Power to revoke or suspend the registration of the food premises under Part IIIB or s 40D in certain circumstances.  | MH&FS.          |  |

| <b>FREEDOM OF INFORMATION ACT 1982</b> |  |                 |   |
|--|--|-----------------|---|
| <b>Column 1</b>                        | <b>Column 2</b>  | <b>Column 3</b> | <b>Column 4</b>   |
| <b>PROVISION</b>                       | <b>THING DELEGATED</b>   | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b>   |
| s 7                                    | Duty to publish information.   | MG&I and FIO.   |   |
| s 49D(3)                               | Power to request a copy of the application from the Information Commissioner.  | MG&I and FIO.   |   |
| s 49G(3)                               | Function of receiving notice from the Information Commissioner.  | MG&I and FIO.   |   |
| s 49I                                  | Duty to assist the Information Commissioner to undertake a review.   | MG&I and FIO.   |   |
| s 49K                                  | Function of consulting with the Information Commissioner.  | MG&I and FIO.   |   |
| s 49KA(2)(a)                           | Function of processing or identifying a reasonable sample of the documents upon notice from the Information Commissioner.  | MG&I and FIO.   | If 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. | MG&I and FIO.   | If 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 Information Commissioner's notice, being not less than 10 business days.   | MG&I and FIO.   | If 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. |



| <b>FREEDOM OF INFORMATION ACT 1982</b> |  |                 |   |
|--|--|-----------------|---|
| <b>Column 1</b>                        | <b>Column 2</b>  | <b>Column 3</b> | <b>Column 4</b>   |
| <b>PROVISION</b>                       | <b>THING DELEGATED</b>   | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b>   |
| s 49KA(4)                              | Power to apply for an extension.   | MG&I and FIO.   |   |
| 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 s 49KA(3) of the information contained in s 49KA(7)(a)-(b). | MG&I and FIO.   | If 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.   | MG&I and FIO.   | If 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.  | MG&I and FIO.   | Decision must be made within 28 days of referral, unless another 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).  | MG&I and FIO.   |   |
| s 49L(4)                               | Duty to notify the Information Commissioner that a fresh decision has been made or has not been made.  | MG&I and FIO.   |   |
| s 49L(5)                               | Duty to revoke the earlier decision where a fresh decision has been made and to inform applicant of requirements of s 49L(6) and the effect of s 49(7).                                | MG&I and FIO.   |   |

| <b>FREEDOM OF INFORMATION ACT 1982</b> |  |                 |   |
|--|--|-----------------|---|
| <b>Column 1</b>                        | <b>Column 2</b>  | <b>Column 3</b> | <b>Column 4</b>   |
| <b>PROVISION</b>                       | <b>THING DELEGATED</b>   | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b>   |
| s 49M(1)                               | Power to exercise a choice to reconsider the subject matter of an application for review and make a fresh decision.                                  | MG&I and FIO.   | Must advise Information Commissioner and applicant in writing.<br><br>Decision must be made within 28 days of referral, unless other time period is agreed under s 49M(2).<br><br>May make a fresh decision only once during a review under this part s 49M(8). |
| s 49M(2)                               | Power to agree with Information Commissioner to another time period for making a fresh decision.   | MG&I and FIO.   |   |
| s 49M(4)                               | Duty to notify the information Commissioner in writing of a whether a fresh decision has or has not been made.                                       | MG&I and FIO.   |   |
| s 49M(5)                               | Duty to revoke the earlier decision where a fresh decision has been made and to inform applicant of requirements of s 49M(6) and effect of s 49M(7). | MG&I and FIO.   |   |
| s 49N                                  | Function of entering into an agreement in relation to a decision that is the subject of a review.  | MG&I and FIO.   |   |
| s 50(3D)                               | Power to apply to the Tribunal for review of a decision of Information Commissioner under s 49P  | Not delegated.  | The power remains with the CEO.   |
| s 50(3F)                               | Duty to notify the Information Commissioner of an application for review under s 50(3D).   | MG&I and FIO.   |   |

| <b>FREEDOM OF INFORMATION ACT 1982</b> |  |                 |   |
|--|--|-----------------|---|
| <b>Column 1</b>                        | <b>Column 2</b>  | <b>Column 3</b> | <b>Column 4</b>   |
| <b>PROVISION</b>                       | <b>THING DELEGATED</b>   | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b>   |
| s 50(3FA)                              | Duty to notify Information Commissioner of an application for review under s 50(1)(a), (b), (c), (d) or (g).   | MG&I and FIO.   |   |
| s 53(6)                                | Power to make an application to the Tribunal for an extension of time.   | MG&I and FIO.   |   |
| s 53A(1)                               | Duty to, if practicable, give written notice in accordance with s 53A(2).  | MG&I and FIO.   |   |
| s 61E                                  | Duty to co-operate with Information Commissioner where a complaint relates to the agency.  | MG&I and FIO.   |   |
| s 61G                                  | Function of consulting with Information Commissioner.  | MG&I and FIO.   |   |
| s 61GA(1)(a)                           | Function of processing or identifying a reasonable sample of the documents upon notice from the Information Commissioner.  | MG&I and FIO.   | 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. | MG&I and FIO.   | 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.   |

| <b>FREEDOM OF INFORMATION ACT 1982</b> |   |                 |                                     |
|--|---|-----------------|-------------------------------------|
| <b>Column 1</b>                        | <b>Column 2</b>   | <b>Column 3</b> | <b>Column 4</b>                     |
| <b>PROVISION</b>                       | <b>THING DELEGATED</b>  | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b> |
| 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.                                | MG&I and FIO.   |                                     |
| s 61GA(3)                              | Power to apply for extension.   | MG&I and FIO.   |                                     |
| s 61H                                  | Power to reach an agreement with a complainant.   | MG&I and FIO.   |                                     |
| s 61I(2)                               | Power to make submissions to the information Commissioner in relation to a complaint.   | MG&I and FIO.   |                                     |
| s 61L(5)                               | Power to comment on, and respond to, a draft recommendation.  | MG&I and FIO.   |                                     |
| 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. | Not delegated.  |                                     |
| s 64B                                  | Duty to provide the Information Commissioner any information referred to in s 64(2).  | MG&I and FIO.   |                                     |
| s 65AB                                 | Duty to notify the responsible Minister if Council seeks leave to appeal.   | MG&I.           |                                     |

| <b>GAMBLING REGULATION ACT 2003</b> |   |                         |                                     |
|-------------------------------------|---|-------------------------|-------------------------------------|
| <b>Column 1</b>                     | <b>Column 2</b>   | <b>Column 3</b>         | <b>Column 4</b>                     |
| <b>PROVISION</b>                    | <b>THING DELEGATED</b>  | <b>DELEGATE</b>         | <b>CONDITIONS &amp; LIMITATIONS</b> |
| s 3.3.5                             | Function of receiving a copy of proposed applications (ie: to operate a gaming venue).                | MCE&D, MCP&D and AMSTP. |                                     |
| s 3.3.5AA                           | Function of receiving notification (ie: receipt of an application) from the Commission.               | MCE&D and MCP&D.        |                                     |
| s 3.3.5AB(2)                        | Function of receiving a copy of the amended application.  | MCE&D, MCP&D and AMSTP. |                                     |
| 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. | MCE&D.                  |                                     |
| s 3.3.6                             | Power to make submission to Commission on application for approval of premises.                       | DCOM and MCE&D.         |                                     |
| s 3.3.8(4)                          | Function of receiving notification from the Commission of its decision.                               | MCE&D, MCP&D and AMSTP. |                                     |
| s 3.3.14                            | Power to apply to Tribunal for review of Commission's decision granting approval of premises.         | DCOM and MCE&D.         |                                     |
| s 3.4.18(2)                         | Function of receiving a copy of proposed request.   | MCE&D and MCP&D.        |                                     |
| s 3.4.18A                           | Function of receiving notification from the Commission that it has received a request.                | MCE&D, MCP&D and AMSTP. |                                     |

| <b>GAMBLING REGULATION ACT 2003</b> |  |                         |  |
|-------------------------------------|--|-------------------------|--|
| <b>Column 1</b>                     | <b>Column 2</b>  | <b>Column 3</b>         | <b>Column 4</b>  |
| <b>PROVISION</b>                    | <b>THING DELEGATED</b>   | <b>DELEGATE</b>         | <b>CONDITIONS &amp; LIMITATIONS</b>  |
| s 3.4.18B(2)                        | Function of receiving amended copies of proposed request.  | MCE&D, MCP&D and AMSTP. |  |
| s 3.4.18C                           | Duty to notify Commission as to whether it intends to make a submission under s 3.4.19.  | MCE&D.                  |  |
| s 3.4.19                            | Power to make a 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 is located and taking into account the impact of the proposed amendment on surrounding municipal districts. | DCOM and MCE&D.         |  |
| s 3.4.21(2)                         | Power to apply to Tribunal for review of Commission's decision relating to amendment increasing number of gaming machines.   | DCOM and MCE&D.         |  |
| s 8.5.3(2)                          | Function of receiving a copy of an application for a bingo centre.   | Not applicable.         | Does not apply to premises used occasionally for bingo, ie: where the usage is ancillary to the principal usage. |
| s 8.5.5                             | Power to submit report to Commission on application received under s 8.5.3(3)(a).  | Not applicable.         |  |

| <b>GENDER EQUALITY ACT 2020</b> |   |                 |                                      |
|---------------------------------|---|-----------------|--------------------------------------|
| <b>Column 1</b>                 | <b>Column 2</b>   | <b>Column 3</b> | <b>Column 4</b>                      |
| <b>PROVISION</b>                | <b>THING DELEGATED</b>  | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b>  |
| s 7(a)                          | Duty to consider and promote gender equality.   | Ds and Mgers.   | Where Council is a 'defined entity'  |
| s 7(b)                          | Duty to take necessary and proportionate action towards achieving gender equality.                              | Ds and Mgers.   | Where Council is a 'defined entity'  |
| s 9(1)                          | Duty to undertake a gender impact assessment.   | DCOR and MP&C.  | Where Council is a 'defined entity'  |
| s 10(1)                         | Duty to prepare a Gender Equality Action Plan.  | DCOR and MP&C.  | 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.            | DCOR and MP&C.  | Where Council is a 'defined entity'  |
| s 10(2)(b)                      | Duty to consult in preparing a Gender Equality Action Plan.   | DCOR and MP&C.  | 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. | DCOR and MP&C.  | Where Council is a 'defined entity'  |
| s 11(1)                         | Duty to undertake a workplace gender audit before developing a Gender Equality Action Plan.                     | DCOR and MP&C.  | Where Council is a 'defined entity'. |
| s 11(2)(d)                      | Power to determine any other matters that are relevant.   | DCOR and MP&C.  | Where Council is a 'defined entity'. |
| s 12(1)                         | Duty to submit a Gender Equality Action Plan to the Commissioner.   | DCOR and MP&C.  | Where Council is a 'defined entity'. |
| s 12(2)                         | Power to request an extension of time to submit the Gender Equality Action Plan.                                | DCOR and MP&C.  | Where Council is a 'defined entity'. |

| <b>GENDER EQUALITY ACT 2020</b> |   |                 |                                      |
|---------------------------------|---|-----------------|--------------------------------------|
| <b>Column 1</b>                 | <b>Column 2</b>   | <b>Column 3</b> | <b>Column 4</b>                      |
| <b>PROVISION</b>                | <b>THING DELEGATED</b>  | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b>  |
| 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.   | DCOR and MP&C.  | 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.  | DCOR and MP&C.  | Where Council is a 'defined entity'. |
| s 13(1)                         | Power to submit to the Commissioner a report or document prepared by Council for another purpose and request that it be taken to be a Gender Equality Action Plan.  | DCOR and MP&C.  | Where Council is a 'defined entity'. |
| 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.  | DCOR and MP&C.  | 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.  | DCOR and MP&C.  | Where Council is a 'defined entity'. |
| s 15(2)(a)                      | Duty to submit the amended Gender Equality Action Plan to the Commissioner.   | DCOR and MP&C.  | 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. | DCOR and MP&C.  | Where Council is a 'defined entity'. |



| <b>GENDER EQUALITY ACT 2020</b> |  |                 |                                      |
|---------------------------------|--|-----------------|--------------------------------------|
| <b>Column 1</b>                 | <b>Column 2</b>  | <b>Column 3</b> | <b>Column 4</b>                      |
| <b>PROVISION</b>                | <b>THING DELEGATED</b>   | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b>  |
| s 16(1)                         | Duty to make reasonable and material progress in relation to the workplace gender equality indicators.   | Ds and MP&C.    | Where Council is a 'defined entity'. |
| s 18(1)                         | Duty to make reasonable and material progress towards meeting gender equality targets prescribed.  | Ds and MP&C.    | Where Council is a 'defined entity'. |
| s 18(2)                         | Duty to make reasonable and material progress towards meeting gender equality quotas prescribed.   | DCOR and MP&C.  | Where Council is a 'defined entity'. |
| s 19(1)                         | Duty to submit a progress report to the Commissioner.  | DCOR and MP&C.  | Where Council is a 'defined entity'. |
| s 19(2)                         | Power to request an extension of time to submit a progress report.   | DCOR and MP&C.  | 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).                                    | DCOR and MP&C.  | 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).  | DCOR and MP&C.  | Where Council is a 'defined entity'. |
| s 22(1)                         | Function of being issued with a compliance notice from the Commissioner.   | DCOR and MP&C.  | Where Council is a 'defined entity'. |
| s 22(2)                         | Duty to comply with the compliance notice.   | DCOR and MP&C.  | 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. | DCOR and MP&C.  | Where Council is a 'defined entity'. |

| <b>GENDER EQUALITY ACT 2020</b> |   |                 |   |
|---------------------------------|---|-----------------|---|
| <b>Column 1</b>                 | <b>Column 2</b>   | <b>Column 3</b> | <b>Column 4</b>   |
| <b>PROVISION</b>                | <b>THING DELEGATED</b>  | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b>   |
| 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).   | DCOR and MP&C.  | Where Council is a 'defined entity'.  |
| s 26(a)                         | Power to provide the Commissioner with a written undertaking.   | DCOR and MP&C.  | Where Council is a 'defined entity'   |
| s 27(2)                         | Power to, with the consent of the Commissioner, withdraw or vary the undertaking.   | DCOR and MP&C.  | Where Council is a 'defined entity'.  |
| s 47(2)                         | Duty to have regard to any guidelines issued under s 47(1).   | DCOR and MP&C.  | Where Council is a 'defined entity'.  |
| s 48(2)                         | Duty to have regard to the guidelines.  | Ds and MP&C.    | 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.  | Ds and MP&C.    | 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.  | DCOR and MP&C.  | 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. | DCOR and MP&C.  | Where Council is a 'defined entity'.  |

| <b>GRAFFITI PREVENTION ACT 2007</b> |   |                                |  |
|-------------------------------------|---|--------------------------------|--|
| <b>Column 1</b>                     | <b>Column 2</b>   | <b>Column 3</b>                | <b>Column 4</b>  |
| <b>PROVISION</b>                    | <b>THING DELEGATED</b>  | <b>DELEGATE</b>                | <b>CONDITIONS &amp; LIMITATIONS</b>                                  |
| 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.   | MCITY.                         |  |
| 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.   | MCITY.                         |  |
| s 18(2)(a)                          | Power to serve notice regarding a proposal to remove or obliterate graffiti at least 28 days before action proposed to be taken.  | MCITY, MCS, CPS, CCL and SPSO. |  |
| s 18(3)(a)                          | Duty to serve notice regarding a 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 is not necessary). | MCITY, MCS, CPS, CCL and SPSO. |  |
| s 18(3)(b)                          | Power to remove or obliterate graffiti (where entry not necessary), where written notice of proposed action is given and the owner gives consent or does not object in accordance with the notice.                    | MCITY.                         |  |
| s 18(3A)                            | Power to take further action to remove or obliterate graffiti.  | MCS, CPS and CCL.              | Within 3 months after Council has taken action under subsection (3). |

| <b>GRAFFITI PREVENTION ACT 2007</b> |   |                                |   |
|-------------------------------------|---|--------------------------------|---|
| <b>Column 1</b>                     | <b>Column 2</b>   | <b>Column 3</b>                | <b>Column 4</b>   |
| <b>PROVISION</b>                    | <b>THING DELEGATED</b>  | <b>DELEGATE</b>                | <b>CONDITIONS &amp; LIMITATIONS</b>                                 |
| s 18(8)(a)                          | Duty to take reasonable steps to consult with the owner or occupier in relation to the manner of taking action to remove or obliterate graffiti.                  | MCITY.                         |   |
| 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).   | MCITY.                         |   |
| 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. | MCITY.                         |   |
| s 19(1)                             | Power to authorise a person to carry out Council's functions under s 18.  | MCITY, MCS, CPS, CCL and SPSO. | Note: s 18 refers to the removal of graffiti from private property. |
| s 19(2)(c)                          | Power to determine performance criteria for authorised persons.   | MCITY, MCS, CPS, CCL and SPSO. |   |
| s 20(1)                             | Duty to issue an identity card to an authorised person.   | MP&C.                          |   |

| <b>HEALTH RECORDS ACT 2001</b> |  |                             |                                     |
|--------------------------------|--|-----------------------------|-------------------------------------|
| <b>Column 1</b>                | <b>Column 2</b>  | <b>Column 3</b>             | <b>Column 4</b>                     |
| <b>PROVISION</b>               | <b>THING DELEGATED</b>   | <b>DELEGATE</b>             | <b>CONDITIONS &amp; LIMITATIONS</b> |
| s 48                           | Function of receiving notice of a complaint from the Health Complaints Commissioner.   | DCOM, MH&FS and MH&CS.      |                                     |
| s 51(1)                        | Function of receiving notice that the Health Complaints Commissioner has declined to entertain a complaint.                                | DCOM, MH&FS and MH&CS.      |                                     |
| s 51(3)                        | Function of receiving notice that Health Complaints Commissioner has referred complaint.   | DCOM, MH&FS, MH&CS and CCI. |                                     |
| s 52(2)                        | Function of receiving notice that Health Complaints Commissioner referred complaint to registration board.                                 | DCOM, MH&FS and MH&CS.      |                                     |
| s 53(2)                        | Function of receiving notice that Health Complaints Commissioner has dismissed a stale complaint.  | DCOM, MH&FS and MH&CS.      |                                     |
| s 56(3)                        | Power to indicate wishes with respect to whether conciliation is appropriate.  | DCOM, MH&FS and MH&CS.      |                                     |
| s 56(4)                        | Function of receiving notice of Health Complaints Commissioner's decision under s 56(1).   | DCOM, MH&FS and MH&CS.      |                                     |
| s 57(4)                        | Function of receiving notice that Health Complaints Commissioner has dismissed the complaint after deciding conciliation is inappropriate. | DCOM, MH&FS and MH&CS.      |                                     |

| <b>HEALTH RECORDS ACT 2001</b> |   |                        |                                     |
|--------------------------------|---|------------------------|-------------------------------------|
| <b>Column 1</b>                | <b>Column 2</b>   | <b>Column 3</b>        | <b>Column 4</b>                     |
| <b>PROVISION</b>               | <b>THING DELEGATED</b>  | <b>DELEGATE</b>        | <b>CONDITIONS &amp; LIMITATIONS</b> |
| s 61(1)(b)                     | Power to sign the record of a conciliation agreement.   | DCOM, MH&FS and MH&CS. |                                     |
| s 61(2)                        | Power to lodge a copy of the record with the Tribunal.  | DCOM, MH&FS and MH&CS. |                                     |
| s 63(1)                        | Function of receiving notice that conciliation has failed.  | DCOM, MH&FS and MH&CS. |                                     |
| s 63(8)                        | Function of receiving notice that Health Complaints Commissioner has dismissed the complaint following a failed conciliation. | DCOM, MH&FS and MH&CS. |                                     |
| s 63(10)                       | Function of receiving notice that Health Complaints Commissioner is to conduct an investigation of the complaint.             | DCOM, MH&FS and MH&CS. |                                     |
| s 64(2)                        | Function of receiving notice of the Privacy Commissioner's ruling.  | DCOM, MH&FS and MH&CS. |                                     |
| s 64(7)                        | Duty to report on action taken following notice of a ruling requiring specified action.                                       | DCOM, MH&FS and MH&CS. |                                     |
| s 65(1)                        | Power to require the Health Complaints Commissioner to refer the complaint to the Tribunal.                                   | DCOM, MH&FS and MH&CS. |                                     |
| s 72                           | Power to apply to the Tribunal for review of a decision to serve a compliance notice.   | DCOM, MH&FS and MH&CS. |                                     |

| <b>HEALTH RECORDS ACT 2001</b> |  |                        |                                     |
|--------------------------------|--|------------------------|-------------------------------------|
| <b>Column 1</b>                | <b>Column 2</b>                                      | <b>Column 3</b>        | <b>Column 4</b>                     |
| <b>PROVISION</b>               | <b>THING DELEGATED</b>                               | <b>DELEGATE</b>        | <b>CONDITIONS &amp; LIMITATIONS</b> |
| s 73(1)                        | Power to apply to the Tribunal for an interim order. | DCOM, MH&FS and MH&CS. |                                     |

| <b>HEAVY VEHICLE NATIONAL LAW 2012 (applies in Victoria, pursuant to the Heavy Vehicle National Law Application Act 2013 (Vic))</b> |  |                    |  |
|---|--|--------------------|--|
| <b>Column 1</b>   | <b>Column 2</b>  | <b>Column 3</b>    | <b>Column 4</b>  |
| <b>PROVISION</b>  | <b>THING DELEGATED</b>   | <b>DELEGATE</b>    | <b>CONDITIONS &amp; LIMITATIONS</b>  |
| 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.          | DCD and ME&I.      | Where Council is the relevant road manager.<br>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.                       | DCD and ME&I.      |  |
| s 139(1)(b)   | Duty to give or not give consent to the grant of a class 2 heavy vehicle authorisation notice.                                   | DCD, ME&I and CEA. | 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.   | DCD, ME&I and CEA. |  |
| s 156(1)  | Duty to give or not give consent.  | DCD, ME&I and CEA. |  |
| s 156(2)  | Power to request Regulator to allow a longer period to decide to give or not give consent under s 156(1).                        | DCD, ME&I and CEA. | Where Council is the relevant road manager.  |
| s 156(3)  | Function of giving Regulator a written statement explaining its decision not to give consent.                                    | DCD, ME&I and CEA. | Where Council is the relevant road manager.<br>The 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. | DCD, ME&I and CEA. | Where Council is the relevant road manager.  |



| <b>HEAVY VEHICLE NATIONAL LAW 2012 (applies in Victoria, pursuant to the Heavy Vehicle National Law Application Act 2013 (Vic))</b> |   |                    |  |
|---|---|--------------------|--|
| <b>Column 1</b>   | <b>Column 2</b>   | <b>Column 3</b>    | <b>Column 4</b>  |
| <b>PROVISION</b>  | <b>THING DELEGATED</b>  | <b>DELEGATE</b>    | <b>CONDITIONS &amp; LIMITATIONS</b>  |
| s 158(2)  | Duty to, as far as practicable, deal with the request for consent, where consultation with another other entity is not yet completed. | DCD, ME&I and CEA. | Where Council is the relevant road manager.  |
| s 158(4)  | Power to decide to give or not give the consent in the circumstances.   | DCD, ME&I and CEA. | Where Council is the relevant road manager.  |
| s 159   | Power to notify Regulator that a route assessment is required and the fee payable for the route assessment.                           | DCD, ME&I and CEA. | Where Council is the relevant road manager.  |
| s 159(4)  | Power to stop considering whether to give or not to give consent until route assessment fee is paid.                                  | DCD, ME&I and CEA. |  |
| 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).                      | DCD, ME&I and CEA. |  |
| s 160(2)  | Duty to give Regulator a written statement explaining the decision to consent subject to conditions.                                  | DCD, ME&I and CEA. | Where Council is the relevant road manager.<br>The 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.   | DCD, ME&I and CEA. | Where Council is the relevant road manager.  |
| s 161(2)  | Duty to give Regulator a written statement explaining the decision to consent subject to travel conditions.                           | DCD, ME&I and CEA. | Where Council is the relevant road manager.<br>The statement must comply with s 172. |

| <b>HEAVY VEHICLE NATIONAL LAW 2012 (applies in Victoria, pursuant to the Heavy Vehicle National Law Application Act 2013 (Vic))</b> |  |                    |   |
|---|--|--------------------|---|
| <b>Column 1</b>   | <b>Column 2</b>  | <b>Column 3</b>    | <b>Column 4</b>                             |
| <b>PROVISION</b>  | <b>THING DELEGATED</b>   | <b>DELEGATE</b>    | <b>CONDITIONS &amp; LIMITATIONS</b>         |
| s 162(1)  | Power to request Regulator to impose a stated vehicle condition on the authority.  | DCD, ME&I and CEA. | Where Council is the relevant road manager. |
| s 162(2)(b)   | Function of being notified of the decision under s 162(2)(a).  | DCD, ME&I and CEA. |   |
| s 163(3)  | Duty to give or not give consent within 3 months or longer as agreed with Regulator.                                       | DCD, ME&I and CEA. |   |
| s 167(2)(b)   | Power to give Regulator a notice of objection to the application of s 167 to the proposed replacement authority.           | DCD, ME&I and CEA. |   |
| s 167(2)(c)   | Function of receiving notice that the Regulator withdraws the proposed replacement authority from the expedited procedure. | DCD, ME&I and CEA. | Where Council is the relevant road manager. |
| s 167(3)  | Power to give written notice of consent or refusal.  | DCD, ME&I and CEA. |   |
| s 169   | Power to give consent to the grant of a mass or dimension authority for a trial period.                                    | DCD, ME&I and CEA. |   |
| s 170(1)  | Function of being notified by Regulator of renewal of mass or dimension authority for a trial period.                      | DCD, ME&I and CEA. |   |
| s 170(3)  | Power to give written objection.   | DCD, ME&I and CEA. |   |

| <b>HEAVY VEHICLE NATIONAL LAW 2012 (applies in Victoria, pursuant to the Heavy Vehicle National Law Application Act 2013 (Vic))</b> |   |                    |   |
|---|---|--------------------|---|
| <b>Column 1</b>   | <b>Column 2</b>   | <b>Column 3</b>    | <b>Column 4</b>   |
| <b>PROVISION</b>  | <b>THING DELEGATED</b>  | <b>DELEGATE</b>    | <b>CONDITIONS &amp; LIMITATIONS</b>   |
| s 174(2)(a)   | Power to request Regulator to amend the mass or dimension authority, where satisfied of matters in s 174(1).  | DCD, ME&I and CEA. |   |
| s 174(2)(b)   | Power to request Regulator to cancel the mass or dimension authority, where satisfied of matters in s 174(1). | DCD, ME&I and CEA. |   |
| s 174(4)(c)   | Function of receiving notice from Regulator that the road authority must not comply with the request.         | DCD, ME&I and CEA. |   |
| s 176   | Duty to give or not give consent to an amendment of a mass or dimension authority.                            | DCD, ME&I and CEA. | Where Council is the relevant road manager.<br><br>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 Regulator to amend the mass or dimension authority, where satisfied of matters in s 178(1).  | DCD, ME&I and CEA. | Where Council is the relevant road manager  |
| s 178(2)(b)   | Power to request Regulator to cancel the mass or dimension authority, where satisfied of matters in s 178(1). | DCD, ME&I and CEA. |   |
| s 178(4)(c)   | Function of receiving notice from Regulator that the road authority must not comply with the request.         | DCD, ME&I and CEA. |   |

| <b>HEAVY VEHICLE NATIONAL LAW 2012 (applies in Victoria, pursuant to the Heavy Vehicle National Law Application Act 2013 (Vic))</b> |   |                    |  |
|---|---|--------------------|--|
| <b>Column 1</b>   | <b>Column 2</b>   | <b>Column 3</b>    | <b>Column 4</b>  |
| <b>PROVISION</b>  | <b>THING DELEGATED</b>  | <b>DELEGATE</b>    | <b>CONDITIONS &amp; LIMITATIONS</b>  |
| s 180(2)  | Function of receiving notice from Regulator.  | DCD, ME&I and CEA. |  |
| s 611(2)  | Power to apply for a compensation order.  | DCD.               |  |
| s 612   | Function of preparing certificate.  | DCD and ME&I.      |  |
| 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.                                   | DCD and ME&I.      |  |
| s 613(3)  | Function of receiving notice that defendant intends to challenge the matter.  | DCD and ME&I.      |  |
| s 643(2)  | Function of receiving referral of review application.   | ME&I and CEA.      |  |
| s 644   | Duty to conduct internal review of a reviewable decision and give applicant a reasonable opportunity to make written or oral representations. | DCD.               | Where Council is the relevant road manager.<br><br>Note: If the DCD made the original decision, the internal review is to be conducted by the CEO. |
| s 645(1)  | Duty to either confirm or amend the decision or substitute another decision for the reviewable decision.                                      | DCD.               | Where Council is the relevant road manager.  |
| s 645(5)  | Duty to, as soon as practicable, give Regulator notice of the review.   | DCD.               |  |

| HEAVY VEHICLE NATIONAL LAW APPLICATION ACT 2013 |  |                |  |
|---|--|----------------|--|
| Column 1  | Column 2   | Column 3       | Column 4   |
| PROVISION                                       | THING DELEGATED  | DELEGATE       | CONDITIONS & LIMITATIONS   |
| s 18(2)   | Power to enter into an arrangement to transfer a function. | Not delegated. | The power remains with the CEO.<br>In respect of roads where Council is the relevant road manager. |

| <b>HERITAGE ACT 2017</b> |  |                       |                                     |
|--------------------------|--|-----------------------|-------------------------------------|
| <b>Column 1</b>          | <b>Column 2</b>  | <b>Column 3</b>       | <b>Column 4</b>                     |
| <b>PROVISION</b>         | <b>THING DELEGATED</b>   | <b>DELEGATE</b>       | <b>CONDITIONS &amp; LIMITATIONS</b> |
| s 29(4)                  | Function of receiving statement refusing a nomination from Executive Director.   | DCD, MCP&D and CSTRP. |                                     |
| s 30(9)                  | Function of receiving written notice from Heritage Council of outcome of application for review.                               | DCD, MCP&D and CSTRP. |                                     |
| s 34(1)                  | Function of receiving notice of acceptance of nomination from Executive Director.  | DCD, MCP&D and CSTRP. |                                     |
| s 40(1)                  | Function of receiving statement from Executive Director of recommendation not to include place or object in Heritage Register. | DCD, MCP&D and CSTRP. |                                     |
| s 53(6)                  | Function of receiving notice of an amendment to the Heritage Register from Executive Director.                                 | DCD, MCP&D and CSTRP. |                                     |
| s 63(2)                  | Function of receiving notice of an expedited amendment of Heritage Register.   | DCD, MCP&D and CSTRP. |                                     |
| s 96(5)                  | Function of receiving a copy of amended permit application.  | DCD, MCP&D and CSTRP. |                                     |
| s 100(1)                 | Function of receiving copy of permit application from Executive Director.  | DCD, MCP&D and CSTRP. |                                     |
| s 100(2)                 | Power to make written submission to Executive Director in relation to application received under s 100(1).                     | DCD.                  |                                     |

| <b>HERITAGE ACT 2017</b> |  |                       |                                     |
|--------------------------|--|-----------------------|-------------------------------------|
| <b>Column 1</b>          | <b>Column 2</b>  | <b>Column 3</b>       | <b>Column 4</b>                     |
| <b>PROVISION</b>         | <b>THING DELEGATED</b>   | <b>DELEGATE</b>       | <b>CONDITIONS &amp; LIMITATIONS</b> |
| s 105(4)                 | Function of receiving notice of receipt of application to amend a permit from Executive Director.  | DCD and MCP&D.        |                                     |
| s 106(5)                 | Function of receiving notice of application for review for permit to carry out works from Heritage Council.  | DCD and MCP&D.        |                                     |
| 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. | DCD.                  |                                     |
| s 108(5)                 | Power to appear and be heard or represented at a hearing into review of Executive Director's determination.  | DCD, MCP&D and CSTRP. |                                     |
| s 108(9)                 | Function of receiving written notice from Executive Director of Heritage Council's determination of review.  | DCD, MCP&D and CSTRP. |                                     |
| s 110                    | Function of receiving notice from Minister of referral of a matter to VCAT under s 109(2)(b).  | DCD, MCP&D and CSTRP. |                                     |
| s 112                    | Function of receiving notice from the Executive Director of decision by VCAT under s 111.  | DCD, MCP&D and CSTRP. |                                     |

| <b>HERITAGE ACT 2017</b> |  |                       |                                     |
|--------------------------|--|-----------------------|-------------------------------------|
| <b>Column 1</b>          | <b>Column 2</b>  | <b>Column 3</b>       | <b>Column 4</b>                     |
| <b>PROVISION</b>         | <b>THING DELEGATED</b>   | <b>DELEGATE</b>       | <b>CONDITIONS &amp; LIMITATIONS</b> |
| s 114(2)                 | Function of receiving notice from Executive Director of decision by Minister in relation to application for review.          | DCD, MCP&D and CSTRP. |                                     |
| s 120                    | Function of receiving written notice of removal of site from Heritage Inventory.   | DCD, MCP&D and CSTRP. |                                     |
| s 131(1)                 | Function of receiving notice of recommendations made under s 130 by Executive Director.                                      | DCD, MCP&D and CSTRP. |                                     |
| s 133(3)                 | Function of receiving written notice from Heritage Council of approval of recommendation for a site of archaeological value. | DCD, MCP&D and CSTRP. |                                     |
| s 179                    | Function of receiving notice of approval of World Heritage Strategy Plan.  | DCD.                  |                                     |



| <b>HOUSING ACT 1983</b> |   |                 |  |
|-------------------------|---|-----------------|--|
| <b>Column 1</b>         | <b>Column 2</b>   | <b>Column 3</b> | <b>Column 4</b>  |
| <b>PROVISION</b>        | <b>THING DELEGATED</b>  | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b>  |
| s 15(1)(d)              | Function of consenting to any development, control, etc. of any land.                             | Not delegated.  | The function remains with the CEO.<br>Refers to the development of public housing. |
| s 34(1)                 | Function of entering into arrangements with the Director whereby Council carries out works.       | Not delegated.  |  |
| s 34(3)                 | Power to enter into arrangements with the Director for the purposes of this Act.                  | Not delegated.  | The power remains with the CEO.<br>Refers to the development of public housing.    |
| s 67(1)(a)              | Power to do all things to make house comply with regulations or to give effect to direction.      | Not delegated.  |  |
| s 67(1)(b)              | Power to demolish house (where case so requires).   | Not delegated.  |  |
| s 67(2)                 | Power to recover expenses.  | Not delegated.  |  |
| s 67(3)                 | Power to sell or dispose of material.   | Not delegated.  |  |
| s 68(1)                 | Power to order that house:<br>(a) be and remain unoccupied; or<br>(b) be vacated by the occupier. | Not delegated.  |  |
| s 68A                   | Power to revoke a declaration.  | Not delegated.  |  |
| s 71(1)                 | Power to authorise person for purposes of s 71.   | Not delegated.  |  |
| sch 2 cl 3(1)           | Power to sell or give to the Director any land vested in it, other than Crown land.               | Not delegated.  | The power remains with the CEO.  |

| <b>HOUSING ACT 1983</b> |   |                 |   |
|-------------------------|---|-----------------|---|
| <b>Column 1</b>         | <b>Column 2</b>   | <b>Column 3</b> | <b>Column 4</b>   |
| <b>PROVISION</b>        | <b>THING DELEGATED</b>  | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b>   |
|                         |   |                 | Provisions relating to public housing including the power of municipalities to grant land to the Director of Housing and the sale of land subject to housing agreements. The provisions are, at present, unlikely to be used at Whitehorse. |
| sch 2 cl 3(2)           | Power to lease land, enter into agreements with the Director concerning land, or apply funds for carrying out such agreement. | Not delegated.  | See above.  |
| sch 6 cl 1              | Duty to lodge a signed certificate.   | Not delegated.  | The duty remains with the CEO.  |
| sch 6 cl 1              | Power to authorise staff member to sign certificate.  | Not delegated.  | See above.  |
| sch 6 cl 2              | Power to request recording in Register.   | Not delegated.  |   |
| sch 6 cl 6              | Duty to lodge notice with the Registrar of Titles that the declaration has ceased to operate.                                 | Not delegated.  |   |
| sch 6 cl 7(1)           | Power to require occupier to pay to Council any money owing.  | Not delegated.  |   |
| sch 6 cl 7(2)           | Duty to forward a copy of any notice under cl 7(1) to the owner of the house concerned.                                       | Not delegated.  |   |
| sch 6 cl 7(5)           | Duty to notify the occupier if Council receives any payment.  | Not delegated.  |   |

| <b>IMPOUNDING OF LIVESTOCK ACT 1994</b> |   |   |                                     |
|---|---|---|-------------------------------------|
| <b>Column 1</b>                         | <b>Column 2</b>   | <b>Column 3</b>                               | <b>Column 4</b>                     |
| <b>PROVISION</b>                        | <b>THING DELEGATED</b>  | <b>DELEGATE</b>                               | <b>CONDITIONS &amp; LIMITATIONS</b> |
| s 9(3)                                  | Function of receiving notice from owner or occupier of whereabouts of livestock.  | MCS, CPS and CCL.                             |                                     |
| s 10                                    | Power to give written permission to owner or occupier of land to impound livestock on their land for longer than 4 days.                  | MCS, CPS, CCL and SPSO.                       |                                     |
| s 14                                    | Duty to keep a record of impounded livestock.   | MCS, CPS, CCL and SPSO.                       |                                     |
| s 15                                    | Duty to ascertain owner of livestock and serve a notice of seizure on the owner as soon as possible.                                      | MCS, CPS, CCL and SPSO.                       |                                     |
| s 16                                    | Duty to release livestock.  | MCS, CPS, CCL, SPSO, CLO, PSO, CLPO and CLEO. |                                     |
| s 16A(3)                                | Power to approve form of notice to be served under s 16A(1).  | MCS.  |                                     |
| s 16B(3)                                | Power to approve form of notice to be served under s 16B(1).  | MCS.  |                                     |
| s 17                                    | Duty to hold livestock for seven days or 3 days after the time within which measures must be taken under notice served prior to disposal. | MCS, CPS, CCL, SPSO, CLO, PSO, CLPO and CLEO. |                                     |

| <b>IMPOUNDING OF LIVESTOCK ACT 1994</b> |   |   |   |
|---|---|---|---|
| <b>Column 1</b>                         | <b>Column 2</b>   | <b>Column 3</b>                               | <b>Column 4</b>   |
| <b>PROVISION</b>                        | <b>THING DELEGATED</b>  | <b>DELEGATE</b>                               | <b>CONDITIONS &amp; LIMITATIONS</b>   |
| s 17A                                   | Duty to hold livestock for 14 days prior to disposal in accordance with Part 2.   | MCS, CPS, CCL, SPSO, CLO, PSO, CLPO and CLEO. | Where an authorised officer of Council has impounded livestock under s 5A of Act. |
| s 18                                    | Power to offer uncollected livestock for sale.  | MCS, CPS, CCL and SPSO.                       |   |
| s 19                                    | Duty to give public notice of intention to sell livestock.  | MCS, CPS, CCL and SPSO.                       |   |
| s 20                                    | Duty to apply the proceeds of the sale of livestock in the order set out in s 20(1).  | MCS, CPS, CCL and SPSO.                       |   |
| s 21                                    | Power to dispose of livestock including destroying or re-housing.   | MCS.  |   |
| s 22                                    | Function of posting written notice of the impounding of livestock at the pound where they are held.   | MCS, CPS, CCL and SPSO.                       |   |
| s 27                                    | Function of receiving notice of proceedings.  | MCS, CPS, CCL and SPSO.                       | Note: refers to proceedings against the Council by the owner of the livestock.    |
| s 28(1)                                 | Duty to not sell or dispose of impounded livestock until the:<br>a) time limit in s 27(2) has expired; or<br>b) proceedings have been determined or withdrawn, where Council receives notification of proceeding under s 27(1). | MCS, CPS, CCL and SPSO.                       |   |

| <b>IMPOUNDING OF LIVESTOCK ACT 1994</b> |  |                         |                                     |
|---|--|-------------------------|-------------------------------------|
| <b>Column 1</b>                         | <b>Column 2</b>  | <b>Column 3</b>         | <b>Column 4</b>                     |
| <b>PROVISION</b>                        | <b>THING DELEGATED</b>   | <b>DELEGATE</b>         | <b>CONDITIONS &amp; LIMITATIONS</b> |
| s 28(3)                                 | Power to release impounded livestock pending determination of proceedings.   | MCS, CPS, CCL and SPSO. |                                     |
| 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. | MCS, CPS, CCL and SPSO. |                                     |
| s 30                                    | Power to recover outstanding amount as a debt.   | MCS, CPS, CCL and SPSO. |                                     |

| <b>INDEPENDENT BROAD-BASED ANTI-CORRUPTION COMMISSION ACT 2011</b> |  |                 |                                     |
|--|--|-----------------|-------------------------------------|
| <b>Column 1</b>  | <b>Column 2</b>  | <b>Column 3</b> | <b>Column 4</b>                     |
| <b>PROVISION</b>   | <b>THING DELEGATED</b>   | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b> |
| s 15(6)  | Function of consulting with and receiving information from the Independent Broad-based Anti-Corruption Commission (IBAC)               | Not delegated.  | The function remains with the CEO.  |
| s 35(2)  | Power to enter into agreements or arrangements for use of services with the Independent Broad-based Anti-Corruption Commission (IBAC). | Not delegated.  | The power remains with the CEO.     |
| s 56   | Function of providing information to IBAC.   | Not delegated.  | The function remains with the CEO.  |

| <b>INFRINGEMENTS ACT 2006</b> |   |  |                                     |
|-------------------------------|---|--|-------------------------------------|
| <b>Column 1</b>               | <b>Column 2</b>   | <b>Column 3</b>  | <b>Column 4</b>                     |
| <b>PROVISION</b>              | <b>THING DELEGATED</b>  | <b>DELEGATE</b>  | <b>CONDITIONS &amp; LIMITATIONS</b> |
| s 6                           | Duty to provide the Attorney-General with prescribed information.   | MCP&D, AMSTP, MBS, MCS, MH&FS and CCSS.                              |                                     |
| s 9                           | Power to make and publish guidelines and policies in respect of the use of official warnings for infringement offences. | Not delegated.   | The power remains with the CEO.     |
| s 11                          | Duty to withdraw an official warning in certain circumstances.  | MCP&D, MCS, AMSTP, TLSTPE, PEO, MBS, IRO, PRSO, MH&FS and CEH.       |                                     |
| s 15                          | Power to accept late payment of an infringement penalty.  | MCP&D, AMSTP, CSTRP, TLSTPE, MBS, MCS, MH&FS and CEH.                |                                     |
| s 17(1)                       | Power to refer certain matters to the Court.  | DCD, DCOR, MCP&D, AMSTP, TLSTPE, PEO, MCS, CLAO, PSO, MH&FS and CEH. |                                     |
| s 17(3)                       | Power to withdraw infringement notice and file a charge and summons in the Children's Court in some circumstances.      | DCOR and MCS.  |                                     |
| s 18(1) & (2)                 | Power to withdraw an infringement notice in some circumstances.   | MCP&D, MCS, AMSTP, TLSTPE, PEO, MBS, IRO, PRSO, MH&FS and CEH.       |                                     |

| <b>INFRINGEMENTS ACT 2006</b> |   |  |                                     |
|-------------------------------|---|--|-------------------------------------|
| <b>Column 1</b>               | <b>Column 2</b>   | <b>Column 3</b>  | <b>Column 4</b>                     |
| <b>PROVISION</b>              | <b>THING DELEGATED</b>  | <b>DELEGATE</b>  | <b>CONDITIONS &amp; LIMITATIONS</b> |
| s 22                          | Function of receiving applications for review of a decision to serve infringement notice.                                     | DCD, DCOM, MCP&D, AMSTP, TLSTPE, PEO, MBS, TLSTP, MCS, CLO, PSO, IRO, PRSO, MH&FS and CEH. |                                     |
| s 23(1)                       | Power to request additional information required to conduct review.   | DCD, DCOM, MCP&D, TLSTPE, PEO, MCS, AMSTP, MBS, TLSTP, IRO, PRSO, MH&FS and CEH.           |                                     |
| s 23(2)                       | Duty to suspend review where request made under s 23(1).  | MCP&D, MCS, AMSTP, TLSTPE, MBS, TLSTP, IRO, PRSO, MH&FS and CEH.                           |                                     |
| s 23(4)                       | Power to refuse or grant request for extension of time made under s 23(3)(b).   | MCP&D, MCS, AMSTP, TLSTPE, MBS, TLSTP, IRO, PRSO, MH&FS and CEH.                           |                                     |
| s 23(5)                       | Duty, if an extension of time is granted under s 23(4)(b), to inform the applicant in writing of the period of the extension. | MCP&D, MCS, AMSTP, TLSTPE, PEO, MBS, TLSTP,  |                                     |

| <b>INFRINGEMENTS ACT 2006</b> |  |  |                                     |
|-------------------------------|--|--|-------------------------------------|
| <b>Column 1</b>               | <b>Column 2</b>  | <b>Column 3</b>  | <b>Column 4</b>                     |
| <b>PROVISION</b>              | <b>THING DELEGATED</b>   | <b>DELEGATE</b>  | <b>CONDITIONS &amp; LIMITATIONS</b> |
|                               |  | IRO, PRSO, MH&FS and CEH.  |                                     |
| 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.   | MCP&D, MCS, AMSTP, TLSTPE, MBS, TLSTP, IRO, PRSO, MH&FS and CEH. |                                     |
| s 23(6)(b)(i) & (ii)          | Power, if the 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 accept information provided by the applicant out of time and to review the decision under s 24 with that late information. | MCP&D, MCS, AMSTP, TLSTPE, MBS, TLSTP, IRO, PRSO, MH&FS and CEH. |                                     |
| s 24(1)(a) & (b)              | Duty, if an application for review under s 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.  | MCS, IRO, PRSO, MH&FS, MCP&D, AMSTP, TLSTPE, TLSTP, CEH and EHA. |                                     |
| 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.  | MCS and MCP&D.   |                                     |
| 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.  | DCD, DCOM, MCP&D, MCS, AMSTP, MBS,                               |                                     |



| <b>INFRINGEMENTS ACT 2006</b> |  |  |                                     |
|-------------------------------|--|--|-------------------------------------|
| <b>Column 1</b>               | <b>Column 2</b>  | <b>Column 3</b>  | <b>Column 4</b>                     |
| <b>PROVISION</b>              | <b>THING DELEGATED</b>   | <b>DELEGATE</b>  | <b>CONDITIONS &amp; LIMITATIONS</b> |
|                               |  | IRO, PRSO, MH&FS, CEH, TLSTP and EHA.  |                                     |
| 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. | DCD, DCOM, MCP&D, MCS, AMSTP, MBS, IRO, PRSO, MH&FS, CEH, TLSTPE, TLSTP and EHA. |                                     |
| s 24(3)(b)                    | Duty to serve on the applicant written notice of outcome of review within 21 days of decision.   | MCP&D, MCS, AMSTP, MBS, IRO, MH&FS, CEH, TLSTPE, TLSTP and EHA.                  |                                     |
| 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;   | MCP&D, MCS, AMSTP, MBS, TLSTPE, TLSTP, IRO, PRSO, MH&FS, CPS, CCL, CEH and CCSS. |                                     |
|                               | b) withdraw the infringement notice and serve an official warning;   | MCP&D, MCS, AMSTP, MBS, TLSTPE, TLSTP, IRO, PRSO, MH&FS, CPS, CCL, CEH and CCSS. |                                     |

| <b>INFRINGEMENTS ACT 2006</b> |  |  |                                     |
|-------------------------------|--|--|-------------------------------------|
| <b>Column 1</b>               | <b>Column 2</b>  | <b>Column 3</b>  | <b>Column 4</b>                     |
| <b>PROVISION</b>              | <b>THING DELEGATED</b>   | <b>DELEGATE</b>  | <b>CONDITIONS &amp; LIMITATIONS</b> |
|                               | c) withdraw the infringement notice;   | MCP&D, MCS,<br>AMSTP, MBS,<br>TLSTPE, TLSTP, IRO,<br>PRSO, MH&FS, CPS,<br>CCL, CEH and CCSS.       |                                     |
|                               | d) withdraw the infringement notice and refer the matter to the Court in accordance with Part 2 or, where the infringement notice was served on a child, withdraw the infringement notice and file a charge and summons in the Children's Court; | MCP&D, MCS,<br>AMSTP, MBS,<br>TLSTPE, TLSTP, IRO,<br>PRSO, MH&FS, CPS,<br>CCL, CEH and CCSS.       |                                     |
|                               | e) where the infringement notice is served on a child, withdraw the infringement notice and file a charge and summons in Children's Court;   | MCS.   |                                     |
|                               | f) in the case of an infringement offence involving additional steps, alter or vary those steps;   | MCP&D, MCS,<br>AMSTP, MBS,<br>TLSTPE, TLSTP, IRO,<br>PRSO, MH&FS, CEH,<br>CLAO, CPS, CCL and CCSS. |                                     |
|                               | g) waive all or any prescribed costs; or   | MCP&D, MCS,<br>AMSTP, MBS,<br>TLSTPE, TLSTP, IRO,<br>PRSO, MH&FS, CEH,<br>CLAO, CPS, CCL and CC.   |                                     |

| <b>INFRINGEMENTS ACT 2006</b> |   |   |                                     |
|-------------------------------|---|---|-------------------------------------|
| <b>Column 1</b>               | <b>Column 2</b>   | <b>Column 3</b>   | <b>Column 4</b>                     |
| <b>PROVISION</b>              | <b>THING DELEGATED</b>  | <b>DELEGATE</b>   | <b>CONDITIONS &amp; LIMITATIONS</b> |
|                               | h) approve a payment plan.  | MCP&D, MCS,<br>AMSTP, MBS,<br>TLSTPE, TLSTP, IRO,<br>PRSO, MH&FS, CEH,<br>CLAO, CPS, CCL and<br>CCSS.   |                                     |
| s 25(2)                       | Power, in the case of application made under s 22(1)(b), to:<br>a) confirm the decision;<br>b) withdraw the notice and serve an official warning; or<br>c) withdraw the notice. | DCD, DCOM, MCP&D,<br>MCS, AMSTP, MBS,<br>TLSTPE, TLSTP, IRO,<br>PRSO, MH&FS, CEH,<br>CPS, CCL and CCSS. |                                     |
| s 25(2A)                      | Power made under s 22(1)(d) to grant or refuse application.   | DCD, DCOM, MCP&D,<br>MCS, AMSTP, MBS,<br>TLSTPE, TLSTP, IRO,<br>PRSO, MH&FS, CEH,<br>CPS, CCL and CCSS. |                                     |
| s 25(3)                       | Function of receiving an application for payment plan for infringement notices confirmed under s 25(2)(a).  | MCS, MH&FS, CPS,<br>CCL, CCSS, MCP&D,<br>CEH, IRO and PRSO.   |                                     |
| s 25(4)                       | Duty to serve application with written notice of a decision made under s 25(2A)(a).   | MCS, MH&FS, CPS,<br>CCL, CCSS, MCP&D,<br>AMSTP, TLSTPE,<br>TLSTP, CEH, IRO and<br>PRSO.                 |                                     |

| <b>INFRINGEMENTS ACT 2006</b> |  |  |                                     |
|-------------------------------|--|--|-------------------------------------|
| <b>Column 1</b>               | <b>Column 2</b>  | <b>Column 3</b>  | <b>Column 4</b>                     |
| <b>PROVISION</b>              | <b>THING DELEGATED</b>   | <b>DELEGATE</b>  | <b>CONDITIONS &amp; LIMITATIONS</b> |
| 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.              | MCS, MH&FS, CPS, CCL, CCSS, MCP&D, AMSTP, TLSTPE, TLSTP, CEH, IRO and PRSO.              |                                     |
| s 29(1) & (2)                 | Power to serve a penalty reminder notice.  | MCP&D, MCS, AMSTP, MBS, TLSTPE, TLSTP, PEO, CP&BA, P&BAO, IRO, PRSO, MH&FS, CEH and EHA. |                                     |
| 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 referred to Court. | DCD, MCP&D, MCS, AMSTP, MBS, TLSTPE, TLSTP, PEO, CP&BA, P&BAO, IRO and PRSO.             |                                     |
| s 40(1)(d)                    | Duty to serve details on person who was served with infringement notice, at least 14 days prior to hearing date.                                       | MCP&D, MCS, AMSTP, MBS, TLSTPE, TLSTP, PEO, CP&BA, P&BAO, IRO and PRSO.                  |                                     |
| s 46(1)                       | Function of receiving an application for payment plan.   | MCP&D, MCS, AMSTP, MBS, TLSTPE, TLSTP, PEO, CP&BA, P&BAO, IRO,                           |                                     |

| <b>INFRINGEMENTS ACT 2006</b> |   |  |                                     |
|-------------------------------|---|--|-------------------------------------|
| <b>Column 1</b>               | <b>Column 2</b>   | <b>Column 3</b>  | <b>Column 4</b>                     |
| <b>PROVISION</b>              | <b>THING DELEGATED</b>  | <b>DELEGATE</b>  | <b>CONDITIONS &amp; LIMITATIONS</b> |
|                               |   | PRSO, MH&FS, CEH and EHA.  |                                     |
| s 46(1A)                      | Function of receiving application for a payment plan from body corporate.   | MCP&D, MCS, AMSTP, MBS, TLSTPE, TLSTP, PEO, CP&BA, P&BAO, IRO, PRSO, MH&FS, CEH and EHA. |                                     |
| s 46(3)                       | Duty to offer payment plan in certain circumstances.  | MCP&D, MCS, AMSTP, TLSTPE, MBS, IRO, PRSO, MH&FS and CEH.                                |                                     |
| s 46(4)                       | Power to offer a payment plan in certain circumstances.   | MCP&D, MCS, AMSTP, MBS, TLSTPE, TLSTP, IRO, PRSO, MH&FS and CEH.                         |                                     |
| 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. | MCP&D, MCS, AMSTP, MBS, TLSTPE, TLSTP, IRO, PRSO, MH&FS and CEH.                         |                                     |
| s 46(5)(b)                    | Power to offer a payment plan by referring the infringement penalty and penalty reminder notice                                 | MCP&D, MCS, AMSTP, MBS,  |                                     |

| <b>INFRINGEMENTS ACT 2006</b> |   |  |                                     |
|-------------------------------|---|--|-------------------------------------|
| <b>Column 1</b>               | <b>Column 2</b>   | <b>Column 3</b>  | <b>Column 4</b>                     |
| <b>PROVISION</b>              | <b>THING DELEGATED</b>  | <b>DELEGATE</b>  | <b>CONDITIONS &amp; LIMITATIONS</b> |
|                               | fee to the Secretary for management by payment arrangement under the Fines Reform Act 2014.   | TLSTPE, TLSTP, MH&FS and CEH.  |                                     |
| 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. | MCP&D, MCS, TLSTPE, AMSTP, MBS, TLSTP, IRO, PRSO, MH&FS and CEH.                       |                                     |
| s 46(7)                       | Duty to cease action taken to collect infringement penalty upon receipt of an application under ss 46(1) or (1A).                           | MCP&D, MCS, AMSTP, MBS, TLSTPE, TLSTP, IRO, PRSO, MH&FS and CEH.                       |                                     |
| s 47(1)                       | Power to arrange a payment plan.  | MCP&D, MCS, AMSTP, MBS, TLSTPE, TLSTP, IRO, PRSO, MH&FS, CEH, CLAO, CPS, CCL and CCSS. |                                     |
| s 49(3)                       | Duty, if infringement notice withdrawn, to withdraw infringement penalty and penalty reminder notice fee from payment plan.                 | MCP&D, MCS, AMSTP, MBS, TLSTPE, TLSTP, IRO, PRSO, MH&FS and CEH.                       |                                     |
| s 49A(2)                      | Power to vary terms of a payment arrangement.   | MCP&D, MCS, AMSTP, MBS,  |                                     |

| <b>INFRINGEMENTS ACT 2006</b> |   |   |                                     |
|-------------------------------|---|---|-------------------------------------|
| <b>Column 1</b>               | <b>Column 2</b>   | <b>Column 3</b>   | <b>Column 4</b>                     |
| <b>PROVISION</b>              | <b>THING DELEGATED</b>  | <b>DELEGATE</b>   | <b>CONDITIONS &amp; LIMITATIONS</b> |
|                               |   | TLSTPE, TLSTP, IRO, PRSO, MH&FS and CEH.                          |                                     |
| s 49A(4)                      | Duty to give written notification to applicant of decision regarding payment plan variation.  | MCP&D, MCS, AMSTP, MBS, TLSTPE, TLSTP, IRO, PRSO, MH&FS and CEH.  |                                     |
| s 50(1)                       | Duty to allocate money received under payment plan in order of priority.  | MCP&D, MCS, AMSTP, MBS, MH&FS and CEH.                            |                                     |
| s 50(3)                       | Duty to advise person to whom payment plan applies of overpayment.  | MCP&D, MCS, MBS, TLSTP, AMSTP, TLSTPE, MH&FS and CEH.             |                                     |
| 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. | MCP&D, MCS, AMSTP, MBS, TLSTPE, TLSTP, P&BAO, MH&FS, CEH and EHA. |                                     |
| s 50(3)(b)                    | Power to refund amount of overpayment by appropriating Consolidated Fund or refunding from another fund or account.   | MCP&D, MCS, AMSTP, MBS, IRO, PRSO, MH&FS and CEH.                 |                                     |

| <b>INFRINGEMENTS ACT 2006</b> |  |  |                                     |
|-------------------------------|--|--|-------------------------------------|
| <b>Column 1</b>               | <b>Column 2</b>  | <b>Column 3</b>  | <b>Column 4</b>                     |
| <b>PROVISION</b>              | <b>THING DELEGATED</b>   | <b>DELEGATE</b>  | <b>CONDITIONS &amp; LIMITATIONS</b> |
| s 52(2)                       | Duty to send written notice advising of default on payment plan.                                 | MCP&D, MCS, AMSTP, MBS, TLSTPE, TLSTP, IRO, PRSO, MH&FS and CEH.           |                                     |
| s 53A(2)                      | Function of consulting with Secretary.   | MCP&D, MCS, AMSTP, MBS, TLSTPE, TLSTP, IRO, PRSO, MH&FS, CEH, CCL and CPS. |                                     |
| s 53B(2)                      | Duty to comply with a request by Secretary under s 53B(1).                                       | MCP&D, MCS, AMSTP, MBS, TLSTPE, TLSTP, IRO, PRSO, MH&FS, CEH, CCL and CPS. |                                     |
| s 53C(2)                      | Duty to respond give report to Secretary in response to any recommendations made under s 53C(1). | MCP&D, MCS, AMSTP, MBS, TLSTPE, TLSTP, IRO, PRSO, MH&FS, CEH, CCL and CPS. |                                     |



| <b>LAND ACT 1958</b> |   |                 |   |
|----------------------|---|-----------------|---|
| <b>Column 1</b>      | <b>Column 2</b>   | <b>Column 3</b> | <b>Column 4</b>   |
| <b>PROVISION</b>     | <b>THING DELEGATED</b>  | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b>   |
| s 22D(1)             | Duty to execute an instrument of transfer and surrender.  | Not delegated.  | Where the Attorney-General has authorised Council to surrender land.              |
| s 134A(2)(a)         | Power to be consulted before the Minister grants a lease for stratum of Crown land.   | Not delegated.  | The duty remains with the CEO.  |
| s 138A(3)(a)         | Power to be consulted before a person grants a licence for strata of Crown land.  | Not delegated.  |   |
| s 140A(3)(c)         | Duty to provide a report to the Minister for a grant of licences for jetty landing stages on Crown land.                        | Not delegated.  | The duty remains with the CEO.  |
| s 172(1)             | Power to approve excise of land from certain streets by the Governor in Council.  | Not delegated.  | The power remains with the CEO.   |
| s 183A(1)            | Power to raise funds by allowing use of a common for the purposes of agriculture.   | Not delegated.  | The power remains with the CEO.<br>Note: the consent of the Minister is required. |
| s 190                | Power to authorise persons to enter onto Crown land and remove materials for the purposes of forming/maintaining a public road. | Not delegated.  |   |
| s 349                | Power to agree to the closure of a road on land vested in the Crown.  | Not delegated.  | The power remains with the CEO.   |

| <b>LAND ACT 1958</b> |   |                 |   |
|----------------------|---|-----------------|---|
| <b>Column 1</b>      | <b>Column 2</b>   | <b>Column 3</b> | <b>Column 4</b>   |
| <b>PROVISION</b>     | <b>THING DELEGATED</b>  | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b>   |
| s 400                | Power to give notice to the Secretary that road is an unused road.                            | Not delegated.  | The power remains with the CEO.<br>Land Regulations 2016 r 10.<br><br>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 a licensed closed road or water frontage. | Not delegated.  | The power remains with the CEO.   |
| s 407(3)(b)          | Power to cause any building/hedge/ditch etc. to be taken down/filled up/removed etc.          | Not applicable. | Note: 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                            | Not applicable. | Where the licence is granted in relation to an unused road or water frontage in Council's municipal district.   |

| <b>LAND ACQUISITION AND COMPENSATION ACT 1986</b> |   |                 |                                     |
|---|---|-----------------|-------------------------------------|
| <b>Column 1</b>                                   | <b>Column 2</b>   | <b>Column 3</b> | <b>Column 4</b>                     |
| <b>PROVISION</b>                                  | <b>THING DELEGATED</b>  | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b> |
| s 6   | Duty of the authority to serve notice of intention to acquire on persons with an interest in the land.                    | DCD and MP&L.   |                                     |
| s 7(1)(b)   | Power to serve statement on person interested in the land in accordance with s 7(1)(b).                                   | DCD and MP&L.   |                                     |
| s 9(1)  | Duty of the authority to serve copy of notice on certain responsible authorities.   | DCD and MP&L.   |                                     |
| s 9(2)  | Duty of the responsible authority to provide information in writing when required to do so by an authority.               | DCD and MP&L.   |                                     |
| s 9(3)  | Duty of the responsible authority to forward a copy of application for planning permit/building approval to an authority. | DCD and MP&L.   |                                     |
| s 10(1)   | Duty of the authority to lodge notice and prescribed fee with the Registrar of Titles or Registrar-General.               | DCD and MP&L.   |                                     |
| s 10(4)   | Duty of the authority to give notice of cancellation/lapse in writing.  | DCD and MP&L.   |                                     |
| s 10(7)   | Duty of the authority to pay fees where an owner applies for a new s 32(2) certificate.                                   | DCD and MP&L.   |                                     |
| s 14(1)   | Power of an authority to amend a notice upon agreement with persons on whom it was served.                                | DCD and MP&L.   |                                     |

| <b>LAND ACQUISITION AND COMPENSATION ACT 1986</b> |  |                 |                                     |
|---|--|-----------------|-------------------------------------|
| <b>Column 1</b>                                   | <b>Column 2</b>  | <b>Column 3</b> | <b>Column 4</b>                     |
| <b>PROVISION</b>                                  | <b>THING DELEGATED</b>   | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b> |
| s 15(1)   | Power of an authority not to proceed with the acquisition.   | DCD and MP&L.   |                                     |
| s 15(2)   | Duty of the authority to serve a statement cancelling the notice of intention to acquire.                        | DCD and MP&L.   |                                     |
| s 17  | Power of the authority to agree with owner to extend operation of notice.  | DCD and MP&L.   |                                     |
| s 18(1)   | Power of the authority to acquire interest in land by agreement.   | DCD and MP&L.   |                                     |
| s 19  | Function of the authority publishing a notice declaring the interest to be acquired.                             | DCD and MP&L.   |                                     |
| s 22  | Duty of the authority to serve copy of notice of acquisition and a statement to persons interested in that land. | DCD and MP&L.   |                                     |
| s 23  | Duty of the authority to publish copy of notice of acquisition in a local newspaper.                             | DCD and MP&L.   |                                     |
| s 26(1)   | Duty of the authority to endeavour to obtain agreement with the owner/ occupier.                                 | DCD and MP&L.   |                                     |
| s 26(5)   | Power of the authority to enter into possession of the land.   | DCD and MP&L.   |                                     |

| <b>LAND ACQUISITION AND COMPENSATION ACT 1986</b> |   |                 |                                     |
|---|---|-----------------|-------------------------------------|
| <b>Column 1</b>                                   | <b>Column 2</b>   | <b>Column 3</b> | <b>Column 4</b>                     |
| <b>PROVISION</b>                                  | <b>THING DELEGATED</b>  | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b> |
| s 26(11)  | Duty of the authority to serve copy certificate under s 26(4)(a) on occupier.   | DCD and MP&L.   |                                     |
| s 27  | Power of the authority to recover any rent due.   | DCD and MP&L.   |                                     |
| s 28(1)   | Power of the authority to issue a warrant where refusal to give up possession.  | DCD and MP&L.   |                                     |
| s 31(1)   | Power of the authority to make an offer, including the power to determine amount of the offer.  | DCD and MP&L.   |                                     |
| s 31(5)   | Duty of the authority to have regard to a valuation of the land in making an offer under s 31.  | MP&L.           |                                     |
| s 31(7)   | Power of the authority to reduce the offer by an amount equal to outstanding interest, rates, taxes, etc.   | DCD and MP&L.   |                                     |
| s 32(1)   | Duty of the authority to set out total amount of compensation where the Minister directs information required to be set out by s 31 is inappropriate. | DCD and MP&L.   |                                     |
| s 32(2)   | Duty of the authority to pay the total amount of compensation offered in court.   | DCD and MP&L.   |                                     |
| s 32(4)   | Duty of the authority to apply to the court or the Tribunal for determination of the amount payable.  | DCD and MP&L.   |                                     |

| <b>LAND ACQUISITION AND COMPENSATION ACT 1986</b> |   |                 |   |
|---|---|-----------------|---|
| <b>Column 1</b>                                   | <b>Column 2</b>   | <b>Column 3</b> | <b>Column 4</b>   |
| <b>PROVISION</b>                                  | <b>THING DELEGATED</b>  | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b>   |
| s 33(1)   | Function of the authority of receiving notice of acceptance or notice of claim.                       | DCD and MP&L.   |   |
| s 36(1)   | Duty of the authority to serve a reply to the notice of claim.  | DCD and MP&L.   |   |
| s 36(2)   | Power of the authority to admit/vary/reject the claim under s 36.                                     | DCD and MP&L.   |   |
| s 36(3)   | Duty of the authority to provide claimant with method and basis of its valuation.                     | DCD and MP&L.   |   |
| s 37(4)   | Duty of the authority to serve a reply to a notice of claim on the claimant, where no offer was made. | DCD and MP&L.   |   |
| s 43(2)   | Power of the authority to give notice of intention.   | DCD and MP&L.   | s 43(2) provides: "If any person claims compensation under this Act for any loss or damage caused by the severance of the land acquired from other lands of that person, or the difficulty of access to those other lands, the Authority may give notice to that person of its intention to make and maintain a gate, bridge, easement, road, right-of-way, crossing, passage or other work". |
| s 43(3)   | Duty of the authority to do the action specified in a notice under s 43(2).                           | DCD and MP&L.   |   |

| <b>LAND ACQUISITION AND COMPENSATION ACT 1986</b> |  |                 |                                     |
|---|--|-----------------|-------------------------------------|
| <b>Column 1</b>                                   | <b>Column 2</b>  | <b>Column 3</b> | <b>Column 4</b>                     |
| <b>PROVISION</b>                                  | <b>THING DELEGATED</b>   | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b> |
| s 45(1)   | Power of the authority to grant a loan to a claimant.  | Not delegated.  | The power remains with the CEO.     |
| s 48(2)   | Duty of the authority to serve reply to notice of claim within 3 months on claimant.                         | DCD and MP&L.   |                                     |
| s 51(8)   | Power of the authority to advance compensation to assist a person purchasing another interest in land.       | DCD and MP&L.   |                                     |
| s 63(1)   | Duty of the authority to prepare all instruments of conveyance.  | DCD and MP&L.   |                                     |
| s 65(a)   | Function of the authority to receive an interest in land despite any restrictions under other laws.          | DCD and MP&L.   |                                     |
| s 65(b)   | Function of the authority to recover compensation where authority acquires an interest under s 65(a).        | DCD and MP&L.   |                                     |
| s 67(1)   | Function of the authority to negotiate with agents.  | DCD and MP&L.   |                                     |
| s 68(1)   | Power of the authority to purchase or redeem interest in mortgage.   | DCD and MP&L.   |                                     |
| s 68(4)   | Power of the authority to direct where to convey release of mortgagee's interest upon payment under s 68(3). | DCD and MP&L.   |                                     |

| <b>LAND ACQUISITION AND COMPENSATION ACT 1986</b> |  |                 |                                     |
|---|--|-----------------|-------------------------------------|
| <b>Column 1</b>                                   | <b>Column 2</b>  | <b>Column 3</b> | <b>Column 4</b>                     |
| <b>PROVISION</b>                                  | <b>THING DELEGATED</b>   | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b> |
| s 68(5)   | Power of the authority to give notice to the mortgagee that it will pay principal and interest upon 6 months of the notice.  | DCD and MP&L.   |                                     |
| s 68(6)   | Power of the authority to direct where to convey release of mortgagee's interest upon payment under s 68(5).   | DCD and MP&L.   |                                     |
| 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.                | DCD and MP&L.   |                                     |
| s 69(2)   | Power of the authority to execute a deed poll.   | DCD and MP&L.   |                                     |
| s 69(3)   | Duty to register the deed poll in the office of the Registrar-General.   | DCD and MP&L.   |                                     |
| 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 the value of the land. | DCD and MP&L.   |                                     |
| s 70(4)   | Power of the authority to direct where to convey release of mortgagee's interest upon payment under s 70(3).   | DCD and MP&L.   |                                     |
| s 71(1)   | Power of the authority to pay amount required by s 70(3) to the credit of Trust Fund where mortgagee fails to convey interest or adduce good title.                                | Not delegated.  | The power remains with the CEO.     |



| LAND ACQUISITION AND COMPENSATION ACT 1986 |  |                |                                    |
|--|--|----------------|------------------------------------|
| Column 1                                   | Column 2   | Column 3       | Column 4                           |
| PROVISION                                  | THING DELEGATED  | DELEGATE       | CONDITIONS & LIMITATIONS           |
| s 71(3)                                    | Power of the authority to execute and register a deed poll.  | Not delegated. | The power remains with the CEO.    |
| 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. | Not delegated. | The function remains with the CEO. |
| s 72(4)                                    | Power of the authority to direct where to convey release of mortgagee's interest.  | Not delegated. | The power remains with the CEO.    |
| s 72(6)                                    | Function of the authority to furnish copy of memorandum under s 72(5).   | Not delegated. | The function remains with the CEO. |
| 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.                     | Not delegated. | The power remains with the CEO.    |
| s 73(3)                                    | Power of the authority to execute and register a deed poll.  | Not delegated. |                                    |
| s 74(1)                                    | Power of the authority to enter land.  | Not delegated. |                                    |
| s 74(2)                                    | Duty of the authority to serve notice of intention to enter and a statement on occupier and owner.   | Not delegated. | The duty remains with the CEO.     |
| s 75(1)                                    | Power of the authority to occupy land as long as is necessary for the purposes of the <i>Local Government Act 1989</i> .                           | Not delegated. | The power remains with the CEO.    |

| <b>LAND ACQUISITION AND COMPENSATION ACT 1986</b> |   |                 |                                     |
|---|---|-----------------|-------------------------------------|
| <b>Column 1</b>                                   | <b>Column 2</b>   | <b>Column 3</b> | <b>Column 4</b>                     |
| <b>PROVISION</b>                                  | <b>THING DELEGATED</b>  | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b> |
| s 75(2)(a)  | Power of the authority or authorised person to dig and take from land any clay, soil, etc.                                    | Not delegated.  |                                     |
| s 75(2)(b)  | Power of the authority to deposit any material on land.   | Not delegated.  |                                     |
| s 75(2)(c)  | Power of the authority to make cuttings or excavations on land.   | Not delegated.  |                                     |
| s 75(2)(d)  | Power of the authority to take timber from the land.  | Not delegated.  |                                     |
| s 75(2)(e)  | Power of the authority to make and use roads on land.   | Not delegated.  |                                     |
| s 75(2)(f)  | Power of the authority to manufacture on the land any materials required.   | Not delegated.  |                                     |
| s 75(2)(g)  | Power of the authority to erect workshops, sheds, etc. on land.   | Not delegated.  |                                     |
| s 75(3)   | Duty of the authority to serve notice in writing on owner/occupier and Soil Conservation Authority, if intends to enter land. | Not delegated.  | The duty remains with the CEO.      |
| s 75(5)   | Duty of the authority to give notice in writing of nature and quantity of material taken.                                     | Not delegated.  | The duty remains with the CEO.      |

| <b>LAND ACQUISITION AND COMPENSATION ACT 1986</b> |   |                 |   |
|---|---|-----------------|---|
| <b>Column 1</b>                                   | <b>Column 2</b>   | <b>Column 3</b> | <b>Column 4</b>   |
| <b>PROVISION</b>                                  | <b>THING DELEGATED</b>  | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b>                       |
| s 76  | Duty of the authority to comply with obligations under s 76(a)-(e).   | MP&L.           |   |
| s 79(1)   | Duty of the authority to fence land when so required by the owner.  | Not delegated.  | The duty remains with the CEO.                            |
| s 80  | Power of the authority to refer a claim to the Court/Tribunal for determination.                                    | Not delegated.  | The power remains with the CEO.<br>“Tribunal” means VCAT. |
| s 83  | Duty of the authority to serve a copy of the referral notice on other parties.                                      | Not delegated.  | The duty remains with the CEO.                            |
| s 87  | Power of the authority in a compulsory conference to increase the amount of an offer.                               | Not delegated.  | The power remains with the CEO.                           |
| s 91(4)   | Power of the authority to set-off costs of determinations against any compensation award/costs payable to claimant. | Not delegated.  | The power remains with the CEO.                           |
| s 96(1)   | Function of the authority to make application to the court for a valuer.  | Not delegated.  | The function remains with the CEO.                        |
| s 103(1)  | Power of the authority to inspect documents by notice in writing.   | Not delegated.  | The power remains with the CEO.                           |
| s 104(3)  | Power of the authority/authorise a person to accept service on its behalf.  | Not delegated.  |   |

| LAND ACQUISITION AND COMPENSATION ACT 1986 |  |                |                                |
|--|--|----------------|--------------------------------|
| Column 1                                   | Column 2   | Column 3       | Column 4                       |
| PROVISION                                  | THING DELEGATED  | DELEGATE       | CONDITIONS & LIMITATIONS       |
| s 106(1)(c)                                | Power of the authority to extend/abridge time limits under the Act by agreement with concerned party.                  | Not delegated. |                                |
| s 109(1)                                   | Power of the authority to sell, lease or deal with an interest in land.  | Not delegated. |                                |
| 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. | Not delegated. | The duty remains with the CEO. |

| <b>LIQUOR CONTROL REFORM ACT 1998</b> |   |   |   |
|---------------------------------------|---|---|---|
| <b>Column 1</b>                       | <b>Column 2</b>   | <b>Column 3</b>                         | <b>Column 4</b>   |
| <b>PROVISION</b>                      | <b>THING DELEGATED</b>  | <b>DELEGATE</b>                         | <b>CONDITIONS &amp; LIMITATIONS</b>   |
| s 27(1)                               | Power to apply to the Commission for a licence or BYO permit.   | Not delegated.                          | The power remains with the CEO.   |
| s 33                                  | Function of receiving copy of application.  | DCD, MCP&D and AMSTP.                   | Refers to the requirement for the Council to be provided with a copy of an application for a liquor licence or BYO permit.            |
| s 40(1)                               | Power to object to grant, variation or relocation of a licence.   | DCD, MCP&D, AMSTP, CSTRP, TLSTP and PP. |   |
| s 40(1A)                              | Power to object to the grant, variation or relocation of a packaged liquor licence or late night (packaged liquor) licence. | DCD, MCP&D, AMSTP, CSTRP, TLSTP and PP. |   |
| s 91                                  | Power to request the Commission to conduct an inquiry into whether there are grounds to take disciplinary action.           | DCD and MCP&D.                          |   |
| s 94                                  | Power to request the Commission to conduct an inquiry into amenity or disuse.   | DCD and MCP&D.                          |   |
| sch 3 cl 18(3)                        | Duty to notify Minister of result of poll under cl 18(1).   | Not delegated.                          | The duty remains with the CEO.<br><br>Refers to polls conducted in “dry areas” which includes the former Box Hill municipal district. |

| <b>LOCAL GOVERNMENT ACT 2020</b> |  |                 |                                     |
|----------------------------------|--|-----------------|-------------------------------------|
| <b>Column 1</b>                  | <b>Column 2</b>  | <b>Column 3</b> | <b>Column 4</b>                     |
| <b>PROVISION</b>                 | <b>THING DELEGATED</b>   | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b> |
| s 11(8)                          | Duty to keep a public register of delegations under section 11 of this Act.  | CG.             |                                     |
| 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. | MG&I.           |                                     |
| 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.           | MG&I.           |                                     |
| s 40(1)                          | Duty to reimburse a Councillor or a member of a delegated committee for out-of-pocket expenses in accordance with this section.  | MG&I.           |                                     |
| 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.               | MG&I and CG.    |                                     |
| 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.                | MG&I.           |                                     |
| s 50                             | Duty to implement appropriate long service leave arrangements for members of Council staff in accordance with the regulations.   | MP&C.           |                                     |
| s 73(4)                          | Duty to publish a notice regarding a proposed local law in accordance with subsection 73(3)(a) to (d).   | MG&I and MCS.   |                                     |

| <b>LOCAL GOVERNMENT ACT 2020</b> |  |                                |                                     |
|----------------------------------|--|--------------------------------|-------------------------------------|
| <b>Column 1</b>                  | <b>Column 2</b>  | <b>Column 3</b>                | <b>Column 4</b>                     |
| <b>PROVISION</b>                 | <b>THING DELEGATED</b>   | <b>DELEGATE</b>                | <b>CONDITIONS &amp; LIMITATIONS</b> |
| s 73(5)                          | Duty to ensure that a copy of the proposed local law is available for inspection.  | MG&I and MCS.                  |                                     |
| s 74(1)                          | Duty to obtain a certificate from a qualified person.  | MG&I and MCS.                  |                                     |
| s 74(5)                          | Duty to publish a notice after a local law is made in accordance with subsection 74(4)(a) to (d).  | MG&I and MCS.                  |                                     |
| s 75                             | Duty to ensure that a copy of a local law made under section 74 is available for inspection.   | MG&I and MCS.                  |                                     |
| 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. | MG&I and MCS.                  |                                     |
| 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. | MG&I and MCS.                  |                                     |
| s 82                             | Function of receiving any penalty recovered for an offence against a local law.  | All Managers and Coordinators. |                                     |
| s 98                             | Duty to prepare an annual report in respect of each financial year.  | MF&CP.                         | Subject to s 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.       | MF&CP.                         |                                     |

| <b>LOCAL GOVERNMENT ACT 2020</b> |  |                                |                                     |
|----------------------------------|--|--------------------------------|-------------------------------------|
| <b>Column 1</b>                  | <b>Column 2</b>  | <b>Column 3</b>                | <b>Column 4</b>                     |
| <b>PROVISION</b>                 | <b>THING DELEGATED</b>   | <b>DELEGATE</b>                | <b>CONDITIONS &amp; LIMITATIONS</b> |
| s 103                            | Power to invest any money in accordance with subsections (a) to (f).   | MF&CP.                         |                                     |
| s 106                            | Duty to plan and deliver services to the municipal community in accordance with the service performance principles.                              | Not delegated.                 |                                     |
| 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. | Ds, Managers and Coordinators. |                                     |
| s 114(2)(a)                      | Duty to give notice before selling or exchanging land.   | MP&L.                          |                                     |
| s 114(2)(b)                      | Duty to undertake a community engagement process in accordance with Council's Community Engagement Policy before selling or exchanging land.     | MP&L.                          |                                     |
| s 114(2)(c)                      | Duty to obtain valuation before selling or exchanging land not more than 6 months prior to the sale or exchange.                                 | MP&L.                          |                                     |
| s 115(1)                         | Power to lease land.   | MP&L.                          |                                     |
| s 115(3)                         | Duty to include proposal to lease in the budget.   | MF&CP.                         |                                     |
| s 115(4)                         | Duty to undertake a community engagement process in accordance with Council's Community Engagement Policy before leasing land.                   | MP&L.                          |                                     |
| 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 delegated.                 |                                     |



| <b>LOCAL GOVERNMENT ACT 2020</b> |  |                                |   |
|----------------------------------|--|--------------------------------|---|
| <b>Column 1</b>                  | <b>Column 2</b>  | <b>Column 3</b>                | <b>Column 4</b>   |
| <b>PROVISION</b>                 | <b>THING DELEGATED</b>   | <b>DELEGATE</b>                | <b>CONDITIONS &amp; LIMITATIONS</b>                                       |
| s 117(1)(a)                      | Power to approve another person to carry out the work required under s 117(1).   | Ds and Mgers.                  | 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).   | Mgers.                         | Delegation extends only to area of functional responsibility of delegate. |
| s 117(3)                         | Power to recover costs of carrying out work.   | All Managers and Coordinators. |   |
| s 119                            | Power to require payment of all or part of money from present owner or occupier.   | MP&L and CR&R.                 | Subject to s 121.   |
| s 120(1)                         | Power to charge interest on unpaid money (other than rates and charges) in accordance with s 120.  | DCOR and MF&CP.                |   |
| s 121                            | Function of receiving application for land information certificate.  | CR&R.                          |   |
| 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. | CR&R.                          |   |
| s 152                            | Duty to pay the fees for a Councillor Conduct Panel to the Principal Council Conduct Registrar.  | MG&I.                          |   |
| 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.   | MG&I.                          |   |

| <b>LOCAL GOVERNMENT ACT 2020</b> |   |                 |                                     |
|----------------------------------|---|-----------------|-------------------------------------|
| <b>Column 1</b>                  | <b>Column 2</b>   | <b>Column 3</b> | <b>Column 4</b>                     |
| <b>PROVISION</b>                 | <b>THING DELEGATED</b>  | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b> |
| s 167(8)                         | Duty to pay any necessary expenses incurred by Councillors in attending mediation, training or counselling directed by a Councillor Conduct Panel.      | MG&I.           |                                     |
| 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 delegated.  | 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.   | MG&I.           |                                     |
| 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).          | MG&I.           |                                     |
| s 313(1)                         | Power to institute proceedings in the corporate name of the Council.  | CR&R.           | Subject to subsection (a) – (d).    |
| s 313(1)                         | Power to authorise a person to institute proceedings in the corporate name of the Council.  | DCOR.           | Subject to subsection (a) – (d).    |

| <b>LOCAL GOVERNMENT ACT 1989</b> |   |                 |  |
|----------------------------------|---|-----------------|--|
| <b>Column 1</b>                  | <b>Column 2</b>   | <b>Column 3</b> | <b>Column 4</b>  |
| <b>PROVISION</b>                 | <b>THING DELEGATED</b>  | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b>  |
| s 154                            | Power to determine that land is not rateable land in accordance with s 154.   | MP&L.           |  |
| s 157(2)                         | Duty to publish notice of change in valuation system.   | MP&L.           |  |
| s 158(3)                         | Power to levy rates by sending notice to person liable.   | CR&R.           |  |
| s 158(3A)                        | Power to send rate notice to a person specified upon request.   | CR&R.           |  |
| s 159(5)                         | Power to determine form & time period.  | Not applicable. |  |
| s 159(6)                         | Power to require applicant to give further particulars or verify particulars.   | Not applicable. |  |
| s 161(3)                         | Duty to make available for inspection certain information.  | CR&R.           |  |
| 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. | CR&R.           |  |
| s 163(4)                         | Power to levy special rate/charge by sending notice to person liable.   | CR&R.           |  |
| s 164(2)                         | Duty to notify of decision under s 164(1) to persons liable to pay special rate/charge.                               | CR&R.           | Limited to Director or Executive Manager responsible for works or project. |
| s 165                            | Duty to refund excess money.  | CR&R.           |  |
| s 166(2)                         | Duty to notify persons liable that special rate/charge varied.  | CR&R.           |  |
| s 169(2)                         | Duty to send notice to person who was granted a rebate or concession and not complied with terms.                     | MF&CP and CR&R. |  |

| <b>LOCAL GOVERNMENT ACT 1989</b> |  |                 |   |
|----------------------------------|--|-----------------|---|
| <b>Column 1</b>                  | <b>Column 2</b>  | <b>Column 3</b> | <b>Column 4</b>   |
| <b>PROVISION</b>                 | <b>THING DELEGATED</b>   | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b>   |
| s 170(1)                         | Power to defer payment where applicant shows hardship.   | MF&CP and CR&R. |   |
| s 170(3)(a)                      | Power to require payment where no longer hardship/in occupation.   | MF&CP and CR&R. |   |
| s 171(1)                         | Power to waive rate/charge to eligible recipient or in accordance with Council determination.                              | MF&CP and CR&R. |   |
| s 171(4)(e)                      | Duty to waive amount which is in accordance with concession order upon receipt of application.                             | MF&CP and CR&R. |   |
| s 171(4)(f)                      | Power to decide to treat person to whom waiver granted as having made continuing application or waiver.                    | MF&CP and CR&R. | Requires the approval of the Minister administering the <i>State Concessions Act 2004</i> . |
| s 171(5A)                        | Power to waive rate/charge where person has right to recover it from another (upon application of the eligible recipient). | MF&CP and CR&R. |   |
| s 171A(1)                        | Function of receiving application for waiver.  | MF&CP and CR&R. |   |
| s 171A(2)                        | Power to require information or verification.  | MF&CP and CR&R. |   |
| s 171A(3)                        | Power to waive rate/charge/interest.   | Not delegated.  |   |
| s 172(1)                         | Power to raise interest and require payment from person liable.  | MF&CP and CR&R. |   |
| s 172(3)                         | Power to exempt a person from paying interest.   | MF&CP and CR&R. |   |
| s 172(4)                         | Power to recover interest due.   | MF&CP and CR&R. |   |
| s 173(2)(a)                      | Duty to refund rates/charges where land ceases to be rateable and payment was made.  | MF&CP and CR&R. |   |

| <b>LOCAL GOVERNMENT ACT 1989</b> |  |                 |  |
|----------------------------------|--|-----------------|--|
| <b>Column 1</b>                  | <b>Column 2</b>  | <b>Column 3</b> | <b>Column 4</b>  |
| <b>PROVISION</b>                 | <b>THING DELEGATED</b>   | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b>  |
| s 173(2)(b)                      | Duty to require pro rata payment where land ceases to be rateable.   | MF&CP and CR&R. |  |
| s 175(2)                         | Power to require current rates, arrears from person acquiring land.  | MF&CP and CR&R. |  |
| s 177(1)                         | Power to require occupier to pay rent upon notice.   | MF&CP and CR&R. |  |
| s 177(4)                         | Power to recover unpaid rent as a debt due.  | MF&CP and CR&R. |  |
| s 180(1)                         | Power to recover unpaid rate/charge as a debt due.   | MF&CP and CR&R. |  |
| s 181(2)                         | Power to dispose of land where rate/charge unpaid.   | DCOR.           |  |
| s 181(5)                         | Power to serve and to give notices before Council sells the land.  | MF&CP.          |  |
| s 181(7)                         | Power to deduct expenses incurred in connection with sale.   | MF&CP.          |  |
| s 181C(2)                        | Power to send notice to person liable to pay environmental upgrade charge.   | Not delegated.  |  |
| s 181E(1)                        | Duty to use best endeavours to recover environmental upgrade charge.   | Not delegated.  |  |
| 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. | Not delegated.  | 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.  | DCOR.           |  |

| LOCAL GOVERNMENT ACT 1989 |  |                |  |
|---------------------------|--|----------------|--|
| Column 1                  | Column 2   | Column 3       | Column 4   |
| PROVISION                 | THING DELEGATED  | DELEGATE       | CONDITIONS & LIMITATIONS   |
| s 185I                    | Power to enter into a cladding rectification agreement in respect of rateable land with an existing building on it.  | Not delegated. | 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).   | Not delegated. |  |
| 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.   | Not delegated. |  |
| 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.                                  | Not delegated. | 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.   | Not delegated. | 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.   | Not delegated. |  |
| 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 <i>Building Act 1993</i> and the cladding rectification agreement. | Not delegated. | Subject to s 185N(2) and (3).                                    |
| s 199                     | Duty to give notice of proposed drainage works to persons affected.  | MPD&A.         |  |
| s 200(1)                  | Power to give persons notice that must carry out drainage works.   | MPD&A.         |  |

| <b>LOCAL GOVERNMENT ACT 1989</b> |   |                 |  |
|----------------------------------|---|-----------------|--|
| <b>Column 1</b>                  | <b>Column 2</b>   | <b>Column 3</b> | <b>Column 4</b>  |
| <b>PROVISION</b>                 | <b>THING DELEGATED</b>  | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b>  |
| s 200(2)                         | Power to carry out works itself where non-compliance with notice.   | MPD&A.          |  |
| s 201(1)                         | Duty to construct, manage, etc works under schemes approved under <i>Water Act 1989</i> .   | MPD&A.          |  |
| s 201(2)                         | Power to carry out any power under the Act for purpose of 201(1).   | MPD&A.          |  |
| s 203(1)                         | Power to develop and implement a transport plan.  | Not delegated.  |  |
| s 203(2)                         | Power to prepare a transport plan jointly with one or more other councils.  | Not delegated.  |  |
| s 203A                           | Power to procure, provide or enable transport services within the municipal district.   | Not delegated.  |  |
| s 204(1)                         | Power to publish notice in Government Gazette of road to be declared a public highway.  | ME&I.           |  |
| 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).  | MP&L.           | Delegation only extends to matters within the functional responsibility of delegate. |
| s 223(1)(a)                      | Duty to publish a public notice.  | Mgers.          |  |
| 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. | Mgers.          |  |
| s 223(1)(d)(ii)                  | Duty to notify submitters after made decision.  | Mgers.          |  |

| LOCAL GOVERNMENT ACT 1989 |  |                                |  |
|---------------------------|--|--------------------------------|--|
| Column 1                  | Column 2   | Column 3                       | Column 4   |
| PROVISION                 | THING DELEGATED  | DELEGATE                       | CONDITIONS & LIMITATIONS   |
| s 223(3)                  | Power to authorise members of Council staff to carry out administrative procedures.  | Ds, Managers and Coordinators. |  |
| s 224(1)                  | Power to appoint authorised officer.   | Not delegated.                 |  |
| s 224(1A)                 | Duty to maintain register of authorised officers.  | CG.                            |  |
| s 224(2)                  | Duty to supply authorised officers with identity cards.  | MP&C.                          | 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.   | Not delegated.                 |  |
| s 224A(2)                 | Power to publish a notice in the Government Gazette which authorises police officers to enforce provisions of local law.   | Not delegated.                 |  |
| s 237A                    | Duty to make available to the Secretary to the Department any information requested in accordance with s 121A of the <i>Livestock Disease Control Act 1994</i> . | DCD and MCS.                   |  |
| sch 10 cl 1(a)            | Power to make, maintain and repair roads.  | DI, MPD&A and MCITY.           |  |
| sch 10 cl 2               | Administrative functions necessary to give effect to power to deviate roads.   | DCD and ME&I.                  |  |
| sch 10 cl 3               | Administrative functions necessary to give effect to power to discontinue roads.   | ME&I.                          |  |
| sch 10 cl 4               | Power to enter and take any materials necessary from certain land.   | DI.                            |  |



| LOCAL GOVERNMENT ACT 1989 |  |                 |   |
|---------------------------|--|-----------------|---|
| Column 1                  | Column 2   | Column 3        | Column 4  |
| PROVISION                 | THING DELEGATED  | DELEGATE        | CONDITIONS & LIMITATIONS  |
| sch 10 cl 5(1)(a)         | Power to approve, assign or change the name of a road.   | Not delegated.  | Power in cl 5(1) must be exercised in accordance with the <i>Geographic Names Places Act 1998</i> . |
| sch 10 cl 5(1)(b)         | Power to erect signs on a road.  | MCITY.          |   |
| sch 10 cl 5(1)(c)         | Power to approve, assign and change the number of a road and any premises next to a road.  | MF&CP and CR&R. |   |
| sch 10 cl 5(1)(d)         | Power to require people to number their premises and to renew those numbers.   | MF&CP and CR&R. |   |
| sch 10 cl 6               | Power to cause standard survey marks to be established in roads.   | MCITY.          |   |
| 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.  | DI and MCITY.   |   |
| sch 10 cl 8(3)            | Duty to publish notice in Government Gazette before starting work.   | Not delegated.  |   |
| sch 10 cl 9               | Power to provide for temporary roads.  | DI and MCITY.   |   |
| 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. | DI and MCITY.   |   |
| sch 10 cl 11(a)           | Power to require/cause the filling up of holes or excavations.   | DI and MCITY.   |   |
| sch 10 cl 11(b)           | Power to require/cause the removal of a cause of danger/damage.  | DI and MCITY.   |   |

| <b>LOCAL GOVERNMENT ACT 1989</b> |  |                               |                                     |
|----------------------------------|--|-------------------------------|-------------------------------------|
| <b>Column 1</b>                  | <b>Column 2</b>  | <b>Column 3</b>               | <b>Column 4</b>                     |
| <b>PROVISION</b>                 | <b>THING DELEGATED</b>   | <b>DELEGATE</b>               | <b>CONDITIONS &amp; LIMITATIONS</b> |
| 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.      | DI and MCITY.                 |                                     |
| sch 10 cl 12                     | Power to make, maintain, repair or reconstruct a bridge or crossing.   | DI, MPD&A and MCITY.          |                                     |
| 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.              | DCD, ME&I and MCS.            |                                     |
| sch 11 cl 2                      | Power to issue special parking permits to disabled persons.  | MCS.                          |                                     |
| sch 11 cl 3                      | Power to remove abandoned/unregistered vehicles.   | MCS.                          |                                     |
| sch 11 cl 4                      | Power to tow away and impound vehicles which are causing an unlawful obstruction etc and to charge a fee.                          | MCS.                          |                                     |
| sch 11 cl 5                      | Power to require or cause the removal of any encroachment or obstruction.  | DCD, DI, ME&I, MCITY and MCS. |                                     |
| sch 11 cl 6                      | Power to control traffic to enable works to be carried out on, over, or on land next to a road.                                    | DCD, ME&I and CT.             |                                     |
| sch 11 cl 7                      | Power to close a road, or part of a road for a particular period.  | DCD, ME&I and MCITY.          |                                     |
| 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. | DCD, DI, ME&I and MCITY.      |                                     |

| <b>LOCAL GOVERNMENT ACT 1989</b> |  |                          |  |
|----------------------------------|--|--------------------------|--|
| <b>Column 1</b>                  | <b>Column 2</b>  | <b>Column 3</b>          | <b>Column 4</b>  |
| <b>PROVISION</b>                 | <b>THING DELEGATED</b>   | <b>DELEGATE</b>          | <b>CONDITIONS &amp; LIMITATIONS</b>  |
| 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. | Not delegated.           | 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.  | DCD, DI, ME&I and MCITY. | 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.                       | Not delegated.           |  |
| 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.   | DCD and ME&I.            |  |
| 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.   | DCD and ME&I.            | 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.   | DCD and ME&I.            |  |
| sch 11 cl 14                     | Power to prohibit or restrict traffic on a road if unsafe.   | DCD, DI, ME&I and MCITY. |  |

| <b>MAGISTRATES' COURT ACT 1989</b> |  |                 |                                     |
|------------------------------------|--|-----------------|-------------------------------------|
| <b>Column 1</b>                    | <b>Column 2</b>  | <b>Column 3</b> | <b>Column 4</b>                     |
| <b>PROVISION</b>                   | <b>THING DELEGATED</b>   | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b> |
| 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. | MCS.            |                                     |

| <b>MAJOR TRANSPORT PROJECTS FACILITATION ACT 2009</b> |   |                 |                                     |
|---|---|-----------------|-------------------------------------|
| <b>Column 1</b>                                       | <b>Column 2</b>   | <b>Column 3</b> | <b>Column 4</b>                     |
| <b>PROVISION</b>                                      | <b>THING DELEGATED</b>  | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b> |
| s 134(4)  | Duty to comply with requirement to surrender public land under subs (1)(a). | Not delegated.  | The duty remains with the CEO.      |
| s 134(5)  | Duty to notify Project Minister of interest in land.                        | Not delegated.  | The duty remains with the CEO.      |
| s 146(2)  | Power to claim compensation for pecuniary loss or expense incurred.         | Not delegated.  | The power remains with the CEO.     |
| s 147   | Function of agreeing to transfer of building or structure.                  | Not delegated.  | The function remains with the CEO.  |

| MINERAL RESOURCES (SUSTAINABLE DEVELOPMENT) ACT 1990 |                 |                 |  |
|--|-----------------|-----------------|--|
| Column 1   | Column 2        | Column 3        | Column 4                               |
| PROVISION  | THING DELEGATED | DELEGATE        | CONDITIONS & LIMITATIONS               |
|  |                 | Not applicable. | This Act does not apply to Whitehorse. |

| NATIONAL PARKS ACT 1975 |                 |                 |  |
|-------------------------|-----------------|-----------------|--|
| Column 1                | Column 2        | Column 3        | Column 4                               |
| PROVISION               | THING DELEGATED | DELEGATE        | CONDITIONS & LIMITATIONS               |
|                         |                 | Not applicable. | This Act does not apply to Whitehorse. |

| PIPELINES ACT 2005 |                 |                 |  |
|--------------------|-----------------|-----------------|--|
| Column 1           | Column 2        | Column 3        | Column 4                               |
| PROVISION          | THING DELEGATED | DELEGATE        | CONDITIONS & LIMITATIONS               |
|                    |                 | Not applicable. | This Act does not apply to Whitehorse. |

| <b>PRIVACY AND DATA PROTECTION ACT 2014</b> |  |                                  |                                     |
|---|--|----------------------------------|-------------------------------------|
| <b>Column 1</b>                             | <b>Column 2</b>  | <b>Column 3</b>                  | <b>Column 4</b>                     |
| <b>PROVISION</b>                            | <b>THING DELEGATED</b>   | <b>DELEGATE</b>                  | <b>CONDITIONS &amp; LIMITATIONS</b> |
| s 20(1)                                     | Duty to comply with the Information Privacy Principles.  | Ds, Mgers and CCI.               |                                     |
| s 20(2)                                     | Duty to comply with the Information Privacy Principles when administering a public register.   | Ds, Mgers, MBS and Coordinators. |                                     |
| s 22(1)                                     | Power to seek approval of a code of practice or an amendment to a code of practice.  | Not delegated.                   | The power remains with the CEO.     |
| s 22(4)                                     | Function of being consulted by the Information Commissioner in relation to a code of practice.   | Not delegated.                   |                                     |
| 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.   | Not delegated.                   | The function remains with the CEO.  |
| 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.   | Not delegated.                   |                                     |
| s 26(4)                                     | Function of being consulted by the Information Commissioner in relation to a code of practice.   | Not delegated.                   |                                     |
| 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. | CCI.                             |                                     |
| s 29(1)                                     | Power to apply to the Information Commissioner for a public interest determination.  | DCOR.                            |                                     |

| <b>PRIVACY AND DATA PROTECTION ACT 2014</b> |  |                 |                                     |
|---|--|-----------------|-------------------------------------|
| <b>Column 1</b>                             | <b>Column 2</b>  | <b>Column 3</b> | <b>Column 4</b>                     |
| <b>PROVISION</b>                            | <b>THING DELEGATED</b>   | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b> |
| s 29(5)                                     | Function of receiving draft determination.   | CCI.            |                                     |
| s 29(6)                                     | Function of attending a conference with the Information Commissioner.  | CCI.            |                                     |
| s 30(1)                                     | Power to request that application be for a temporary public interest determination.  | DCOR.           |                                     |
| s 34(1)                                     | Power to apply to the Information Commissioner for approval of an amendment to a public interest determination.                          | DCOR.           |                                     |
| s 34(2)                                     | Function of receiving a draft determination and attending a conference with the Information Commissioner and power to make a submission. | CCI.            |                                     |
| s 35(2)                                     | Function of receiving written notice from the Information Commissioner regarding revocation of a public interest determination.          | CCI.            |                                     |
| s 36(1)                                     | Duty to report to the Information Commissioner on an annual basis or at any other agreed time.   | CCI.            |                                     |
| s 38(1)                                     | Power to apply to the Information Commissioner for a temporary public interest determination and power to make a submission.             | DCOR.           |                                     |

| <b>PRIVACY AND DATA PROTECTION ACT 2014</b> |   |                 |  |
|---|---|-----------------|--|
| <b>Column 1</b>                             | <b>Column 2</b>   | <b>Column 3</b> | <b>Column 4</b>  |
| <b>PROVISION</b>                            | <b>THING DELEGATED</b>  | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b>                                |
| s 41(2)                                     | Function of receiving written notice from the Information Commissioner regarding revocation of temporary public interest determination. | CCI.            |  |
| s 47(1)                                     | Power to apply for approval of an information usage arrangement.  | Not delegated.  | Where Council is a lead party to an information usage arrangement. |
| s 47(2)                                     | Duty to consult where required.   | CCI.            | 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.                                       | Not delegated   | 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.  | Not delegated.  | Where Council is a lead party to an information usage arrangement. |
| s 52(2)                                     | Duty to consult where required.   | Not delegated.  | 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.   | Not delegated.  | 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.     | Not delegated.  | 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.                                | Not delegated.  | Where Council is a party to an information usage arrangement.      |



| <b>PRIVACY AND DATA PROTECTION ACT 2014</b> |  |                 |  |
|---|--|-----------------|--|
| <b>Column 1</b>                             | <b>Column 2</b>  | <b>Column 3</b> | <b>Column 4</b>  |
| <b>PROVISION</b>                            | <b>THING DELEGATED</b>   | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b>                                |
| s 54(1)                                     | Duty to report to the Information Commissioner about the information usage arrangement.    | Not delegated.  | 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.         | DCOR.           | Where Council's interests are affected by the decision.            |
| s 61  | Function of receiving notice of a complaint lodged with the Information Commissioner.      | CCI.            |  |
| s 62(1)                                     | Function of receiving notice that complaint is to be declined.                             | CCI.            |  |
| s 62(3)                                     | Power to attend before the Information Commissioner and produce documents.                 | CCI.            |  |
| s 62(7)                                     | Function of receiving notice of dismissal of complaint.                                    | CCI.            |  |
| s 63(2)                                     | Function of receiving notice of complaint being referred by the Information Commissioner.  | CCI.            |  |
| s 64(2)                                     | Function of receiving notice of complaint being dismissed by the Information Commissioner. | CCI.            |  |
| s 66(1)                                     | Function of receiving notice that conciliation is inappropriate.                           | CCI.            |  |
| s 66(6)                                     | Function of receiving notice of complaint being dismissed by the Information Commissioner. | CCI.            |  |

| <b>PRIVACY AND DATA PROTECTION ACT 2014</b> |  |                 |  |
|---|--|-----------------|--|
| <b>Column 1</b>                             | <b>Column 2</b>  | <b>Column 3</b> | <b>Column 4</b>  |
| <b>PROVISION</b>                            | <b>THING DELEGATED</b>   | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b>  |
| s 67(3)                                     | Power to attend conciliation and settle the matter.  | CCI.            | Where settlement involves monetary consideration, the approval of the MF&CP is required. |
| s 68  | Duty to give information or produce a document.  | CCI.            |  |
| s 69(1)                                     | Power to prepare and sign conciliation agreement.  | CCI.            | Subject to prior consultation with the MG&I.   |
| s 69(2)                                     | Power to lodge a certified conciliation agreement.   | CCI.            |  |
| s 69(3)                                     | Function of receiving copy of registered record.   | CCI.            |  |
| s 71(1)                                     | Function of receiving notice of unsuccessful conciliation.                                 | CCI.            |  |
| s 71(6)                                     | Function of receiving notice of complaint being dismissed by the Information Commissioner. | CCI.            |  |
| s 72  | Power to apply to VCAT for an interim order.   | DCOR.           |  |
| s 77(1)                                     | Power to administer/ implement order of VCAT.  | CCI.            |  |
| s 77(3)                                     | Function of receiving VCAT order relating to a public register administered by Council.    | CCI.            |  |
| s 78(1)                                     | Duty to comply with compliance notice served by the Information Commissioner.              | CCI.            |  |

| <b>PRIVACY AND DATA PROTECTION ACT 2014</b> |  |                 |                                     |
|---|--|-----------------|-------------------------------------|
| <b>Column 1</b>                             | <b>Column 2</b>  | <b>Column 3</b> | <b>Column 4</b>                     |
| <b>PROVISION</b>                            | <b>THING DELEGATED</b>   | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b> |
| s 78(3)                                     | Power to apply for extension in relation to a compliance notice.                 | CCI.            |                                     |
| s 79  | Power to give information or produce a document.                                 | CCI.            |                                     |
| s 83(1)                                     | Power to apply to VCAT for review of a decision of the Commission under s 78(1). | DCOR.           |                                     |

| <b>PUBLIC HEALTH AND WELLBEING ACT 2008</b> |   |                 |                                     |
|---|---|-----------------|-------------------------------------|
| <b>Column 1</b>                             | <b>Column 2</b>   | <b>Column 3</b> | <b>Column 4</b>                     |
| <b>PROVISION</b>                            | <b>THING DELEGATED</b>  | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b> |
| s 25  | Duty to report to the Secretary when required by notice.  | DCOM.           |                                     |
| 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).          | MCE&D.          |                                     |
| s 26(4)                                     | Duty to review the municipal public health and wellbeing plan annually and amend as appropriate.  | MCE&D.          | Unless s 27 applies.                |
| s 26(4A)                                    | Duty to include a review of the measures referred to in s 26(2)(ba) when annually reviewing the municipal public health and wellbeing plan. | MCE&D.          | Unless s 27 applies.                |
| s 26(6)                                     | Duty to give a copy of the current municipal public health and wellbeing plan to the Secretary.   | MCE&D.          | Unless s 27 applies.                |
| s 26(6A)                                    | Duty to report, to the Secretary, the measures referred to in s 26(2)(ba) at the intervals specified.                                       | MCE&D.          | Unless s 27 applies.                |
| s 26(7)                                     | Duty to make copy of current municipal public health and wellbeing plan available for public inspection.                                    | MCE&D.          | Unless s 27 applies.                |
| s 27(3)                                     | Power to apply to the Secretary for an exemption from complying with s 26.  | Not delegated.  | The power remains with the CEO.     |

| <b>PUBLIC HEALTH AND WELLBEING ACT 2008</b> |  |                                |  |
|---|--|--------------------------------|--|
| <b>Column 1</b>                             | <b>Column 2</b>  | <b>Column 3</b>                | <b>Column 4</b>  |
| <b>PROVISION</b>                            | <b>THING DELEGATED</b>   | <b>DELEGATE</b>                | <b>CONDITIONS &amp; LIMITATIONS</b>  |
| s 27(6)                                     | Duty to give a copy of the current Council Plan or Strategic Resource Plan to the Secretary.   | Not delegated.                 | The duty remains with the CEO.<br><br>If Council has been granted an exception from complying with s 26 and if the change relates to matters in s 26(2).   |
| s 28(a)                                     | Duty, in a state of emergency, to comply with an order of the Secretary.   | Not delegated.                 | The duty remains with the CEO.   |
| s 29(1)                                     | Duty to appoint environmental health officer.  | Not delegated.                 | The duty remains with the CEO.<br><br>Council must appoint at least one environmental health officer. Council can only appoint a person with the qualifications and experience specified in s 29(2). |
| s 31(4)                                     | Power to give directions to authorised officers.   | MH&FS, MCS and CEH.            |  |
| s 57(2)                                     | Power to disclose certain information to the Secretary, Chief Health Officer or another Council.   | DCOM, MH&FS, MCS, CEH and EHO. |  |
| s 57(4)                                     | Power to disclose certain information to a Government Department, statutory body or other person responsible for administering another Act or regulations. | DCOM, MH&FS, MCS, CEH and EHO. |  |

| <b>PUBLIC HEALTH AND WELLBEING ACT 2008</b> |   |   |                                     |
|---|---|---|-------------------------------------|
| <b>Column 1</b>                             | <b>Column 2</b>   | <b>Column 3</b>                               | <b>Column 4</b>                     |
| <b>PROVISION</b>                            | <b>THING DELEGATED</b>  | <b>DELEGATE</b>                               | <b>CONDITIONS &amp; LIMITATIONS</b> |
| s 60  | Duty to remedy all nuisances in municipal district.   | MH&FS, MCS, CEH, EHO, CCL, CPS, SPSO and CLO. |                                     |
| s 62(2)                                     | Duty to investigate any notice of a nuisance.   | MH&FS, MCS, CEH, EHO, CCL, CPS, SPSO and CLO. |                                     |
| s 62(3)                                     | Duty to take action in s 62(3)(a) or (b) where nuisance is found to exist after investigation.                                    | MH&FS, MCS, CEH, EHO, CCL, CPS, SPSO and CLO. |                                     |
| s 62(3)(a)                                  | Function of taking action specified in s 62(4) where appropriate.   | MH&FS, MCS, CEH, EHO, CCL, CPS, SPSO and CLO. |                                     |
| s 62(3)(b)                                  | Function of determining whether matter is better settled privately and, if so, advising of methods for settling matter privately. | MH&FS, MCS, CEH, EHO, CCL, CPS, SPSO and CLO. |                                     |
| s 62(4)(a)                                  | Power to exercise the powers in s 66 where that section applies, for the purposes of s 62(3)(a).                                  | MH&FS, MCS, CEH, EHO, CCL, CPS, SPSO and CLO. |                                     |

| <b>PUBLIC HEALTH AND WELLBEING ACT 2008</b> |   |   |   |
|---|---|---|---|
| <b>Column 1</b>                             | <b>Column 2</b>   | <b>Column 3</b>                               | <b>Column 4</b>   |
| <b>PROVISION</b>                            | <b>THING DELEGATED</b>  | <b>DELEGATE</b>                               | <b>CONDITIONS &amp; LIMITATIONS</b>   |
| s 62(4)(b)                                  | Power to issue an improvement notice or a prohibition notice for the purposes of s 62(3) (a).             | MH&FS, MCS, CEH, EHO, CCL, CPS, SPSO and CLO. |   |
| 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). | MH&FS, MCS, CEH, EHO, CCL, CPS, SPSO and CLO. |   |
| s 64  | Power to institute proceedings for an offence under s 61.   | MH&FS, MCS, CEH, EHO, CCL, CPS, SPSO and CLO. |   |
| s 65  | Power to investigate nuisance occurring outside municipal district.                                       | MH&FS, MCS, CEH, EHO, CCL, CPS, SPSO and CLO. |   |
| s 66(2)(a)                                  | Power to enter and take steps to abate nuisance and do all things necessary for abatement.                | MH&FS, MCS, CEH, EHO, CCL, CPS, SPSO and CLO. | Where nuisance comes from land for which the occupier and owner are unknown or cannot be found. |
| s 66(2)(b)                                  | Power to do all things necessary for abatement of nuisance.   | MH&FS, MCS, CEH, EHO, CCL, CPS, SPSO and CLO. | Unless another Council is abating the nuisance under s 66(2).                                   |

| <b>PUBLIC HEALTH AND WELLBEING ACT 2008</b> |   |   |                                     |
|---|---|---|-------------------------------------|
| <b>Column 1</b>                             | <b>Column 2</b>   | <b>Column 3</b>                               | <b>Column 4</b>                     |
| <b>PROVISION</b>                            | <b>THING DELEGATED</b>  | <b>DELEGATE</b>                               | <b>CONDITIONS &amp; LIMITATIONS</b> |
| s 66(4)                                     | Power to recover costs incurred under s 66(2).  | MH&FS, MCS, CEH, EHO, CCL, CPS, SPSO and CLO. |                                     |
| s 71  | Function to receive applications for the issue, renewal or transfer of a registration.  | CEH and EHO.                                  |                                     |
| s 73(1)(a)                                  | Power to give the applicant notice requiring specified information before considering the application under s 71.                   | MH&FS, CEH and EHO.                           |                                     |
| s 73(1)(b)                                  | Power to inspect prescribed accommodation or premises before considering the application under s 71.                                | MH&FS, CEH and EHO.                           |                                     |
| s 73(1)(c)                                  | Power to require alterations or improvements to prescribed accommodation or premises before considering the application under s 71. | MH&FS, CEH and EHO.                           |                                     |
| s 73(2)                                     | Power to issue, transfer or renew a registration subject to s 73(1)(c).   | MH&FS, CEH and EHO.                           |                                     |
| s 73A                                       | Duty and power to enter information in the Rooming House Register.  | CEH, EHO and EHA.                             |                                     |
| s 74  | Power to decide issue, transfer or renew registration.  | MH&FS, CEH and EHO.                           |                                     |



| <b>PUBLIC HEALTH AND WELLBEING ACT 2008</b> |   |                 |  |
|---|---|-----------------|--|
| <b>Column 1</b>                             | <b>Column 2</b>   | <b>Column 3</b> | <b>Column 4</b>  |
| <b>PROVISION</b>                            | <b>THING DELEGATED</b>  | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b>  |
| s 76(1)(a)                                  | Power to refuse to issue a registration.  | MH&FS and CEH.  | 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).          | MH&FS and CEH.  | Subject to s 74.   |
| s 76(1)(c)                                  | Power to vary a registration.   | MH&FS and CEH.  |  |
| s 76(1)(d)                                  | Power to cancel a registration.   | MH&FS and CEH.  |  |
| s 76(1)(e)                                  | Power to suspend a registration.  | MH&FS and CEH.  |  |
| s 76(1)(f)                                  | Power to refuse to transfer a registration.   | MH&FS and CEH.  | The decision of the delegate is 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 section 73(2). | MH&FS and CEH.  | Subject to s 74.   |
| s 76(1)(h)                                  | Power to refuse to renew a registration.  | MH&FS and CEH.  | The decision of the delegate is 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).          | MH&FS and CEH.  | Subject to s 74.   |

| <b>PUBLIC HEALTH AND WELLBEING ACT 2008</b> |   |   |                                     |
|---|---|---|-------------------------------------|
| <b>Column 1</b>                             | <b>Column 2</b>   | <b>Column 3</b>                               | <b>Column 4</b>                     |
| <b>PROVISION</b>                            | <b>THING DELEGATED</b>  | <b>DELEGATE</b>                               | <b>CONDITIONS &amp; LIMITATIONS</b> |
| s 76(3)                                     | Duty to notify applicant or registration holder of decision under s 76 and ground(s) on which it was based.   | MH&FS and CEH.                                |                                     |
| s 78  | Power to issue a replacement certificate of registration.   | CEH, EHO and EHA.                             |                                     |
| s 78A(1)                                    | Power to accept applications for the issue, transfer or renewal of registration in the online portal if accommodation or premises is located in the municipal district. | CEH, EHO and EHA.                             |                                     |
| s 78A(2)                                    | Duty to pay the charge for use of the online portal.  | MH&FS and CEH.                                |                                     |
| s 181(1)                                    | Power to take any step in paragraphs (a)-(d) with respect to items seized by an authorised officer appointed by Council.  | MH&FS, MCS, CEH, EHO, CCL, CPS, SPSO and PSO. |                                     |
| s 181(2)                                    | Duty to notify owner of item forfeited under s 181(1)(c), setting out how to seek review of the decision.   | MH&FS, MCS, CEH, EHO, CCL, CPS, SPSO and PSO. |                                     |
| s 182                                       | Power to destroy or otherwise dispose of forfeited item.  | MH&FS, MCS, CEH, EHO, CCL, CPS, SPSO and PSO. |                                     |

| <b>PUBLIC HEALTH AND WELLBEING ACT 2008</b> |   |   |   |
|---|---|---|---|
| <b>Column 1</b>                             | <b>Column 2</b>   | <b>Column 3</b>                               | <b>Column 4</b>   |
| <b>PROVISION</b>                            | <b>THING DELEGATED</b>  | <b>DELEGATE</b>                               | <b>CONDITIONS &amp; LIMITATIONS</b>                             |
| s 185(1)                                    | Function of receiving complaints about authorised officers appointed by the Council.  | MH&FS, MCS and CEH.                           | Complaint must be in writing or other form approved by Council. |
| s 185(2)                                    | Power to approve form in which complaint is made.   | MH&FS, MCS and CEH.                           |   |
| s 185(4)(a)                                 | Duty to investigate any written complaint provided under s 185(2).  | MH&FS, MCS and CEH.                           |   |
| s 185(4)(b)                                 | Duty to provide written report to the complainant on the results of the investigation under s 185(4)(a).  | MH&FS, MCS and CEH.                           |   |
| s 194(2)(a)                                 | Power to issue an improvement notice.   | MH&FS, MCS, CEH, CCL, CPS, SPSO, PSO and EHO. | In accordance with s 194(3).                                    |
| s 194(2)(b)                                 | Power to issue a prohibition notice.  | MH&FS, MCS, CEH, CCL, CPS, SPSO, PSO and EHO. |   |
| 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). | MH&FS, MCS and CEH.                           |   |

| <b>PUBLIC HEALTH AND WELLBEING ACT 2008</b> |   |                     |  |
|---|---|---------------------|--|
| <b>Column 1</b>                             | <b>Column 2</b>   | <b>Column 3</b>     | <b>Column 4</b>  |
| <b>PROVISION</b>                            | <b>THING DELEGATED</b>  | <b>DELEGATE</b>     | <b>CONDITIONS &amp; LIMITATIONS</b>  |
| s 197(2)                                    | Power to cause a complaint to be made to the Magistrates' Court (where a prohibition notice or improvement notice issued and person does not comply or nuisance likely to recur). | MH&FS, MCS and CEH. |  |
| 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.   | MH&FS, MCS and CEH. |  |
| s 197(5)(b)                                 | Power to recover costs and expenses incurred.   | MH&FS, MCS and CEH. |  |
| s 197(6)                                    | Power to recover costs and expenses in court.   | MH&FS, MCS and CEH. |  |
| s 205(2)                                    | Function of receiving applications for review of Council decisions.   | MH&FS.              | s 205(2) refers to the variation, transfer, renewal, cancellation or suspension of a registration pursuant to ss 74 or 76. |
| s 205(3)                                    | Duty to review decision where application received under s 205(2).  | MH&FS.              |  |
| s 205(5)                                    | Power to agree a period greater than 28 days for review of a decision with the applicant.   | MH&FS.              |  |
| s 205(6)(a)                                 | Power to make a decision affirming, varying or revoking a decision.   | MH&FS.              |  |

| <b>PUBLIC HEALTH AND WELLBEING ACT 2008</b> |   |                          |   |
|---|---|--------------------------|---|
| <b>Column 1</b>                             | <b>Column 2</b>   | <b>Column 3</b>          | <b>Column 4</b>   |
| <b>PROVISION</b>                            | <b>THING DELEGATED</b>  | <b>DELEGATE</b>          | <b>CONDITIONS &amp; LIMITATIONS</b>   |
| s 205(6)(b)                                 | Power to make any other decision where original decision is revoked.  | MH&FS.                   | Where the 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.  | MH&FS.                   |   |
| s 205(8)                                    | Duty to inform applicant for review of right to apply to VCAT for a review under s 207.   | MH&FS.                   |   |
| s 209(2)                                    | Power to serve infringement notice.   | MH&FS, CEH and EHO.      |   |
| 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).                          | MH&FS, MCS, CEH and EHO. |   |
| s 219(2)(b)                                 | Power to bring proceedings for offence relating to an improvement notice or a prohibition notice.                                   | MH&FS, MCS, CEH and EHO. |   |
| s 228(1)                                    | Power to seek reimbursement of costs incurred where person is found guilty of an offence.   | MH&FS, MCS and CEH.      |   |
| s 228(2)                                    | Power to seek payment for cost of work conducted by Council where awarded legal costs.  | DCOM and MH&FS.          | "Work" is defined in s 228(3).  |
| s 229(3)                                    | Power to take the actions necessary to ensure compliance with the direction, requirement, improvement notice or prohibition notice. | DCOM and MH&FS.          | Where Council is so authorised by Chief Health Officer under s 229(2).  |

| <b>PUBLIC HEALTH AND WELLBEING ACT 2008</b> |   |                 |                                     |
|---|---|-----------------|-------------------------------------|
| <b>Column 1</b>                             | <b>Column 2</b>   | <b>Column 3</b> | <b>Column 4</b>                     |
| <b>PROVISION</b>                            | <b>THING DELEGATED</b>                                  | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b> |
| s 230(2)(b)                                 | Power to recover, in court, costs incurred under s 229. | DCOM and MH&FS. |                                     |

| <b>PUBLIC INTEREST DISCLOSURES ACT 2012</b> |   |                 |                                      |
|---|---|-----------------|--------------------------------------|
| <b>Column 1</b>                             | <b>Column 2</b>   | <b>Column 3</b> | <b>Column 4</b>                      |
| <b>PROVISION</b>                            | <b>THING DELEGATED</b>  | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b>  |
| 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.   | PIDC.           | 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.   | PIDC.           | Where Council is a receiving entity. |
| s 23  | Power to provide information in respect of the disclosure.  | PIDC.           |                                      |
| 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. | PIDC.           | 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).   | PIDC.           | Where Council is a receiving entity. |
| s 26(6)                                     | Function of being consulted by IBAC.  | PIDC.           | Where Council is a notifying entity. |
| s 27  | Function of receiving notification of IBAC's determination.   | PIDC.           | Where Council is a notifying entity. |
| s 54(1)                                     | Power to disclose information regarding an assessable disclosure or identity of a person who has made an assessable disclosure, only in the circumstances listed in s 54(2).                                  | PIDC.           |                                      |

| <b>PUBLIC INTEREST DISCLOSURES ACT 2012</b> |   |                 |  |
|---|---|-----------------|--|
| <b>Column 1</b>                             | <b>Column 2</b>   | <b>Column 3</b> | <b>Column 4</b>  |
| <b>PROVISION</b>                            | <b>THING DELEGATED</b>  | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b>  |
| s 58(1)                                     | Duty to establish procedures to facilitate the making of disclosures and the handling of those disclosures.   | PIDC.           |  |
| s 58(5)                                     | Duty to establish procedures for the protection of persons from detrimental action by the Council, Council officers or Councillors.                   | PIDC.           |  |
| s 59(4)                                     | Duty to make procedures established under s 58 available to the public and to staff and Councillors.  | PIDC.           |  |
| s 61(1)                                     | Function of receiving recommendation from IBAC.   | PIDC.           |  |
| s 70(1)                                     | Duty to include certain items in annual report.   | PIDC.           | <p>“Certain items” means:</p> <ul style="list-style-type: none"> <li>• info about how to access procedures established by public body under Part 9; &amp;</li> <li>• in the case of a public body that can receive disclosures made in accordance with Part 2—the number of disclosures notified to the IBAC under s 21(2) during the financial year.</li> </ul> |
| sch 1 cl 25(2)                              | Duty to complete the investigation of the disclosure under the <i>Whistleblowers Protection Act 2001</i> and take action listed in sch 1 cl 25(2)(b). | PIDC.           |  |
| sch 1 cl 29(2)                              | Duty to notify the IBAC within 28 days of a disclosure made after commencement of this Act.   | PIDC.           |  |



| <b>PUBLIC RECORDS ACT 1973</b> |  |                 |                                     |
|--------------------------------|--|-----------------|-------------------------------------|
| <b>Column 1</b>                | <b>Column 2</b>  | <b>Column 3</b> | <b>Column 4</b>                     |
| <b>PROVISION</b>               | <b>THING DELEGATED</b>   | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b> |
| s 8A                           | Duty to cause records to be transferred to the custody of Public Records Office. | CCI.            |                                     |

| <b>ROAD MANAGEMENT ACT 2004</b> |  |                                 |  |
|---------------------------------|--|---------------------------------|--|
| <b>Column 1</b>                 | <b>Column 2</b>  | <b>Column 3</b>                 | <b>Column 4</b>                        |
| <b>PROVISION</b>                | <b>THING DELEGATED</b>   | <b>DELEGATE</b>                 | <b>CONDITIONS &amp; LIMITATIONS</b>    |
| s 14(7)                         | Power to appeal to the Minister regarding decision of the Head, Transport for Victoria.  | Not delegated.                  | The power remains with the CEO.        |
| s 48M                           | Function of consulting with the relevant authority in relation to the development of guidelines for bus stopping points and bus stop infrastructure.   | DCD and ME&I.                   |  |
| 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. | DCD and ME&I.                   |  |
| s 72(1)                         | Duty to issue an identity card to each authorised officer the entity appoints.   | DCD, DI, ME&I, MPD&A and MCITY. | 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.  | DCD and DI.                     | Where Council is an appointing entity. |
| s 87(1)                         | Function of receiving complaints about the exercise of a power by an authorised officer under the <i>Road Management Act 2004</i> (Vic).   | DCD, DI, ME&I, MPD&A and MCITY. | Where Council is an appointing entity. |
| s 87(2)(a)                      | Power to investigate complaint.  | DCD and DI.                     | Where Council is an appointing entity. |
| s 87(2)(b)                      | Power to provide written report.   | DCD and DI.                     | Where Council is an appointing entity. |

| <b>ROAD MANAGEMENT ACT 2004</b> |   |                 |   |
|---------------------------------|---|-----------------|---|
| <b>Column 1</b>                 | <b>Column 2</b>   | <b>Column 3</b> | <b>Column 4</b>   |
| <b>PROVISION</b>                | <b>THING DELEGATED</b>  | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b>   |
| 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 <i>Road Management Act 2004</i> (Vic). | DCD and DI.     | Where Council is an 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. | DCD and DI.     | Where Council is an appointing entity.  |
| sch 2 cl 4                      | Power to make submissions on the Head, Transport for Victoria proposal to act under s 42 and cl 3.  | Not delegated.  | The power remains with the CEO.   |
| sch 5A cl 15(3)                 | Duty to provide a certificate under cl 15(2)(b)(ii) of sch 5A on the written request of the Head, Transport for Victoria.   | Not delegated.  | The duty remains with the CEO.  |
| sch 5A cl 26                    | Duty to surrender land to the Crown following an order of the Governor in Council.  | Not delegated.  |   |
| 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.  | Not delegated.  |   |
| 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.   | Not delegated.  | The power remains with the CEO.<br>Council must have sustained pecuniary loss or incurred an expense. |

| <b>ROAD SAFETY ACT 1986</b> |   |                              |   |
|-----------------------------|---|------------------------------|---|
| <b>Column 1</b>             | <b>Column 2</b>   | <b>Column 3</b>              | <b>Column 4</b>   |
| <b>PROVISION</b>            | <b>THING DELEGATED</b>  | <b>DELEGATE</b>              | <b>CONDITIONS &amp; LIMITATIONS</b>   |
| 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. | Not delegated.               | The power remains with the CEO.   |
| s 77(2)(b)                  | Power to prosecute and authorise a staff member to prosecute.   | DCD, MCS, CPS, CCL and SPSO. |   |
| s 84BE(1)                   | Function of receiving a statement under this section.   | Not delegated.               | The function remains with the CEO.  |
| s 84BE(4), (5) and (5A)     | Power to decide to accept statements as effective statements for the purposes of this Part.   | Not delegated.               | The power remains with the CEO.   |
| 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.               | Not delegated.               | The duty remains with the CEO.  |
| s 84BF                      | Power to cancel acceptance of a statement.  | Not delegated.               | The power remains with the CEO.   |
| s 87(1)                     | Power to serve, or cause to be served, a parking infringement notice.   | Not delegated.               | The power remains with the CEO.<br>Note: relates to infringements on land other than a Council controlled area. |
| s 87(1D)                    | Duty to issue an identity card to authorised person Council appoints.   | MP&C.                        |   |

| <b>ROAD SAFETY ACT 1986</b> |  |                     |  |
|-----------------------------|--|---------------------|--|
| <b>Column 1</b>             | <b>Column 2</b>  | <b>Column 3</b>     | <b>Column 4</b>  |
| <b>PROVISION</b>            | <b>THING DELEGATED</b>   | <b>DELEGATE</b>     | <b>CONDITIONS &amp; LIMITATIONS</b>  |
| s 87(1E)                    | Power to authorise a member of staff to sign identity card.  | Not delegated.      | The power remains with the CEO.  |
| s 87(8)                     | Power to authorise person for purpose of serving parking infringement notices in accordance with s 87(1C).   | Not delegated.      | The power remains with the CEO.  |
| s 90D(1)                    | Power to enter into an agreement with the owner or occupier of land for the provision of parking services.   | MCS and SPSO.       |  |
| 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 <i>Road Safety Road Rules 2017</i> (Vic). | MCS, CCSS and CLAO. |  |
| s 98(1)                     | Power to request Minister to extend application of Act.  | Not delegated.      | The power remains with the CEO.  |
| s 99A(4)                    | Power to establish requirements for traffic management plan.   | DCD, ME&I and CT.   | Where Council is the coordinating road authority under <i>Road Management Act 2004</i> . |
| s 99B(1)                    | Power to issue permit to conduct non-road activity (including on conditions specified in s 99B(3)).  | MCS, ME&I and CT.   | Where Council is the coordinating road authority under <i>Road Management Act 2004</i> . |
| s 99B(2)                    | Power to authorise closure of highway to traffic.  | DCD, DI and ME&I.   | Where Council is the coordinating road authority under <i>Road Management Act 2004</i> . |

| <b>ROOMING HOUSE OPERATORS ACT 2016</b> |  |                 |                                     |
|---|--|-----------------|-------------------------------------|
| <b>Column 1</b>                         | <b>Column 2</b>  | <b>Column 3</b> | <b>Column 4</b>                     |
| <b>PROVISION</b>                        | <b>THING DELEGATED</b>   | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b> |
| s 49(3)                                 | Duty to comply with request under s 49(1) to answer any questions. | CEH.            |                                     |

| <b>SECOND HAND DEALERS AND PAWNBROKERS ACT 1989</b> |  |                 |  |
|---|--|-----------------|--|
| <b>Column 1</b>                                     | <b>Column 2</b>  | <b>Column 3</b> | <b>Column 4</b>                          |
| <b>PROVISION</b>                                    | <b>THING DELEGATED</b>   | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b>      |
| 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. | Ds and Mgers.   | This relates to pawnbroker's businesses. |

| <b>SERVICE VICTORIA ACT 2018</b> |  |                 |                                     |
|----------------------------------|--|-----------------|-------------------------------------|
| <b>Column 1</b>                  | <b>Column 2</b>  | <b>Column 3</b> | <b>Column 4</b>                     |
| <b>PROVISION</b>                 | <b>THING DELEGATED</b>   | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b> |
| s 7(1)                           | Function of receiving a previously transferred customer service function.  | Not delegated.  | The function remains with the CEO.  |
| s 7(5)                           | Power to perform a customer service function in accordance with the enactment that confers the function on the service agency.   | Not delegated.  | The power remains with the CEO.     |
| s 9(2)                           | Power to disclose regulated information that it holds to the Service Victoria CEO, or a delegate of the Service Victoria CEO, for the purpose of enabling transferred customer service functions and a function that is ancillary to a function described in paragraph (a).      | Not delegated.  | The power remains with the CEO.     |
| s 12                             | Function of receiving a previously transferred identity verification function.   | Not delegated.  | The function remains with the CEO.  |
| s 12(5)                          | Power to perform an identity verification function in accordance with the enactment that confers the function on the service agency.   | Not delegated.  | The power remains with the CEO.     |
| s 14(2)                          | Power to disclose regulated information that it holds to the Service Victoria CEO, or a delegate of the Service Victoria CEO, for the purpose of enabling transferred identity verification functions and a function that is ancillary to a function described in paragraph (a). | Not delegated.  | The power remains with the CEO.     |

| <b>SERVICE VICTORIA ACT 2018</b> |  |                 |                                     |
|----------------------------------|--|-----------------|-------------------------------------|
| <b>Column 1</b>                  | <b>Column 2</b>  | <b>Column 3</b> | <b>Column 4</b>                     |
| <b>PROVISION</b>                 | <b>THING DELEGATED</b>   | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b> |
| s 35(3)                          | Function of receiving a notification from the Service Victoria CEO if the electronic identity credential, which has been issued to an individual, is cancelled under s 38. | Not delegated.  | The function remains with the CEO.  |
| s 58(3)                          | Power to provide agreement to Minister.  | Not delegated.  | The power remains with the CEO.     |



| <b>SEX WORK ACT 1994</b> |  |                            |                                     |
|--------------------------|--|----------------------------|-------------------------------------|
| <b>Column 1</b>          | <b>Column 2</b>  | <b>Column 3</b>            | <b>Column 4</b>                     |
| <b>PROVISION</b>         | <b>THING DELEGATED</b>   | <b>DELEGATE</b>            | <b>CONDITIONS &amp; LIMITATIONS</b> |
| s 35                     | Function of receiving notice of application for a licence.   | DCD, MCP&D, AMSTP and APO. |                                     |
| s 73                     | Duty to consider various factors before deciding on an application for a permit for use or development as a brothel.   | DCD, MCP&D, AMSTP and APO. |                                     |
| s 74                     | Duty to refuse to grant a permit for a brothel in certain circumstances.   | DCD, MCP&D, AMSTP and APO. |                                     |
| s 75A                    | Duty to determine an application or request for an amendment in relation to a permit issued for the use or development of land for the purposes of the operation of a brothel.   | DCD, MCP&D, AMSTP and APO. |                                     |
| s 76(1)                  | Duty to determine an application for a permit made but not determined before commencement of Division 2 Part 4, in accordance with <i>Planning and Environment Act 1987</i> as affected by Division 2 Part 4.            | DCD, MCP&D and AMSTP.      |                                     |
| s 76(2)                  | Duty to determine an application for extension of temporary use permit granted before commencement of Division 2 Part 4 in accordance with <i>Planning and Environment Act 1987</i> as if this Act had not been enacted. | DCD, MCP&D and AMSTP.      |                                     |
| s 81(1)(a)               | Duty to publish notice of making of declaration.   | DCD, MCP&D, AMSTP and PEO. |                                     |

| <b>SEX WORK ACT 1994</b> |   |  |  |
|--------------------------|---|--|--|
| <b>Column 1</b>          | <b>Column 2</b>   | <b>Column 3</b>                        | <b>Column 4</b>                                  |
| <b>PROVISION</b>         | <b>THING DELEGATED</b>  | <b>DELEGATE</b>                        | <b>CONDITIONS &amp; LIMITATIONS</b>              |
| s 81(1)(b)               | Duty to serve notice of making of declaration personally on owner/occupier/mortgagee of premises. | DCD, MCP&D, AMSTP, CSTRP, APO and PEO. |  |
| s 81(1)(c)               | Duty to post up at or near entrance to premises copy of declaration.                              | DCD, MCP&D, AMSTP and PEO.             | Must be visible and legible to persons entering. |
| s 89(4)                  | Function of issuing a certificate that an officer is authorised.                                  | Not delegated.                         | The function remains with the CEO.               |

| <b>SHERIFF ACT 2009</b> |   |                 |                                     |
|-------------------------|---|-----------------|-------------------------------------|
| <b>Column 1</b>         | <b>Column 2</b>   | <b>Column 3</b> | <b>Column 4</b>                     |
| <b>PROVISION</b>        | <b>THING DELEGATED</b>  | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b> |
| s 54(1)                 | Duty to comply with a request for information made under s 53(1). | MCS.            | Unless s 54(1)(a) and (b) apply.    |

| <b>SPORT AND RECREATION ACT 1972</b> |   |                              |                                     |
|--------------------------------------|---|------------------------------|-------------------------------------|
| <b>Column 1</b>                      | <b>Column 2</b>   | <b>Column 3</b>              | <b>Column 4</b>                     |
| <b>PROVISION</b>                     | <b>THING DELEGATED</b>  | <b>DELEGATE</b>              | <b>CONDITIONS &amp; LIMITATIONS</b> |
| 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 delegated.               | The power remains with the CEO.     |
| s 14(3)                              | Function of receiving funds for works for provision of sport and recreation.  | DCOM, ML&RS, CAC and CR&OSD. |                                     |

| SUBDIVISION ACT 1988 |   |                                       |                          |
|----------------------|---|---------------------------------------|--------------------------|
| Column 1             | Column 2  | Column 3                              | Column 4                 |
| PROVISION            | THING DELEGATED   | DELEGATE                              | CONDITIONS & LIMITATIONS |
| s 3(5)               | Power to require variation of easement or restriction in compliance with planning scheme or permit.   | DCD, MCP&D, AMSTP, TLSTP and SPO.     |                          |
| s 5(3)(c)            | Function of receiving an application for certification.   | DCD, MCP&D, AMSTP, TLSTP and SPO.     |                          |
| s 5(3)(d)            | Power to provide statement of compliance.   | DCD, MCP&D, AMSTP, TLSTP and SPO.     |                          |
| s 5(4)               | Power to accept and consider plans.   | DCD, MCP&D, AMSTP, TLSTP, PO and SPO. |                          |
| s 5(4A)              | Power to consider and certify plans before a <i>Transfer of Land Act 1958</i> application determined. | DCD, MCP&D, AMSTP, TLSTP and SPO.     |                          |
| s 6(1)               | Duty to certify plan within the prescribed time in specified circumstances.                           | DCD, MCP&D, AMSTP, TLSTP and SPO.     |                          |
| s 6(2)               | Duty to refuse to certify plan where conditions in s 6(1) are not met and give reasons in writing.    | DCD, MCP&D, AMSTP, TLSTP and SPO.     |                          |

| <b>SUBDIVISION ACT 1988</b> |  |  |   |
|-----------------------------|--|--|---|
| <b>Column 1</b>             | <b>Column 2</b>  | <b>Column 3</b>                              | <b>Column 4</b>   |
| <b>PROVISION</b>            | <b>THING DELEGATED</b>   | <b>DELEGATE</b>                              | <b>CONDITIONS &amp; LIMITATIONS</b>   |
| 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 certificates and the certified plan. | DCD, MCP&D, AMSTP, TLSTP and SPO.            |   |
| s 8(1)                      | Duty to refer plans to referral authority in certain circumstances.  | DCD, MCP&D, AMSTP, TLSTP, PO and SPO.        | Unless s 8(2)-(5) apply.<br>Form of referral per rr 13 and 14 of the <i>Subdivision (Procedures) Regulations 2011</i> .       |
| s 8(6)                      | Duty to give referral authority copy of certified plan where not referred to referral authority.   | DCD, MCP&D, AMSTP, TLSTP, SPO, PO and P&BAO. |   |
| s 10(1)                     | Power to require applicant to alter a plan.  | DCD, MCP&D, AMSTP, TLSTP and SPO.            |   |
| s 10(2)                     | Power to agree to an alteration at request of applicant.   | DCD, MCP&D, AMSTP, TLSTP and SPO.            |   |
| s 10(5)                     | Duty to send the altered plan to the referral authority.   | DCD, MCP&D, AMSTP, TLSTP, SPO, PO and P&BAO. | Must send notice in prescribed Form 4 outlining revised times, r 29 of the <i>Subdivision (Procedures) Regulations 2011</i> . |

| <b>SUBDIVISION ACT 1988</b> |   |   |                                     |
|-----------------------------|---|---|-------------------------------------|
| <b>Column 1</b>             | <b>Column 2</b>   | <b>Column 3</b>                               | <b>Column 4</b>                     |
| <b>PROVISION</b>            | <b>THING DELEGATED</b>  | <b>DELEGATE</b>                               | <b>CONDITIONS &amp; LIMITATIONS</b> |
| s 10(7)                     | Duty to notify surveyor of alteration required by Council.                                      | DCD, MCP&D, AMSTP, TLSTP, PO and SPO.         |                                     |
| s 11(1)                     | Function of receiving application to amend certified plan.                                      | DCD, MCP&D, AMSTP, TLSTP, PO and SPO.         |                                     |
| s 11(2)                     | Duty to refer application under s 11(1) to referral authority.                                  | DCD, MCP&D, AMSTP, TLSTP, PO and SPO.         |                                     |
| s 11(2A)                    | Power to amend without referral if minor amendment.   | DCD, MCP&D, AMSTP, TLSTP and SPO.             |                                     |
| s 11(7)                     | Duty to re-certify plan or advise of refusal in writing with reasons.                           | DCD, MCP&D, AMSTP, TLSTP and SPO.             |                                     |
| s 11(10)                    | Duty to notify surveyor of an amendment by acquiring authority where plan prepared by surveyor. | DCD, MCP&D, AMSTP, TLSTP, PO and SPO.         |                                     |
| s 11(11)                    | Duty to give copy of re-certified plans to referral authority.                                  | DCD, MCP&D, AMSTP, TLSTP, APO, SPO and P&BAO. |                                     |

| <b>SUBDIVISION ACT 1988</b> |  |   |                                     |
|-----------------------------|--|---|-------------------------------------|
| <b>Column 1</b>             | <b>Column 2</b>  | <b>Column 3</b>                                 | <b>Column 4</b>                     |
| <b>PROVISION</b>            | <b>THING DELEGATED</b>   | <b>DELEGATE</b>                                 | <b>CONDITIONS &amp; LIMITATIONS</b> |
| s 11A(1)                    | Power to require more information.   | DCD, MCP&D, AMSTP, PO, SPO, ME&I, CEA and D&AE. |                                     |
| s 15(1)                     | Power to require an engineering plan.  | DCD, MCP&D, AMSTP, PO, SPO, ME&I, CEA and D&AE. | Does not apply where s 14 applies.  |
| s 15(2)                     | Duty to approve/refuse approval/require alterations of an engineering plan.                        | DCD, MCP&D, ME&I, CEA and D&AE.                 | Does not apply where s 14 applies.  |
| s 15(6)                     | Power to charge for engineering plans prepared by it.  | DCD, MCP&D, ME&I, CEA and D&AE.                 | Does not apply where s 14 applies.  |
| s 17(2)(a)                  | Power to appoint a supervisor of works.  | DCD, ME&I, CEA and D&AE.                        | Does not apply where s 14 applies.  |
| s 17(2)(b)                  | Power to charge for supervision.   | DCD, ME&I, CEA and D&AE.                        | 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. | DCD and MCP&D.                                  | Does not apply where s 14 applies.  |

| <b>SUBDIVISION ACT 1988</b> |  |                                       |  |
|-----------------------------|--|---------------------------------------|--|
| <b>Column 1</b>             | <b>Column 2</b>  | <b>Column 3</b>                       | <b>Column 4</b>  |
| <b>PROVISION</b>            | <b>THING DELEGATED</b>   | <b>DELEGATE</b>                       | <b>CONDITIONS &amp; LIMITATIONS</b>  |
| s 17(2A)                    | Power to request Minister to nominate authority to consider what works are required.                               | DCD, MCP&D, ME&I, CEA and SPO.        | 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.  | DCD, MCP&D, ME&I, CEA and SPO.        |  |
| s 18(1)                     | Power to require applicant to set aside land for public open space and/or pay a percentage.                        | DCD, MCP&D, AMSTP, TLSTP, PO and SPO. | Does not apply where ss 14, 18(5) and 18(8) apply.<br>Must have regard to matters in s 18(1A)-(2). |
| s 18(1B)                    | Power to vary time of payment by agreement with applicant.   | DCD and MCP&D.                        |  |
| s 18(4)                     | Power to agree with applicant to set aside/pay different percentage.   | DCD and MCP&D.                        | 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.                                     | DCD and MCP&D.                        |  |
| s 18(8)                     | Power to consider it unlikely that each lot will be further subdivided.  | DCD and MCP&D and AMSTP.              |  |
| 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. | DCD and MCP&D.                        |  |



| <b>SUBDIVISION ACT 1988</b> |   |  |  |
|-----------------------------|---|--|--|
| <b>Column 1</b>             | <b>Column 2</b>   | <b>Column 3</b>                              | <b>Column 4</b>  |
| <b>PROVISION</b>            | <b>THING DELEGATED</b>  | <b>DELEGATE</b>                              | <b>CONDITIONS &amp; LIMITATIONS</b>                                    |
| s 19(1)                     | Power to obtain valuation where value is not agreed.  | DCD, MCP&D, AMSTP, TLSTP, PO and SPO.        | Does not apply where s 14 applies.                                     |
| s 19(3)                     | Duty to give applicant copy of valuation.   | DCD, MCP&D, AMSTP, TLSTP, PO and SPO.        |  |
| s 19(5)                     | Power to obtain a revaluation where the public open space contribution is not paid.   | DCD, MCP&D, AMSTP, TLSTP, PO and SPO.        |  |
| s 21(1)                     | Duty to issue statement of compliance, subject to s 21(2C) and (2CA).   | DCD, MCP&D, AMSTP, TLSTP and SPO.            | Does not apply where s 14 applies.<br>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.   | DCD, MCP&D, AMSTP, TLSTP, SPO, PO and P&BAO. |  |
| 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). | Not applicable.                              |  |

| <b>SUBDIVISION ACT 1988</b> |   |                 |   |
|-----------------------------|---|-----------------|---|
| <b>Column 1</b>             | <b>Column 2</b>   | <b>Column 3</b> | <b>Column 4</b>                                     |
| <b>PROVISION</b>            | <b>THING DELEGATED</b>  | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b>                 |
| s 21(4)                     | Power to provide in the statement of compliance that agreement pursuant to <i>Planning and Environment Act 1987</i> no longer applies in certain circumstances.   | DCD and MCP&D.  | 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.  | Not applicable. | The provision relates to growth areas (as defined). |
| 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. | DCD and MCP&D.  |   |
| s 21(10)(b)                 | 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 statement.                           | DCD and MCP&D.  |   |
| 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   | DCD and MCP&D.  |   |

| <b>SUBDIVISION ACT 1988</b> |   |                                   |                                     |
|-----------------------------|---|-----------------------------------|-------------------------------------|
| <b>Column 1</b>             | <b>Column 2</b>   | <b>Column 3</b>                   | <b>Column 4</b>                     |
| <b>PROVISION</b>            | <b>THING DELEGATED</b>  | <b>DELEGATE</b>                   | <b>CONDITIONS &amp; LIMITATIONS</b> |
|                             | (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. |                                   |                                     |
| s 24A(1)                    | Duty to do any of the things listed in the table in s 24A where so required by planning scheme with respect to reserves, etc.   | DCD, MCP&D, AMSTP, PO and SPO.    |                                     |
| s 24A(2)                    | Power to certify a plan prepared under s 24A(1) where applicant certifies land no longer reserved.  | DCD, MCP&D, AMSTP, TLSTP and SPO. |                                     |
| 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.   | DCD, MCP&D, AMSTP, TLSTP and SPO. |                                     |
| s 25(2)                     | Function of being notified by Registrar if plan is withdrawn or refused registration.   | DCD, MCP&D, AMSTP, TLSTP and SPO. |                                     |
| s 25(3)                     | Duty to notify a referral authority affected by withdrawal/refusal.   | DCD, MCP&D, AMSTP, TLSTP and SPO. |                                     |
| s 34E                       | Power to apply to VCAT for order compelling an owners corporation to carry out a requirement or perform a duty.   | DCD and MCP&D.                    |                                     |

| <b>SUBDIVISION ACT 1988</b> |  |                                   |                                     |
|-----------------------------|--|-----------------------------------|-------------------------------------|
| <b>Column 1</b>             | <b>Column 2</b>  | <b>Column 3</b>                   | <b>Column 4</b>                     |
| <b>PROVISION</b>            | <b>THING DELEGATED</b>   | <b>DELEGATE</b>                   | <b>CONDITIONS &amp; LIMITATIONS</b> |
| s 34H(5)                    | Function of receiving notice from the Registrar of amendment or cancellation of plan on winding up.                      | DCD, MCP&D, AMSTP, TLSTP and SPO. |                                     |
| s 35(1)                     | Duty of acquiring authority to submit plan for certification and registration where land is subdivided.                  | DCD, MCP&D, AMSTP, TLSTP and SPO. |                                     |
| s 35(2)                     | Power to require acquiring authority to submit for certification new or amended plan.                                    | DCD, MCP&D, AMSTP, PO and SPO.    | s 35(3)-(5) apply.                  |
| s 35(6)                     | Duty of an acquiring authority to advise Registrar of vesting date.  | DCD, MCP&D, AMSTP, TLSTP and SPO. |                                     |
| s 35(8)                     | Power of acquiring authority to submit for certification and registration of any land vested/registered in its own name. | DCD.                              | s 35(9) applies.                    |
| s 36(1)                     | Function of stating in writing that it considers that subdivision requires removal/acquisition of easement.              | DCD, MCP&D, AMSTP, PO and SPO.    | s 35(1AA) applies.                  |
| s 38                        | Power to provide written consent - amendment to accessory lot on plan.   | DCD and MCP&D.                    |                                     |
| s 38A(1)                    | Power to provide written consent - amendment to restricted lot on plan.  | DCD and MCP&D.                    |                                     |

| <b>SUBDIVISION ACT 1988</b> |  |                 |                                     |
|-----------------------------|--|-----------------|-------------------------------------|
| <b>Column 1</b>             | <b>Column 2</b>  | <b>Column 3</b> | <b>Column 4</b>                     |
| <b>PROVISION</b>            | <b>THING DELEGATED</b>   | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b> |
| s 38B                       | Power to provide written consent - amendment (by owners corporation) to scheme of development for cluster subdivision. | DCD and MCP&D.  |                                     |
| s 38C                       | Power to provide written consent - amendment (by lot owner) to scheme of development for cluster subdivision.          | DCD and MCP&D.  |                                     |
| s 39(1)                     | Power to refer disputes to VCAT.   | DCD and MCP&D.  | 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.                  | DCD and MCP&D.  |                                     |
| sch 2 cl 11(1)              | Power to apply to a court for an order regarding scheme of development.  | Not delegated.  | The power remains with the CEO.     |

| SUMMARY OFFENCES ACT 1966 |   |                      |   |
|---------------------------|---|----------------------|---|
| Column 1                  | Column 2  | Column 3             | Column 4  |
| PROVISION                 | THING DELEGATED   | DELEGATE             | CONDITIONS & LIMITATIONS                                  |
| s 4                       | Power to give permission or consent to:   |                      |   |
|                           | a) burning of rubbish shavings;   | Not applicable.      | Such a matter would be handled under Council's local law. |
|                           | b) inflammable materials;   | Not applicable.      |   |
|                           | c) open drains and sewers;  | DI, MPD&A and MCITY. |   |
|                           | d) kites and games;   | Not applicable.      | Council's Local Law does not prohibit.                    |
|                           | e) obstructing a footpath or road;  | DI, MPD&A and MCITY. |   |
|                           | f) awnings;   | MBS.                 |   |
|                           | g) sale of livestock; and   | Not applicable.      | Note: Impounding of <i>Livestock Act 1994</i> .           |
|                           | h) doors etc. opening on to a footpath.   | MBS.                 |   |
| 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 else that the Council believes will facilitate a public protest being held by the applicant. | DI and MPD&A.        | Subject to s 6A(2)(b).                                    |
| 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.   | Not applicable.      | Relates to land used for primary production.              |

| <b>TAXATION ADMINISTRATION ACT 1997</b> |  |                 |                                     |
|---|--|-----------------|-------------------------------------|
| <b>Column 1</b>                         | <b>Column 2</b>  | <b>Column 3</b> | <b>Column 4</b>                     |
| <b>PROVISION</b>                        | <b>THING DELEGATED</b>   | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b> |
| s 92(1)(e)(vfa)                         | Function of receiving information from a tax officer under or in relation to the administration of a taxation law. | DCOR.           |                                     |

| <b>TRANSFER OF LAND ACT 1958</b> |   |                 |  |
|----------------------------------|---|-----------------|--|
| <b>Column 1</b>                  | <b>Column 2</b>   | <b>Column 3</b> | <b>Column 4</b>  |
| <b>PROVISION</b>                 | <b>THING DELEGATED</b>  | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b>  |
| 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 information with information retained by the Registrar or the Registrar-General in relation to land that is to be brought under the Act. | CR&R.           |  |
| s 26X(2)                         | Function of disclosing personal information that identifies who is a ratepayer or mortgagor of the land.  | CR&R.           |  |
| s 45(1)                          | Power to consent to the creation of an easement or the transfer of land.  | MP&L.           | Where Council is the landowner.  |
| s 54                             | Power to make application to be a registered proprietor.  | MP&L.           | 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.  | MP&L.           |  |
| s 57(1)                          | Duty to lodge notification with the Registrar upon service of notice of intention.  | MP&L.           |  |
| s 57(2)                          | Power to withdraw notice of intention to acquire.   | MP&L.           |  |



| <b>TRANSFER OF LAND ACT 1958</b> |   |                 |  |
|----------------------------------|---|-----------------|--|
| <b>Column 1</b>                  | <b>Column 2</b>   | <b>Column 3</b> | <b>Column 4</b>  |
| <b>PROVISION</b>                 | <b>THING DELEGATED</b>  | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b>  |
| s 62(4)                          | Function of receiving notice from Registrar of where land is located.   | MP&L.           | Note: refers to advice regarding the vesting of land.  |
| s 73B                            | Power to consent to the creation or surrender of the right of carriageway.  | MP&L and MCP&D. | Where Council is not the landowner (but consent of the relevant municipal council is required).<br><br>Delegation to MCP&D applies to privately owned land only. |
| s 88(1B)                         | Power to consent to the varying or releasing of a restrictive covenant.   | Not delegated.  | The power remains with the CEO.<br><br>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. | MP&L.           | 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.  | MP&L.           |  |

| <b>TRANSPORT INTEGRATION ACT 2010</b> |   |                      |   |
|---------------------------------------|---|----------------------|---|
| <b>Column 1</b>                       | <b>Column 2</b>   | <b>Column 3</b>      | <b>Column 4</b>   |
| <b>PROVISION</b>                      | <b>THING DELEGATED</b>  | <b>DELEGATE</b>      | <b>CONDITIONS &amp; LIMITATIONS</b>                           |
| 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. | DCD, ME&I and MCP&D. |   |
| 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.                             | DCD, ME&I and MCP&D. |   |
| s 25(3)                               | Duty to have regard to applicable specified policy principles.  | DCD, ME&I and MCP&D. |   |
| s 25(4)                               | Duty to have regard to applicable specified policy principles.  | DCD, ME&I and MCP&D. |   |
| s 26                                  | Power to determine the weight to give to each transport system objective under ss 24 and 25.  | DCD, ME&I and MCP&D. |   |
| s 27                                  | Power to determine the weight to give to each decision making principle under ss 24 and 25.   | DCD, ME&I and MCP&D. |   |
| s 115F(3)                             | Function of collaborating with the Commercial Passenger Vehicle Commission.   | DCD, ME&I and MCP&D. |   |
| s 197B(2)                             | Function of receiving notice from regulated bodies.   | DCD, ME&I and MCP&D. | Where Council is the responsible authority and s 197 applies. |

| TRANSPORT INTEGRATION ACT 2010 |  |                      |   |
|--------------------------------|--|----------------------|---|
| Column 1                       | Column 2   | Column 3             | Column 4  |
| PROVISION                      | THING DELEGATED  | DELEGATE             | CONDITIONS & LIMITATIONS                                      |
| s 197B(3)                      | Duty to meet with representatives from Director of Transport Safety.                     | DCD, ME&I and MCP&D. | 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. | DCD, ME&I and MCP&D. |   |

| <b>VALUATION OF LAND ACT 1960</b> |  |                 |  |
|-----------------------------------|--|-----------------|--|
| <b>Column 1</b>                   | <b>Column 2</b>  | <b>Column 3</b> | <b>Column 4</b>  |
| <b>PROVISION</b>                  | <b>THING DELEGATED</b>   | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b>  |
| s 6(1)                            | Duty to give notice of the valuation to each rating authority interested in the valuation of land in the area for which the valuation is being made. | MP&L.           | 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).                                    | Not delegated.  | The power remains with the CEO.<br>Where Council is the valuation authority. |
| s 6(3)                            | Duty to give notice to valuer-general.   | MP&L.           | Where Council is the rating authority.                                       |
| s 6(4)                            | Duty to ensure the valuer-general's request is given effect to.  | MP&L.           | Where Council is the valuation authority.                                    |
| s 7AB(2)                          | Power to adjust the rate or fire services property levy payable retrospectively for any period it considers just.                                    | Not delegated.  | The power remains with the CEO.  |
| s 7A(1)                           | Power to pay valuer subject to the requirements of s 7A(1).  | MP&L.           |  |
| s 7AE(2)                          | Duty to comply with an Order in Council requiring the making of a new valuation.   | MP&L.           |  |
| s 7A(2)                           | Power to make a payment, irrespective of s 7A(1), if Council satisfies paragraphs (a) and (b).   | MP&L.           | s 7A refers to payments to contract valuers.                                 |
| s 7B(1)                           | Duty to provide valuation to valuer-general within 2 months of date on which the valuation was returned to Council.                                  | MP&L.           |  |

| <b>VALUATION OF LAND ACT 1960</b> |   |                 |   |
|-----------------------------------|---|-----------------|---|
| <b>Column 1</b>                   | <b>Column 2</b>   | <b>Column 3</b> | <b>Column 4</b>   |
| <b>PROVISION</b>                  | <b>THING DELEGATED</b>  | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b>   |
| s 8AA(1B)                         | Duty to pay the valuer-general in accordance with section, where Council has requested a supplementary valuation.             | MP&L.           |   |
| s 8AA(2)(a)                       | Power to agree the fees in respect of servicing of a valuation.   | Not delegated.  | The power remains with the CEO.   |
| 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. | Not delegated.  |   |
| s 10(6)                           | Power to revoke nomination made under s 10(1).  | Not delegated.  |   |
| s 11                              | Duty to cause a general valuation.  | Not delegated.  | The duty remains with the Council.  |
| s 12                              | Function of causing a valuation of rateable land at the direction of the Minister.  | MP&L.           | Where Council is the valuation authority.   |
| s 13DA(1)                         | Power to appoint people to carry out valuations.  | Not delegated.  | The power remains with the CEO.<br>Person/s appointed must hold qualifications or experience specified by Minister. |
| s 13DC(2)                         | Power to use in force valuations in certain circumstances.  | Not delegated.  | The power remains with the CEO.   |
| s 13DF(3A)                        | Power to use supplementary valuation before it is certified to levy or adjust municipal rate or fire services property levy.  | MP&L.           |   |

| <b>VALUATION OF LAND ACT 1960</b> |  |                 |  |
|-----------------------------------|--|-----------------|--|
| <b>Column 1</b>                   | <b>Column 2</b>  | <b>Column 3</b> | <b>Column 4</b>  |
| <b>PROVISION</b>                  | <b>THING DELEGATED</b>   | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b>  |
| s 13DF(5)                         | Power to adjust rate or fire services property levy payable retrospectively where supplementary valuation made in circumstance referred to in s 13DF(2)(o).      | MP&L.           | This section refers to adjustments required as a result of a mathematical error. |
| s 13DFA(2)                        | Function of receiving written certification of supplementary valuation from valuer-general.  | MP&L.           |  |
| s 13DFB(1)                        | Power to request valuer-general to carry out a supplementary valuation.  | Not delegated.  | The power remains with the CEO.  |
| s 13DFB(3)                        | Function of receiving the supplementary valuation within 10 business days after the supplementary valuation is returned to the valuer-general.                   | MP&L.           |  |
| 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. | MP&L.           | 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.  | Not delegated.  | The power remains with the CEO.<br>Where Council is the collection agency.       |
| s 13G(7)                          | Power to revoke a nomination made under s13G(1).   | Not delegated.  | The power remains with the CEO.<br>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.                      | Not delegated.  | The duty remains with the CEO.<br>Where Council is the valuation authority.      |

| VALUATION OF LAND ACT 1960 |  |                |  |
|----------------------------|--|----------------|--|
| Column 1                   | Column 2   | Column 3       | Column 4   |
| PROVISION                  | THING DELEGATED  | DELEGATE       | CONDITIONS & LIMITATIONS   |
|                            |  |                | s 13H requires that for the purposes of the <i>Fire Services Property Levy Act 2012</i> , a valuation authority must cause a general valuation of <u>non-rateable leviable land to be made as at 1 January in every calendar year.</u> |
| s 13I                      | Duty to comply with a Ministerial Direction given under s 13I.   | Not delegated. | The duty remains with the CEO.<br>Where Council is the collection agency and also the valuation authority.   |
| s 13J                      | Power to appoint people to carry out valuation.  | Not delegated. | The person(s) to be appointed must hold the qualifications or experience specified by Minister.<br><br>Applies when Council is making a valuation for the purposes of the <i>Fire Services Property Levy Act 2012</i> .                |
| s 13L(4)                   | Power to use a supplementary valuation before it is certified by the valuer-general.   | MP&L.          | Where Council is the collection agency.  |
| s 13L(6)                   | Power to adjust the fire services property levy payable retrospectively for any period considered just.                          | MP&L.          |  |
| s 13M(2)                   | Function of receiving certification in writing that the valuer-general is satisfied that the supplementary valuation is correct. | Not delegated. | The function remains with the CEO.<br>Where Council is the collection agency.  |

| <b>VALUATION OF LAND ACT 1960</b> |   |                 |  |
|-----------------------------------|---|-----------------|--|
| <b>Column 1</b>                   | <b>Column 2</b>   | <b>Column 3</b> | <b>Column 4</b>  |
| <b>PROVISION</b>                  | <b>THING DELEGATED</b>  | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b>  |
| s 13N(1)                          | Power to request the valuer-general to make a supplementary valuation.  | Not delegated.  | The power remains with the CEO.<br>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.                                  | MP&L.           | Where Council is the collection agency.                                    |
| 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.                                | MP&L.           | Where Council is the rating authority.                                     |
| s 20(3)                           | Function of receiving objections and written submissions where the objection is because the value is too low or too high, and the value is not less than the prescribed amount. | MP&L.           | Where Council is the valuation authority.                                  |
| s 21(2)                           | Duty to refer an objection received to the valuation authority.   | MP&L.           | Where Council is not the valuation authority which made the valuation.     |
| s 21(2A)                          | Duty to refer objection to valuer.  | MP&L.           | Where Council is the valuation authority.                                  |
| s 21(5)                           | Function of receiving written notice from the valuer-general of recommendation.   | MP&L.           | Where Council is the rating authority.                                     |
| s 21(6)                           | Duty to give effect to the decision of the valuer-general.  | MP&L.           | Where Council is the rating authority.                                     |
| s 22(5)                           | Function of receiving copy of application to VCAT for review of valuation decision.   | MP&L.           | Where Council is the valuation authority.                                  |



| <b>VALUATION OF LAND ACT 1960</b> |   |                 |   |
|-----------------------------------|---|-----------------|---|
| <b>Column 1</b>                   | <b>Column 2</b>   | <b>Column 3</b> | <b>Column 4</b>                           |
| <b>PROVISION</b>                  | <b>THING DELEGATED</b>  | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b>       |
| 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). | MP&L.           | Where Council is the valuation authority. |

| <b>VICTORIAN LOCAL GOVERNMENT GRANTS COMMISSION ACT 1976</b> |  |                 |                                     |
|--|--|-----------------|-------------------------------------|
| <b>Column 1</b>  | <b>Column 2</b>  | <b>Column 3</b> | <b>Column 4</b>                     |
| <b>PROVISION</b>   | <b>THING DELEGATED</b>   | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b> |
| s 10   | Duty to supply prescribed information to the commission by a certain time. | MF&CP.          |                                     |

| <b>VICTORIA STATE EMERGENCY SERVICE ACT 2005</b> |  |                 |                                     |
|--|--|-----------------|-------------------------------------|
| <b>Column 1</b>                                  | <b>Column 2</b>  | <b>Column 3</b> | <b>Column 4</b>                     |
| <b>PROVISION</b>                                 | <b>THING DELEGATED</b>   | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b> |
| s 34(1)  | Power to apply for registration of a group of persons as a unit of the service.                                      | Not delegated.  | The power remains with the CEO.     |
| s 35(2)  | Power to consult with the Chief Officer Operations regarding removal of controller of a registered unit from office. | Not delegated.  | The power remains with the CEO.     |

| <b>VICTORIAN DATA SHARING ACT 2017</b> |  |                 |  |
|--|--|-----------------|--|
| <b>Column 1</b>                        | <b>Column 2</b>  | <b>Column 3</b> | <b>Column 4</b>                                      |
| <b>PROVISION</b>                       | <b>THING DELEGATED</b>   | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b>                  |
| s 10(a)                                | Power to provide some, or all, of the specified data to the Chief Data Officer.  | CCI.            | If the Chief Data Officer gives a notice under s 8.  |
| s 10(b)                                | Power not to respond to the request.   | DCOR.           | 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.  | CCI.            | If the Chief Data Officer gives a notice under s 11. |
| s 13(b)                                | Power not to respond to the request.   | DCOR.           | 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 <i>Victorian Data Sharing Act 2017</i> , <i>Privacy and Data Protection Act 2014</i> or <i>Health Records Act 2001</i> 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. | DCOR and CCI.   |  |
| s 33(4)                                | Duty to have regard to policies or guidelines issued under s 33(1).  | CCI.            |  |

| <b>VICTORIAN ENVIRONMENTAL ASSESSMENT COUNCIL ACT 2001</b> |   |                 |  |
|--|---|-----------------|--|
| <b>Column 1</b>  | <b>Column 2</b>   | <b>Column 3</b> | <b>Column 4</b>  |
| <b>PROVISION</b>   | <b>THING DELEGATED</b>  | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b>  |
| s 26D(1)   | Function of conferring with the Victorian Environmental Assessment Council.   | DI and MCITY.   | 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. | DI and MCITY.   |  |

| <b>VICTORIAN INSPECTORATE ACT 2011</b> |   |                 |                                     |
|--|---|-----------------|-------------------------------------|
| <b>Column 1</b>                        | <b>Column 2</b>   | <b>Column 3</b> | <b>Column 4</b>                     |
| <b>PROVISION</b>                       | <b>THING DELEGATED</b>  | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b> |
| s 28(2)                                | Power to enter into agreements or arrangements for use of services with the Victorian Inspectorate. | Not delegated.  | The power remains with the CEO.     |

| VICTORIAN PLANNING AUTHORITY ACT 2017 |   |                |                          |
|---------------------------------------|---|----------------|--------------------------|
| Column 1                              | Column 2  | Column 3       | Column 4                 |
| PROVISION                             | THING DELEGATED   | DELEGATE       | CONDITIONS & LIMITATIONS |
| s 33(2)                               | Duty to comply with request by Authority under s 33(1) for information or assistance.                   | DCD and MCP&D. |                          |
| s 34(1)                               | Function of consulting with Authority where exercising its powers likely to affect Council's functions. | DCD and MCP&D. |                          |

| <b>WATER ACT 1989</b> |   |                      |   |
|-----------------------|---|----------------------|---|
| <b>Column 1</b>       | <b>Column 2</b>   | <b>Column 3</b>      | <b>Column 4</b>                           |
| <b>PROVISION</b>      | <b>THING DELEGATED</b>  | <b>DELEGATE</b>      | <b>CONDITIONS &amp; LIMITATIONS</b>       |
| s 12(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. | DI, MPD&A and MCITY. |   |
| s 12(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.                                    | DI, MPD&A and MCITY. |   |
| s 27(4)(a)(ii)        | Function of receiving notice of a proposed declaration by the Minister that an area will be a water supply protection area.   | DI, MPD&A and MCITY. |   |
| s 32H                 | Duty to keep copy of approved management plan available for inspection.   | Not applicable.      | Relates to water supply protection areas. |
| s 36(3)(c)            | Function of receiving a copy of an application for the grant of a bulk entitlement if the Minister considers the Council is directly affected.                                      | DI, MPD&A and MCITY. |   |
| s 67A                 | Function of receiving a copy of an application under s 67 in respect of a dam.  | DI, MPD&A and MCITY. |   |
| s 67B                 | Duty to advise the Minister of response to application.   | Not applicable.      | Relates to deviation of watercourses.     |
| s 122ZA(2)            | Function of consenting to Minister's determination under s 122ZA(1)(b).   | Not delegated.       | The power remains with the CEO.           |

| <b>WATER ACT 1989</b> |  |                      |                                     |
|-----------------------|--|----------------------|-------------------------------------|
| <b>Column 1</b>       | <b>Column 2</b>  | <b>Column 3</b>      | <b>Column 4</b>                     |
| <b>PROVISION</b>      | <b>THING DELEGATED</b>   | <b>DELEGATE</b>      | <b>CONDITIONS &amp; LIMITATIONS</b> |
| s 122ZC               | Power to contribute money to environmental or recreational area for improving or maintaining the area.   | Not delegated.       | The power remains with the CEO.     |
| s 144(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. | DI, MPD&A and MCITY. |                                     |
| s 152                 | Function of receiving notice of intention to affect works.   | DI, MPD&A and MCITY. |                                     |
| s 153                 | Function of receiving notice to alter or remove works.   | DI, MPD&A and MCITY. |                                     |
| s 165(1)              | Power to require an Authority to fix fire plugs to works.  | DI, MPD&A and MCITY. |                                     |
| s 165(2)              | Duty to meet costs of providing, installing, marking and maintaining all fire plugs that the Council requires.                                   | DI, MPD&A and MCITY. |                                     |
| s 171D(1)             | Power to require Melbourne Water Corporation to fix fire plugs to works.   | DI, MPD&A and MCITY. |                                     |
| s 171D(2)             | Duty to meet costs of providing, installing, marking and maintaining fire plug, where plug is in Council's municipal district.                   | DI, MPD&A and MCITY. |                                     |
| s 180(1)              | Duty to forward copy of application for septic tank permit to Authority.   | CEH.                 |                                     |

| <b>WATER ACT 1989</b> |   |                      |                                     |
|-----------------------|---|----------------------|-------------------------------------|
| <b>Column 1</b>       | <b>Column 2</b>   | <b>Column 3</b>      | <b>Column 4</b>                     |
| <b>PROVISION</b>      | <b>THING DELEGATED</b>  | <b>DELEGATE</b>      | <b>CONDITIONS &amp; LIMITATIONS</b> |
| s 180(3)              | Function of receiving any notification of the location of the nearest sewer, the availability of works to service the land and any requirements.    | EHO.                 |                                     |
| s 180(4)              | Duty to comply with any requirement of the Authority in regard to the application.  | EHO.                 |                                     |
| s 180(5)              | Duty to not make a decision within 21 days after the copy is forwarded to the Authority.  | EHO.                 |                                     |
| s 188(3)              | Function of receiving notice of proposed declaration of a waterway if the Council may have an interest in the waterway.                             | DI, MPD&A and MCITY. |                                     |
| s 205(3)              | Function of receiving notice of proposed declaration that an area of land will be liable to flooding or be a floodway area.                         | DI, MPD&A and MCITY. |                                     |
| s 206(1)(b)           | Function of receiving notice that an Order has been published in the Victoria Government Gazette.   | DI, MPD&A and MCITY. |                                     |
| s 206(3)              | Duty to prevent land uses that are inconsistent with any identified flood hazards.  | DCD and MCP&D.       |                                     |
| 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. | Not delegated.       | The duty remains with the CEO.      |



| <b>WATER ACT 1989</b> |  |                             |   |
|-----------------------|--|-----------------------------|---|
| <b>Column 1</b>       | <b>Column 2</b>  | <b>Column 3</b>             | <b>Column 4</b>                         |
| <b>PROVISION</b>      | <b>THING DELEGATED</b>   | <b>DELEGATE</b>             | <b>CONDITIONS &amp; LIMITATIONS</b>     |
| s 214(2)(b)           | Duty to be represented on a committee to carry out investigations in relation to water management if the Council is affected.  | DI, MPD&A and MCITY.        |   |
| s 217                 | Power to apply for an order for removal or modification of works.  | Not delegated.              | The power remains with the CEO.         |
| s 218(2)(b)(ii)       | Function of receiving notice of proposed declaration that an area of land will be a drainage course.   | DCD, DI, MCP&D and MPD&A.   |   |
| s 218(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.   | DI, MPD&A, MCITY and MP&NE. |   |
| s 218(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. | DI, MPD&A and MCITY.        | Subject to limitations listed in s 218. |
| s 218(10)             | Duty to comply with any request by another public statutory body within 1 month.   | DCD and DI.                 |   |
| s 218(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.  | DI, MPD&A and MCITY.        |   |
| s 244(7)              | Function of receiving a copy of a community agreement, if land in the area is affected.  | DCD and DI.                 |   |

| <b>WATER ACT 1989</b> |   |                 |  |
|-----------------------|---|-----------------|--|
| <b>Column 1</b>       | <b>Column 2</b>   | <b>Column 3</b> | <b>Column 4</b>  |
| <b>PROVISION</b>      | <b>THING DELEGATED</b>  | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b>  |
| s 244(8)(b)           | Power to consent to community agreement where it involves the construction of a drain across a road reserve.  | DCD and DI.     |  |
| s 246                 | Power to exercise the powers and perform the functions of the committee if requested by the planning application committee, where land is affected by a community drainage or salinity mitigation or community water supply scheme. | DCD and DI.     |  |
| s 263(2)              | Function of receiving a request to arrange for a supplementary valuation to be made.  | MP&L.           |  |
| s 281A(1)             | Power to enter into agreement with Melbourne Water Corporation to collect money owing to Melbourne Water Corporation under the Act.   | Not delegated.  | The power remains with the CEO.  |
| s 281A(3)             | Duty to collect money owing to Melbourne Water Corporation under the Act that relates to Council's municipal district.  | CR&R.           | On the terms and conditions agreed with Melbourne Water Corporation or, in default of agreement, as determined by the Essential Services Commission. |
| s 286(1)(a)           | Duty to contribute to the revenue of the Authority if requested.  | DCD and DI.     | Conditions set out in s 285 and s 286.   |
| s 287(1)(a)           | Duty to make a special contribution to the revenue of the Authority if requested.   | DCD and DI.     | Conditions set out in s 285 and s 287.   |

| <b>BUILDING REGULATIONS 2018</b> |  |                                  |  |
|----------------------------------|--|----------------------------------|--|
| <b>Column 1</b>                  | <b>Column 2</b>  | <b>Column 3</b>                  | <b>Column 4</b>                        |
| <b>PROVISION</b>                 | <b>THING DELEGATED</b>   | <b>DELEGATE</b>                  | <b>CONDITIONS &amp; LIMITATIONS</b>    |
| r 5(2)                           | Power to designate an area liable to flooding.   | DI, MPD&A, CEA and AE.           | Where Council is the relevant council. |
| r 44                             | Function of receiving documents.   | MBS, DMBS, CP&BA, P&BAO and CCI. | 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. | CCI, MBS and DMBS.               | Where Council is the relevant council. |
| r 50                             | Duty to make documents available on request of an owner or mortgagee or person authorised in writing by owner or mortgagee.                    | MBS, DMBS, CP&BA, P&BAO and CCI. | Where Council is the relevant council. |
| r 51                             | Function of providing information.   | MBS, DMBS, CP&BA, P&BAO and CCI. | Where Council is the relevant council. |
| r 73(2)                          | Power of providing report and consent – 'maximum street setbacks'.   | MBS and DMBS.                    | Where Council is the relevant council. |
| r 74(4)                          | Power of providing report and consent – 'minimum street setbacks'.   | MBS and DMBS.                    | Where Council is the relevant council. |
| r 75(4)                          | Power of providing report and consent – 'building height'.   | MBS and DMBS.                    | Where Council is the relevant council. |
| r 76(4)                          | Power of providing report and consent – 'site coverage'.   | MBS and DMBS.                    | Where Council is the relevant council. |

| <b>BUILDING REGULATIONS 2018</b> |   |                 |  |
|----------------------------------|---|-----------------|--|
| <b>Column 1</b>                  | <b>Column 2</b>   | <b>Column 3</b> | <b>Column 4</b>                        |
| <b>PROVISION</b>                 | <b>THING DELEGATED</b>  | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b>    |
| r 77(3)                          | Power of providing report and consent – 'permeability'.                                     | MBS and DMBS.   | Where Council is the relevant council. |
| r 78(6)                          | Power of providing report and consent – 'car parking'.                                      | MBS and DMBS.   | Where Council is the relevant council. |
| r 79(6)                          | Power of providing report and consent – 'side and rear setbacks'.                           | MBS and DMBS.   | Where Council is the relevant council. |
| r 80(6)                          | Power of providing report and consent – 'walls on carports and boundaries'.                 | MBS and DMBS.   | Where Council is the relevant council. |
| r 81(6)                          | Power of providing report and consent – 'daylight to existing habitable room windows'.      | MBS and DMBS.   | Where Council is the relevant council. |
| r 82(5)                          | Power of providing report and consent – 'solar access to existing north-facing windows'.    | MBS and DMBS.   | Where Council is the relevant council. |
| r 83(3)                          | Power of providing report and consent – 'overshadowing of recreational private open space'. | MBS and DMBS.   | Where Council is the relevant council. |
| r 84(9)                          | Power of providing report and consent – 'overlooking'.                                      | MBS and DMBS.   | Where Council is the relevant council. |
| r 85(3)                          | Power of providing report and consent – 'daylight to habitable room windows'.               | MBS and DMBS.   | Where Council is the relevant council. |
| r 86(3)                          | Power of providing report and consent – 'private open space'.                               | MBS and DMBS.   | Where Council is the relevant council. |

| <b>BUILDING REGULATIONS 2018</b> |  |                 |  |
|----------------------------------|--|-----------------|--|
| <b>Column 1</b>                  | <b>Column 2</b>  | <b>Column 3</b> | <b>Column 4</b>                        |
| <b>PROVISION</b>                 | <b>THING DELEGATED</b>   | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b>    |
| r 87(2)                          | Power of providing report and consent – 'siting of Class 10a buildings'.   | MBS and DMBS.   | Where Council is the relevant council. |
| r 89(3)                          | Power of providing report and consent – 'front fence height'.  | MBS and DMBS.   | Where Council is the relevant council. |
| r 90(2)                          | Power of providing report and consent – 'fence setbacks from side and rear boundaries'.                            | MBS and DMBS.   | Where Council is the relevant council. |
| r 91(5)                          | Power of providing report and consent – 'fences on or within 150mm of side or rear boundaries'.                    | MBS and DMBS.   | Where Council is the relevant council. |
| r 92(2)                          | Power of providing report and consent – 'fences on street alignments'.   | MBS and DMBS.   | Where Council is the relevant council. |
| r 94(6)                          | Power of providing report and consent – 'fences and daylight to windows in existing dwelling'.                     | MBS and DMBS.   | Where Council is the relevant council. |
| r 95(3)                          | Power of providing report and consent – 'fences and solar access to existing north-facing habitable room windows'. | MBS and DMBS.   | Where Council is the relevant council. |
| r 96(3)                          | Power of providing report and consent – 'fences and overshadowing of recreational private open space'.             | MBS and DMBS.   | Where Council is the relevant council. |
| r 97(2)                          | Power of providing report and consent – 'masts, poles etc.'  | MBS and DMBS.   | Where Council is the relevant council. |

| <b>BUILDING REGULATIONS 2018</b> |   |                        |  |
|----------------------------------|---|------------------------|--|
| <b>Column 1</b>                  | <b>Column 2</b>   | <b>Column 3</b>        | <b>Column 4</b>  |
| <b>PROVISION</b>                 | <b>THING DELEGATED</b>  | <b>DELEGATE</b>        | <b>CONDITIONS &amp; LIMITATIONS</b>  |
| r 109(1)                         | Power of providing report and consent – 'projections beyond street alignment, at different height or distance'.                       | MBS and DMBS.          | Where Council is the relevant council.   |
| r 109(2)                         | Power of providing report and consent – 'projections beyond street alignment'.  | MBS and DMBS.          | Where Council is the relevant council.   |
| r 109(3)                         | Power to give consent under rr 109(1) or 109(2).  | MBS and DMBS.          | Where Council is the relevant council.<br><br>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 – 'protection of the public – precautions over a street'.                                       | MBS and DMBS.          | Where Council is the relevant council.   |
| r 130(1)                         | Power of providing report and consent - application for a building permit to construct a building over an easement vested in Council. | DCD, ME&I, CEA and AE. | Where Council is the relevant service authority.   |
| r 132(1)                         | Power of providing report and consent – 'septic tank systems'.  | CEH and EHO.           | Where Council is the relevant council.   |
| r 133(2)                         | Power of providing report – 'storm water drainage'.   | DCD, ME&I, CEA and AE. | Where Council is the relevant council.   |
| r 134(2)                         | Power of providing report and consent – 'building above or below certain public facilities'.  | MBS and DMBS.          | Where Council is the relevant council.   |

| <b>BUILDING REGULATIONS 2018</b> |   |                    |  |
|----------------------------------|---|--------------------|--|
| <b>Column 1</b>                  | <b>Column 2</b>   | <b>Column 3</b>    | <b>Column 4</b>                        |
| <b>PROVISION</b>                 | <b>THING DELEGATED</b>  | <b>DELEGATE</b>    | <b>CONDITIONS &amp; LIMITATIONS</b>    |
| r 147L(2)                        | Function of receiving an application for registration.  | MBS, DMBS and CCI. | Where Council is the relevant council. |
| r 147M(2)                        | Function of receiving an application for registration.  | MBS, DMBS and CCI. | Where Council is the relevant council. |
| r 147N(2)                        | Function of receiving an application for registration.  | MBS, DMBS and CCI. | Where Council is the relevant council. |
| r 147O(1)                        | Power to give notice.   | MBS and DMBS.      | Where Council is the relevant council. |
| r 147Q                           | Duty to enter information relating to a swimming pool or spa into Council's register.   | MBS and DMBS.      | Where Council is the relevant council. |
| r 147R(1)                        | Duty to give notice of the matters in r 147R(1)(a)-(g).   | MBS and DMBS.      | Where Council is the relevant council. |
| r 147R(4)                        | Duty to specify a date for the purposes of r 147R(1)(g).  | MBS and DMBS.      | Where Council is the relevant council. |
| r 147R(5)                        | Power to specify date.  | MBS and DMBS.      | Where Council is the relevant council. |
| 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 300mm. | MBS and DMBS.      | Where Council is the relevant council. |

| <b>BUILDING REGULATIONS 2018</b> |   |                    |  |
|----------------------------------|---|--------------------|--|
| <b>Column 1</b>                  | <b>Column 2</b>   | <b>Column 3</b>    | <b>Column 4</b>                        |
| <b>PROVISION</b>                 | <b>THING DELEGATED</b>  | <b>DELEGATE</b>    | <b>CONDITIONS &amp; LIMITATIONS</b>    |
| r 147S(2)                        | Duty to give a notice in writing after removing the information about the swimming pool or spa from the register.   | MBS and DMBS.      | Where Council is the relevant council. |
| r 147T(1)                        | Duty to determine the date of construction.   | MBS and DMBS.      | Where Council is the relevant council. |
| r 147U(1)                        | Duty to determine the date of construction.   | MBS and DMBS.      | Where Council is the relevant council. |
| r 147V(1)                        | Duty of receiving a certificate of compliance.  | MBS, DMBS and CCI. | 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.  | MBS and DMBS.      | 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 and DMBS.      | 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).   | MBS and DMBS.      | 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 and DMBS.      | Where Council is the relevant council. |
| 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 and DMBS.      | Where Council is the relevant council. |



| <b>BUILDING REGULATIONS 2018</b> |   |                     |  |
|----------------------------------|---|---------------------|--|
| <b>Column 1</b>                  | <b>Column 2</b>   | <b>Column 3</b>     | <b>Column 4</b>                        |
| <b>PROVISION</b>                 | <b>THING DELEGATED</b>  | <b>DELEGATE</b>     | <b>CONDITIONS &amp; LIMITATIONS</b>    |
| r 147ZD                          | Duty to update the applicable barrier standard on the register to include the applicable barrier standard referred to in the certificate.                   | MBS and DMBS.       | Where Council is the relevant council. |
| r 147ZE                          | Duty to give 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 and DMBS.       | 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 and DMBS.       | 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 and DMBS.       | Where Council is the relevant council. |
| r 147ZL(2)                       | Duty to give a notice, in writing, to the new owner of the land.  | CR&R, MBS and DMBS. | 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 and DMBS.       | Where Council is the relevant council. |
| r 148                            | Duty to prepare maps for all designated special areas.  | MPD&A and CEA.      |  |
| r 149(1)                         | Duty to amend or prepare map for the existing or new designated special area.   | MPD&A and CEA.      | Where Council is the relevant council. |
| r 149(2)                         | Duty to advise the Authority if a designated special area is altered or created.  | MPD&A and CEA.      |  |

| <b>BUILDING REGULATIONS 2018</b> |   |                                  |  |
|----------------------------------|---|----------------------------------|--|
| <b>Column 1</b>                  | <b>Column 2</b>   | <b>Column 3</b>                  | <b>Column 4</b>                        |
| <b>PROVISION</b>                 | <b>THING DELEGATED</b>  | <b>DELEGATE</b>                  | <b>CONDITIONS &amp; LIMITATIONS</b>    |
| r 149(3)                         | Duty to lodge copies of designated special area maps with the Authority.  | MPD&A and CEA.                   | 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.              | MD&BT, MPD&A, CEA, MBS and DMBS. |  |
| r 150                            | Power to designate areas within Council's municipal district in which buildings are likely to be subject to attack by termites.                                       | MBS and DMBS.                    |  |
| r 152(1)                         | Power to designate areas in Council's municipal district that are likely to be subject to significant snowfalls.  | MBS and DMBS.                    | For the purposes of the BCA.           |
| r 153(2)                         | Power of providing report and consent – 'buildings in areas liable to flooding'.  | DI, MPD&A and CEA.               | 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. | DI, MPD&A and CEA.               | 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.  | DI, MPD&A, CEA and AE.           | 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.                                      | DI, MPD&A and CEA.               | Where Council is the relevant council. |

| <b>BUILDING REGULATIONS 2018</b> |  |                    |  |
|----------------------------------|--|--------------------|--|
| <b>Column 1</b>                  | <b>Column 2</b>  | <b>Column 3</b>    | <b>Column 4</b>                        |
| <b>PROVISION</b>                 | <b>THING DELEGATED</b>   | <b>DELEGATE</b>    | <b>CONDITIONS &amp; LIMITATIONS</b>    |
| r 153(7)                         | Duty to, without delay, advise the floodplain management authority and sewerage authority for the site of the floor level (if any) specified under r 153(5).   | MPD&A and CEA.     | Where Council is the relevant council. |
| r 154(1)                         | Power of providing report and consent – ‘designated land or works’.  | MPD&A and CEA.     | 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. | MPD&A, CEA and AE. | 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).   | MPD&A, CEA and AE. |  |
| r 166B(c)(ii)                    | Power to approve floor area size greater than 60m <sup>2</sup>   | MBS and DMBS.      |  |
| 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.  | MBS and DMBS.      |  |
| r 166C(1)(b)                     | Function of receiving notification from building owner of the proposed commencement date of that occupation.   | MBS and DMBS.      |  |
| r 166C(2)                        | Function of receiving notification from building owner of proposed commencement date of occupation.  | MBS and DMBS.      |  |

| <b>BUILDING REGULATIONS 2018</b> |   |                         |   |
|----------------------------------|---|-------------------------|---|
| <b>Column 1</b>                  | <b>Column 2</b>   | <b>Column 3</b>         | <b>Column 4</b>   |
| <b>PROVISION</b>                 | <b>THING DELEGATED</b>  | <b>DELEGATE</b>         | <b>CONDITIONS &amp; LIMITATIONS</b>   |
| r 166F(1)(a)(v)                  | Power to approve reticulated sewerage system or septic tank system.   | CEH and EHO.            |   |
| r 187(2)                         | Power of providing report and consent – ‘occupancy permit relating to a septic tank system’.  | CEH, EHO, MBS and DMBS. | 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.   | CCI, MBS and DMBS.      | For the purposes of s 75 of the <i>Building Act 1993</i> .  |
| 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).                     | CCI, MBS and DMBS.      | For the purposes of s 75 of the <i>Building Act 1993</i> .  |
| r 203                            | Function of receiving documents.  | MBS, DMBS and CCI.      |   |
| r 205                            | Function of receiving information from relevant building surveyor.  | MBS, DMBS and CCI.      | 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, DMBS and CCI.      | Where Council is the relevant council.<br>If the essential safety measure is required under an emergency order or a building order under part 8 of the <i>Building Act 1993</i> . |
| 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 and DMBS.           | Where Council is the relevant council.  |

| COUNTRY FIRE AUTHORITY REGULATIONS 2014 |                 |                 |   |
|---|-----------------|-----------------|---|
| Column 1                                | Column 2        | Column 3        | Column 4  |
| PROVISION                               | THING DELEGATED | DELEGATE        | CONDITIONS & LIMITATIONS  |
|   |                 | Not applicable. | Not applicable to Whitehorse, as the municipality is covered by Fire Rescue Victoria. |

| DANGEROUS GOODS (EXPLOSIVES) REGULATIONS 2011 |  |                 |   |
|---|--|-----------------|---|
| Column 1                                      | Column 2   | Column 3        | Column 4  |
| PROVISION                                     | THING DELEGATED  | DELEGATE        | CONDITIONS & LIMITATIONS  |
| r 146(3)                                      | Function of receiving written notice of intention to discharge fireworks or firecrackers.                        | MEMO and MBS.   |   |
| r 146(6)                                      | Function of receiving written notice of intention to discharge fireworks or firecrackers in or near port waters. | Not applicable. | Not applicable to Whitehorse, as it does not administer a relevant area of water. |

| <b>DRUGS, POISONS AND CONTROLLED SUBSTANCES REGULATIONS 2017</b> |   |                 |                                     |
|--|---|-----------------|-------------------------------------|
| <b>Column 1</b>  | <b>Column 2</b>   | <b>Column 3</b> | <b>Column 4</b>                     |
| <b>PROVISION</b>   | <b>THING DELEGATED</b>  | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b> |
| r 7(1)   | Power to have possession of "Schedule 4 poisons" that are necessary for immunisation programs coordinated by Council in accordance with the <i>Public Health and Wellbeing Act 2008</i> . | CEH.            |                                     |

| <b>ELECTRICITY SAFETY (ELECTRIC LINE CLEARANCE) REGULATIONS 2020</b> |  |                 |  |
|--|--|-----------------|--|
| <b>Column 1</b>  | <b>Column 2</b>  | <b>Column 3</b> | <b>Column 4</b>  |
| <b>PROVISION</b>   | <b>THING DELEGATED</b>   | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b>  |
| sch 1 cl 16  | Function of receiving notice before cutting or removing certain trees.   | MP&NE.          | This regulation replaces the Electricity Safety (Electric Line Clearance) Regulations 2015 |
| sch 1 cl 19  | Function of receiving notice after completion of cutting or removal of the trees.                                  | MP&NE.          | This regulation replaces the Electricity Safety (Electric Line Clearance) Regulations 2015 |
| sch 1 cl 20  | Power to consult relating to safety of cutting or removal of trees close to an electric line.                      | MP&NE.          | This regulation replaces the Electricity Safety (Electric Line Clearance) Regulations 2015 |
| sch 1 cl 21(1)   | Power to consult relating to assisting to determine an additional distance that allows for conductor sag and sway. | MP&NE.          | This regulation replaces the Electricity Safety (Electric Line Clearance) Regulations 2015 |
| sch 1 cl 21(3)   | Duty to keep record of the additional distance for at least 5 years.   | MP&NE.          |  |

| <b>INFRINGEMENTS REGULATIONS 2016</b> |  |                          |                                     |
|---------------------------------------|--|--------------------------|-------------------------------------|
| <b>Column 1</b>                       | <b>Column 2</b>  | <b>Column 3</b>          | <b>Column 4</b>                     |
| <b>PROVISION</b>                      | <b>THING DELEGATED</b>                                     | <b>DELEGATE</b>          | <b>CONDITIONS &amp; LIMITATIONS</b> |
| r 8                                   | Duty to report listed information to the Attorney-General. | MCS, CCL, PSO, and CCSS. |                                     |

| <b>LAND ACQUISITION AND COMPENSATION REGULATIONS 2010</b> |   |                 |   |
|---|---|-----------------|---|
| <b>Column 1</b>   | <b>Column 2</b>   | <b>Column 3</b> | <b>Column 4</b>                             |
| <b>PROVISION</b>  | <b>THING DELEGATED</b>  | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b>         |
| r 11  | Function of providing certain information as set out in (a) - (g) as requested by an Authority. | MP&L.           |   |
| r 12  | Function of providing certain information as set out in (a) - (d) as requested by an Authority. | MP&L.           | Where Council is the responsible authority. |

| <b>LOCAL GOVERNMENT (GENERAL) REGULATIONS 2015</b> |  |                 |  |
|--|--|-----------------|--|
| <b>Column 1</b>                                    | <b>Column 2</b>  | <b>Column 3</b> | <b>Column 4</b>  |
| <b>PROVISION</b>                                   | <b>THING DELEGATED</b>   | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b>  |
| r 10   | Duty to include in the notice of rates and charges the information prescribed.   | CR&R.           |  |
| r 13(1)  | Duty to include certain prescribed statements in a land information certificate. | CR&R.           |  |
| r 13(2)  | Power to sign a land information certificate.                                    | Not required.   | Three staff are currently “authorised officers” for purpose of signing Land Information Certificates, so a delegation is not required. |



| <b>LOCAL GOVERNMENT (LONG SERVICE LEAVE) REGULATIONS 2012</b> |   |                 |  |
|---|---|-----------------|--|
| <b>Column 1</b>   | <b>Column 2</b>   | <b>Column 3</b> | <b>Column 4</b>  |
| <b>PROVISION</b>  | <b>THING DELEGATED</b>  | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b>  |
| r 9 (3)   | Duty to pay prescribed entitlement upon request made under r 9(2).  | CPay.           | Refers to the entitlement to long service leave on voluntary termination if the member has seven years of recognised service.  |
| r 9(5)(a)   | Duty to transfer long service leave entitlement where a staff member intends to commence work with another Council.                     | CPay.           |  |
| r 9(5)(b)   | Power to pay the prescribed entitlement where a staff member intends to commence work with another public service body or special body. | Not delegated.  | The power remains with the CEO.  |
| r 9(6)  | Duty to pay the prescribed entitlement if the member has not taken the whole of their long service leave accrued.                       | CPay.           |  |
| r 10(2)   | Duty to pay long service entitlement upon the death of staff member.  | CPay.           | Payment must be made to the legal representative.  |
| r 11(3)   | Duty to pay the prescribed entitlement to a staff member who makes an election under r 11(2).   | CPay.           | Note: r 11(2) provides that a member who ceases employment in any of the circumstances set out under sub-regulation (1) may, by notice in writing to the Council, elect to take pay instead of all or any part of the long service leave to which he or she is entitled. |

| <b>LOCAL GOVERNMENT (LONG SERVICE LEAVE) REGULATIONS 2012</b> |  |                 |                                     |
|---|--|-----------------|-------------------------------------|
| <b>Column 1</b>   | <b>Column 2</b>  | <b>Column 3</b> | <b>Column 4</b>                     |
| <b>PROVISION</b>  | <b>THING DELEGATED</b>   | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b> |
| r 11(4)   | Duty to pay the prescribed entitlement to a member ceases employment due to any of the reasons set out in r 11(1) and had not taken the whole of their long service leave accrued. | CPay.           |                                     |
| r 11(6)   | Duty to pay the prescribed entitlement to a member who has completed 7 years and has been terminated for serious or wilful misconduct or poor performance.                         | CPay.           |                                     |
| r 11(7)(b)(i)   | Duty to approve a medical practitioner for the purpose of r 11.  | MP&C.           |                                     |
| r 15(6)   | Power to include a period of service when the member (Council staff) was absent from duty as "recognised service".   | MP&C.           |                                     |
| r 16(1)   | Duty to grant a day off if a public holiday falls during any period taken as long service leave.   | CPay.           |                                     |
| r 17  | Power to agree with a staff member as to when long service leave may be taken.   | Ds and Mgers.   |                                     |
| r 18  | Power to approve the request of a staff member to take long service leave entitlement at half the salary for twice the period.   | Ds and MP&C.    |                                     |
| r 19  | Power to approve the request of a staff member to engage in other employment during long service leave.  | Not delegated.  | The power remains with the CEO.     |

| <b>LOCAL GOVERNMENT (LONG SERVICE LEAVE) REGULATIONS 2012</b> |   |                 |                                     |
|---|---|-----------------|-------------------------------------|
| <b>Column 1</b>   | <b>Column 2</b>   | <b>Column 3</b> | <b>Column 4</b>                     |
| <b>PROVISION</b>  | <b>THING DELEGATED</b>  | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b> |
| r 20  | Duty to provide other councils with information upon request.   | CPay.           |                                     |
| r 21(1)(a)  | Duty to inform other councils of commencement of employment of member of staff where that person previously worked at that Council. | CPay.           |                                     |
| r 21(1)(b)  | Duty to pay another Council the prescribed entitlement within 2 months of being informed of employment.                             | CPay.           |                                     |
| r 21(3)(a)  | Duty to refund a payment under r 21(1) if the circumstances in (a) - (d) exist.   | CPay.           |                                     |
| r 22(1)   | Power to enter into an agreement with a body referred in r 15(4) regarding transfer of entitlements.                                | Not delegated.  | The power remains with the CEO.     |

| <b>LOCAL GOVERNMENT (PLANNING AND REPORTING) REGULATIONS 2020</b> |   |                 |                                     |
|---|---|-----------------|-------------------------------------|
| <b>Column 1</b>   | <b>Column 2</b>   | <b>Column 3</b> | <b>Column 4</b>                     |
| <b>PROVISION</b>  | <b>THING DELEGATED</b>  | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b> |
| r 5(1)  | Duty to include statements describing the financial resources are in the prescribed form.             | MF&CP.          |                                     |
| r 5(2)  | Duty to include a statement of capital works in Financial Plan.                                       | MF&CP.          |                                     |
| r 6   | Duty to include prescribed information in the Financial Plan.   | MF&CP.          |                                     |
| r 7   | Duty to include the prescribed information in the financial statements included in the budget.        | MF&CP.          |                                     |
| r 8   | Duty to include prescribed information in the budget or revised budget.                               | MF&CP.          |                                     |
| r 9(2)  | Duty to include the prescribed information in the report of operations.                               | MF&CP.          |                                     |
| r 10  | Duty to include in the report of operations a description of the operations of Council.               | MF&CP.          |                                     |
| r 11  | Duty to include prescribed information relating to performance results in the performance statements. | MF&CP.          |                                     |
| r 14  | Duty to include in the prescribed information in financial statements contained in the annual report. | MF&CP.          |                                     |

| <b>OCCUPATIONAL HEALTH AND SAFETY REGULATIONS 2017</b> |   |                 |  |
|--|---|-----------------|--|
| <b>Column 1</b>  | <b>Column 2</b>   | <b>Column 3</b> | <b>Column 4</b>                              |
| <b>PROVISION</b>                                       | <b>THING DELEGATED</b>  | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b>          |
| r 375(3)(c)(ii)  | Function to assist in the preparation of an emergency management plan for a major hazard facility.  | MEMO.           |  |
| 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.                            | MEMO.           |  |
| 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.            | MEMO.           |  |
| r 394(1)   | Function to receive information about the safety of a major hazard facility.  | MEMO.           |  |
| 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 of a major incident occurring. | MEMO.           |  |
| r 433(2)(b)(ii)  | Function of assisting in the preparation of an emergency management plan for a prescribed mine.   | Not applicable. | There are no prescribed mines in Whitehorse. |
| r 434(b)(ii)   | Function to receive a copy of the emergency plan relating to the off-site consequences of a major incident occurring.   | MEMO.           |  |

| <b>PUBLIC HEALTH AND WELLBEING REGULATIONS 2019</b> |  |                 |                                   |
|---|--|-----------------|-----------------------------------|
| <b>Column 1</b>                                     | <b>Column 2</b>  | <b>Column 3</b> | <b>Column 4</b>                   |
| <b>PROVISION</b>                                    | <b>THING DELEGATED</b>   | <b>DELEGATE</b> | <b>CONDITIONS AND LIMITATIONS</b> |
| r 19(6)   | Function of receiving a copy of a disease vector control notice. | CEH and EHO.    |                                   |
| r 59(4)   | Function of being notified of test results.                      | CEH and EHO.    |                                   |
| r 59(7)   | Function of receiving written notice.                            | CEH and EHO.    |                                   |
| r 98  | Function of being notified by the Secretary.                     | CEH and EHO.    |                                   |
| r 112(1)  | Power to request information.                                    | CEH and EHO.    |                                   |

| <b>PUBLIC HEALTH AND WELLBEING (PRESCRIBED ACCOMMODATION) REGULATIONS 2009</b> |   |                 |                                   |
|--|---|-----------------|-----------------------------------|
| <b>Column 1</b>  | <b>Column 2</b>   | <b>Column 3</b> | <b>Column 4</b>                   |
| <b>PROVISION</b>   | <b>THING DELEGATED</b>  | <b>DELEGATE</b> | <b>CONDITIONS AND LIMITATIONS</b> |
| r 12(2)  | Power to determine a building to be of cultural heritage significance if one of the circumstances in (2)(a) – (d) exist | DCD and MCP&D.  |                                   |

| ROAD SAFETY ROAD RULES 2017 |  |                   |                          |
|-----------------------------|--|-------------------|--------------------------|
| Column 1                    | Column 2   | Column 3          | Column 4                 |
| PROVISION                   | THING DELEGATED  | DELEGATE          | CONDITIONS & 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.           | MCS and ME&I.     |                          |
| r 244C                      | Function of consulting with the Head, Transport for Victoria regarding specification of a route or area under r 244C(1). | ME&I.             |                          |
| r 289(1)(d)                 | Power to prohibit drivers riding bicycles or animals on the nature strip.  | MCS, ME&I and CT. |                          |

| ROAD SAFETY (GENERAL) REGULATIONS 2019 |   |          |                          |
|--|---|----------|--------------------------|
| Column 1                               | Column 2  | Column 3 | Column 4                 |
| PROVISION                              | THING DELEGATED                                   | DELEGATE | CONDITIONS & LIMITATIONS |
| r 79(1)(b)                             | Power to authorise staff member to file a charge. | MCS.     |                          |

| <b>ROAD SAFETY (TRAFFIC MANAGEMENT) REGULATIONS 2019</b> |  |                 |  |
|--|--|-----------------|--|
| <b>Column 1</b>  | <b>Column 2</b>  | <b>Column 3</b> | <b>Column 4</b>  |
| <b>PROVISION</b>   | <b>THING DELEGATED</b>   | <b>DELEGATE</b> | <b>CONDITIONS &amp; LIMITATIONS</b>  |
| 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. | DCD and ME&I.   | 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.  | DCD and ME&I.   |  |
| r 11(1)  | Power to erect, display, place, remove or alter traffic control devices on roads or road related areas.  | DCD and ME&I.   | Where Council is a responsible entity.   |
| r 11(2)(a)   | Power to erect, display, place, remove or later 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).   | DCD and ME&I.   | 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.  | DCD and ME&I.   |  |
| r 11(2)(c)   | Power to erect, display, place, remove or alter a traffic control device installed in accordance with r 15.  | DCD and ME&I.   |  |
| r 11(2)(d)   | Power to erect, display, place, remove or alter any other minor traffic control device or a major traffic control device.  | DCD and ME&I.   | With the authorisation of the Head, Transport for Victoria. Subject to r 11(3).                      |



| ROAD SAFETY (TRAFFIC MANAGEMENT) REGULATIONS 2019 |   |               |   |
|---|---|---------------|---|
| Column 1  | Column 2  | Column 3      | Column 4  |
| PROVISION   | THING DELEGATED   | DELEGATE      | CONDITIONS & LIMITATIONS  |
| r 11(4)   | Duty to alter the minor traffic control device to remove the inconsistency or remove the minor traffic control device.  | DCD and ME&I. | 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.  | DCD and ME&I. | Where Council is the coordinating road authority for that road or road related area.<br>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 <i>Road Safety Act 1986</i> (Vic) to conduct a non-road activity, to erect, display, place, remove or alter any other minor traffic control device. | DCD and ME&I. | Where Council is the coordinating road authority for that road or road related area.<br>Note: see r 23(b).  |
| r 18(1)(b)  | Power to authorise a person to erect, display, place, remove or alter traffic control devices.  | DCD and ME&I. | Where Council is the coordinating road authority for that road. 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.  | DCD and ME&I. | Where Council is the coordinating road authority for that road.   |
| r 30(4)   | Power to approve, in writing, a police-controlled rolling road-closure.   | DCD and ME&I. | Where Council is the coordinating road authority.   |
| r 32(2)(d)(ii)                                    | Power to approve a highway collection being conducted.  | DCD and ME&I. |   |

| ROAD SAFETY (TRAFFIC MANAGEMENT) REGULATIONS 2019 |   |               |  |
|---|---|---------------|--|
| Column 1  | Column 2  | Column 3      | Column 4   |
| PROVISION   | THING DELEGATED   | DELEGATE      | CONDITIONS & LIMITATIONS   |
| r 34(1)   | Function of receiving an application for a permit under s 99B of the <i>Road Safety Act 1986</i> (Vic) from a person intending to conduct a non-road activity on a highway. | DCD and ME&I. | Where Council is the coordinating road authority.  |
| r 34(4)   | Power to reduce, waive or refund that fee for a permit.   | DCD and ME&I. | Where Council is a coordinating road authority.<br><br>If there are special circumstances that justify the reduction, waiver or refund of the fee. |

| ROAD SAFETY (VEHICLES) INTERIM REGULATIONS 2020 |   |          |                          |
|---|---|----------|--------------------------|
| Column 1  | Column 2  | Column 3 | Column 4                 |
| PROVISION                                       | THING DELEGATED   | DELEGATE | CONDITIONS & LIMITATIONS |
| r 103(3)  | Power to enter into an agreement with Secretary to provide for extracts for fees. | MCS.     |                          |

| SUBDIVISION (FEES) REGULATIONS 2016 |  |                       |                          |
|-------------------------------------|--|-----------------------|--------------------------|
| Column 1                            | Column 2   | Column 3              | Column 4                 |
| PROVISION                           | THING DELEGATED  | DELEGATE              | CONDITIONS & LIMITATIONS |
| r 9                                 | Power to fix a fee for considering an engineering plan submitted under s 15 of the <i>Subdivision Act 1988</i> . | MCP&D and AMSTP.      |                          |
| r 12                                | Power to waive or rebate the payment of a fee payable under the <i>Subdivision Act 1988</i> .                    | DCD, MCP&D and AMSTP. |                          |
| r 13                                | Duty to record in record reasons for waiving or rebating payment of a fee under r 12 in writing.                 | DCD, MCP&D and AMSTP. |                          |

| <b>SUBDIVISION (PROCEDURES) REGULATIONS 2011</b> |  |                                       |                                     |
|--|--|---------------------------------------|-------------------------------------|
| <b>Column 1</b>                                  | <b>Column 2</b>  | <b>Column 3</b>                       | <b>Column 4</b>                     |
| <b>PROVISION</b>                                 | <b>THING DELEGATED</b>   | <b>DELEGATE</b>                       | <b>CONDITIONS &amp; LIMITATIONS</b> |
| r 11   | Duty to give the applicant the address and lot location of each lot on the plan.   | DCD, MCP&D, AMSTP, TLSTP and SPO.     |                                     |
| r 14(a)  | Duty to provide the referral authority with a copy of the application and certain details.   | DCD, MCP&D, AMSTP, TLSTP and SPO.     |                                     |
| r 14(b)  | Duty to provide the applicant with a copy of the application and certain details.  | DCD, MCP&D, AMSTP, TLSTP and SPO.     |                                     |
| 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 <i>Subdivision Act 1988</i> .               | DCD, MCP&D, AMSTP, TLSTP, PO and SPO. |                                     |
| 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 <i>Subdivision Act 1988</i> .           | DCD, MCP&D, AMSTP, TLSTP, PO and SPO. |                                     |
| r 23(a)  | Duty to provide the referral authority with a copy of the plan and certain details, when referring an application to amend a certified plan under s 11(1) of <i>Subdivision Act 1988</i> . | DCD, MCP&D, AMSTP, TLSTP, PO and SPO. |                                     |
| 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(1) of <i>Subdivision Act 1988</i> .   | DCD, MCP&D, AMSTP, TLSTP, PO and SPO. |                                     |
| r 29   | Duty to provide the applicant with the amended street address and lot location of each lot on amended plan or new plan.  | DCD, MCP&D, AMSTP, TLSTP and SPO.     | In circumstances described in r 29. |

| SUBDIVISION (PROCEDURES) REGULATIONS 2011 |   |                                   |                          |
|---|---|-----------------------------------|--------------------------|
| Column 1                                  | Column 2  | Column 3                          | Column 4                 |
| PROVISION                                 | THING DELEGATED   | DELEGATE                          | CONDITIONS & LIMITATIONS |
| r 33(1)                                   | Duty to maintain a register of applications.  | DCD, MCP&D, AMSTP, TLSTP and SPO. |                          |
| r 33(4)                                   | Duty to make the register available for inspection.   | DCD, MCP&D, AMSTP, TLSTP and SPO. |                          |
| r 36(4)                                   | Duty to send notice of refusal where Council refuses to issue a statement of compliance under s 21 of <i>Subdivision Act 1988</i> . | DCD, MCP&D, AMSTP, TLSTP and SPO. |                          |

| SUBDIVISION (REGISTRAR'S REQUIREMENTS) REGULATIONS 2011 |   |                       |                          |
|---|---|-----------------------|--------------------------|
| Column 1  | Column 2  | Column 3              | Column 4                 |
| PROVISION   | THING DELEGATED   | DELEGATE              | CONDITIONS & LIMITATIONS |
| r 20  | Function of being advised by Registrar of any amendments made to any certified plan under s 22(2)(a) of the <i>Subdivision Act 1988</i> . | MCP&D, AMSTP and SPO. |                          |

| COMMUNITY LOCAL LAW 2014 |   |   |   |
|--------------------------|---|---|---|
| Column 1                 | Column 2  | Column 3  | Column 4  |
| PROVISION                | THING DELEGATED   | DELEGATE  | CONDITIONS & LIMITATIONS                                |
|                          | Powers, discretions, authorities and considerations of Council under this Local law including (but not limited to) the powers, discretions and authority to issue or refuse permits, fix conditions and durations relevant to such permits, cancel permits, require additional information, apply standards or guidelines or policies of Council, consider appeals and waive the need for any permit or waive or reduce any fee or charge or to do any act, matter or thing necessary or incidental to the performance or exercise of any function or power by the Council. | DCD, MCS, CCL and CCSS.<br><br>* MA&CS, CSL and FC. | * Delegation limited to sections 2.1.1(b) and (d) only. |

| <b>MISCELLANEOUS AND ADMINISTRATIVE POWERS</b>  |  |   |
|---|--|---|
| <b>Column 1</b>   | <b>Column 2</b>                                  | <b>Column 3</b>   |
| <b>THING DELEGATED</b>  | <b>DELEGATE</b>                                  | <b>CONDITIONS &amp; LIMITATIONS</b>   |
| <b>Section A – Finance Issues</b>   |  |   |
| Power to approve the purchase of goods, services and works.                             | Ds, Mgers and Coordinators.                      | Subject to: compliance with Council's Procurement Policy and budgetary provision.   |
| Power to enter into contracts for goods, services and works.                            | Ds, Mgers and Coordinators.                      | Subject to: compliance with Council's Procurement Policy.   |
| Power to authorise the electronic payment of wages, salaries and related payments.      | MF&CP, CFP&A, CFA, FPA, FP&AA, CP, CA&BS and FA. | Any of two signatories required.  |
| Power to authorise payment of Councillor and Mayoral allowances.                        | MG&I.  | Within the amount of allowance as determined by Victorian Independent Remuneration Tribunal and as per s 39 <i>Local Government Act 2020</i> .  |
| Power to open bank accounts in Council's name.  | DCOR.  |   |
| Power to approve invoices and accounts for payment. Budget items - e.g. superannuation. | Ds, Mgers and Coordinators.                      | Subject to compliance with Council's <i>Procurement Policy</i> .  |
| Power to authorise enforcement of overdue debts (excluding rates and interest).         | Ds.  | In relation to the area of functional responsibility.   |
| Power to appoint a collection agency.   | DCOR.  |   |
| Power to approve contract variations.   | Ds.  | Subject to Council's Procurement Policy; budget provision and variation not exceeding approved contingency amount for contract. Note: if variation exceeds contingency sum in contract, variation is to be approved via the |

| <b>MISCELLANEOUS AND ADMINISTRATIVE POWERS</b>  |  |   |
|---|--|---|
| <b>Column 1</b>   | <b>Column 2</b>                              | <b>Column 3</b>   |
| <b>THING DELEGATED</b>  | <b>DELEGATE</b>                              | <b>CONDITIONS &amp; LIMITATIONS</b>   |
|   |  | same approval process as per the original contract.   |
| <b>Section A – Finance Issues</b>   |  |   |
| Power to approve EFT payments.  | MF&CP, CFP&A, FPA, FP&AA, CFA, CA&BS and CP. | Any two signatories required.   |
| Power to sign cheques:  |  |   |
| a) Group A  | CEO, DCD, DCOM, DCOR and DI.                 | Any two signatories.  |
| b) Group B  | MF&CP, MP&L, MCS and MP&C.                   | Any one signatory of Group A or Group B.  |
| Power to approve the issue of credit cards.   | MF&CP.                                       | Prior approval required from relevant Department Manager.   |
| Power to approve the payment of credit card expenses:                                   |  |   |
| <ul style="list-style-type: none"> <li>incurred by staff other than the CEO;</li> </ul> | Relevant line Ds, Mgers and Coordinators.    | As delegated within the Corporate Credit Card Policy.   |
| <ul style="list-style-type: none"> <li>incurred by the CEO.</li> </ul>                  | DCOR.  | One signature required.   |
| Power to authorise petty cash.  | No formal delegations.                       | Refer to the list of petty cash authorisers in the procurement portal and the Procurement Policy. |



| <b>MISCELLANEOUS AND ADMINISTRATIVE POWERS</b>  |                             |  |
|---|-----------------------------|--|
| <b>Column 1</b>   | <b>Column 2</b>             | <b>Column 3</b>  |
| <b>THING DELEGATED</b>  | <b>DELEGATE</b>             | <b>CONDITIONS &amp; LIMITATIONS</b>                          |
| <b>Section A – Finance Issues</b>   |                             |  |
| Power to authorise calling of invitations for expressions of interest or tenders for goods, works or services.  | Not delegated.              | The power remains with the CEO.                              |
| Power to authorise to sign contracts of sale and vendor statements for land approved for sale.  | DCD and MP&L.               | Subject to prior Council approval.                           |
| Power to sign contracts of sale for the Council approved acquisition of real estate (see 2A).   | DCD and MP&L.               | Within delegated financial limits.                           |
| Power to authorise the order, release, refund, or return of securities, bank guarantees and bonds, relating to property transactions only.            | DCD and MP&L.               |  |
| Power to authorise progress payments.   | Ds, Mgers and Coordinators. | Subject to existing financial delegations.                   |
| Power to determine fees and charges.  | Not delegated.              | Fees are determined by Council in the annual budget process. |
| Power to authorise the sale or disposal of assets other than land:  |                             |  |
| • plant and equipment   | DI and MCITY.               |  |
| • other   | Ds.                         |  |
| The power to make short term investments of funds held in the General Advance Account on Council's behalf; and to transfer funds between investments. | DCOR.                       |  |

| MISCELLANEOUS AND ADMINISTRATIVE POWERS  |                 |  |
|--|-----------------|--|
| Column 1   | Column 2        | Column 3   |
| THING DELEGATED  | DELEGATE        | CONDITIONS & LIMITATIONS   |
| <b>Section A – Finance Issues</b>  |                 |  |
| Power to write off bad debts (ie: sundry debtors including rental of Council properties) but excluding general rates, special rates, special charges and interest thereon.   | DCOR.           | Up to \$10,000.  |
|  | MF&CP.          | Up to \$2,500.   |
| Power to institute legal proceedings for unpaid rates and charges pursuant to s 180 <i>Local Government Act 1989</i> and s 313 <i>Local Government Act 2020</i> .  | DCOR and MF&CP. | Rates Administration staff assist with checking outstanding rates.                                       |
| Power to require payment from the present owner or occupier of a building or land of any money owed to the Council for which a previous owner or occupier was liable and has not paid pursuant to s 119 of the <i>Local Government Act 2020</i> .  | MF&CP and CR&R. |  |
| Power to represent Council in any proceedings relating to the recovery of rates and charges pursuant to s 313 of the <i>Local Government Act 2020</i> .  | MF&CP and CR&R. | Note: Average one court attendance per financial year.   |
| Function of receiving an application to defer the payment of the whole or part of the money payable by a person to the Council where the payment would cause hardship to the person pursuant to Council's Rates Hardship Assistance Policy.        | MF&CP and CR&R. | Note: Most eligible applications receive reduced interest five per cent below the current interest rate. |
| Function of receiving a renewed application to defer the payment of the whole or part of the money payable by a person to the Council where the payment would cause hardship to the person pursuant to Council's Rates Hardship Assistance Policy. | CR&R.           |  |

| MISCELLANEOUS AND ADMINISTRATIVE POWERS  |                     |   |
|--|---------------------|---|
| Column 1   | Column 2            | Column 3  |
| THING DELEGATED  | DELEGATE            | CONDITIONS & LIMITATIONS  |
| <b>Section A – Finance Issues</b>  |                     |   |
| Power to authorise the waiver of the interest payable on a rate or charge pursuant to Council's Rates Hardship Assistance Policy:                                      |                     | Reduced interest also refers to ratepayers on a payment arrangement demonstrating financial difficulties. |
| • up to \$50;  | SRAO, RAO and FFSO. |   |
| • up to \$100;   | RQSO.               |   |
| • up to \$200;   | CR&R.               |   |
| • up to \$300; and   | MF&CP.              |   |
| • up to \$400.   | DCOR.               |   |
| Authorise the refund of overpaid fees for service or incorrect payment to fees for service assessments – up to \$500.  | CR&R and FFSO.      | An audit trail in Pathway or documentation is always recorded to issue refunds.                           |
| Power to exempt or waive fees for service charges for organic green bins and additional garbage bins due to incorrect charges or properties affected by a subdivision. | MF&CP.              | To a limit of \$1,000.  |
|  | CR&R.               | To a limit of \$750.  |

| MISCELLANEOUS AND ADMINISTRATIVE POWERS   |               |   |
|---|---------------|---|
| Column 1  | Column 2      | Column 3  |
| THING DELEGATED   | DELEGATE      | CONDITIONS & LIMITATIONS  |
| <b>Section A – Finance Issues</b>   |               |   |
| Power to authorise the refund of overpaid rates or incorrect payment to rate assessments:   |               |   |
| • up to \$500;  | SRAO and RAO. | An audit trail in Pathway or documentation is always recorded to issue refunds. |
| • up to \$1,000;  | RQSO.         |   |
| • up to \$3,000;  | CR&R.         |   |
| • up to \$10,000; and   | MF&CP.        |   |
| • up to \$15,000.   | DCOR.         |   |
| Power to authorise the waiver of legal costs:   |               | Only Rate Office staff members fully trained in legal recovery process.         |
| • up to \$500;  | RQSO.         |   |
| • up to \$1,500;  | CR&R.         |   |
| • up to \$2,000; and  | MF&CP.        |   |
| • up to \$10,000.   | DCOR.         |   |
| Power to grant discounts to the 'list prices' for waste disposal which prices are adopted by Council from time to time and forming part of the annual budget. | DI.           |   |

| MISCELLANEOUS AND ADMINISTRATIVE POWERS   |                                   |   |
|---|-----------------------------------|---|
| Column 1  | Column 2                          | Column 3  |
| THING DELEGATED   | DELEGATE                          | CONDITIONS & LIMITATIONS  |
| <b>Section B – Building Issues</b>  |                                   |   |
| Power to determine fees required under cl 1(c)(i) of sch 2 and ss 18, 42 and 54 of the <i>Building Act 1993</i> for building permit, application for an occupancy permit (building work) and application for an occupancy permit (places of public entertainment).  | Not delegated.                    | Fees are determined by Council in the annual budget process.  |
| 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 <i>Building Act 1993</i> , <i>Building Regulations 2018</i> 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 delegated.                    |   |
| <b>Section C – Miscellaneous Issues</b>   |                                   |   |
| Power to appoint an agent, and enter into agency agreement, for the purposes of s 108 of the Local Government Act 2020.   | Not delegated.                    | The power remains with the CEO.   |
| Power to obtain legal opinions and instruct external legal providers.   | Ds, Mgers, Coordinators and CR&R. | For areas of functional responsibility. But, excludes authority to brief counsel or senior counsel. |

| <b>MISCELLANEOUS AND ADMINISTRATIVE POWERS</b>  |  |  |
|---|--|--|
| <b>Column 1</b>   | <b>Column 2</b>                              | <b>Column 3</b>  |
| <b>THING DELEGATED</b>  | <b>DELEGATE</b>                              | <b>CONDITIONS &amp; LIMITATIONS</b>  |
| <b>Section C – Miscellaneous Issues</b>   |  |  |
| Power to approve legal costs.   | Ds, Mgers and Coordinators.                  | Subject to financial delegation limits.  |
| Power to make "ex gratia" settlement of insurance claims.   | CHS&W.                                       | Subject to the agreement of the underwriter and subject to existing financial delegations. |
| Power to manage processing of insurance claims.   | CHS&W.                                       |  |
| Power to execute funding and service agreements with other levels of government.                          | Ds and Mgers.                                |  |
| Power to execute applications for government grants.  | Ds and Mgers.                                |  |
| Power to determine suitability and value of "in kind" local contributions toward \$ for \$ capital works. | Ds and Mgers.                                |  |
| Power to assess and determine applications for HACC services.   | H&CCAO.                                      |  |
| Power to grant approval for storage or sale of liquor on Council premises.                                | Not delegated.                               | The power remains with the CEO.  |
| Power to make seasonal and casual allocation of sporting grounds, pavilions and open space.               | DCD, MP&L, ML&RS, CAC, RSO, ACAO and L&RSAO. |  |
| Power to enter into agreements for voluntary or not-for-profit organisation to use Council facilities.    | DCD, MP&L, ML&RS, CAC, RSO, ACAO and L&RSAO. |  |

| <b>MISCELLANEOUS AND ADMINISTRATIVE POWERS</b>  |                             |                                     |
|---|-----------------------------|-------------------------------------|
| <b>Column 1</b>   | <b>Column 2</b>             | <b>Column 3</b>                     |
| <b>THING DELEGATED</b>  | <b>DELEGATE</b>             | <b>CONDITIONS &amp; LIMITATIONS</b> |
| <b>Section C – Miscellaneous Issues</b>   |                             |                                     |
| Power to make statements to the press.  | MSC&CS.                     |                                     |
| Power to give authority to make statements to the press.  | Not delegated.              | The power remains with the CEO.     |
| Power to authorise the issue of media releases.   | MSC&CS.                     |                                     |
| Power to authorise access to Council files and documents.   | MG&I and CCI.               |                                     |
| Power to make a decision (including a decision to settle the matter) relating to the conduct of a proceeding before:            |                             |                                     |
| <ul style="list-style-type: none"> <li>the Supreme Court or County Court;</li> </ul>  | Not delegated.              | The power remains with the CEO.     |
| <ul style="list-style-type: none"> <li>the Victorian Civil and Administrative Tribunal (VCAT) (non-planning matter);</li> </ul> | Ds and Mgers.               |                                     |
| <ul style="list-style-type: none"> <li>the VCAT (planning matter where the Council determined the application);</li> </ul>      | Not delegated.              | The power remains with the Council. |
| <ul style="list-style-type: none"> <li>the VCAT (planning matter where a delegate determined the application); or</li> </ul>    | DCD, MCP&D and AMSTP.       |                                     |
| <ul style="list-style-type: none"> <li>the Magistrate's Court.</li> </ul>   | Ds, Mgers and Coordinators. |                                     |

| MISCELLANEOUS AND ADMINISTRATIVE POWERS  |                |  |
|--|----------------|--|
| Column 1   | Column 2       | Column 3   |
| THING DELEGATED  | DELEGATE       | CONDITIONS & LIMITATIONS   |
| <b>Section C – Miscellaneous Issues</b>  |                |  |
| Power to approve litigation settlement amounts.  | MP&C.          | For HR/IR matters - up to \$5,000.   |
| Duty to administer a competition and consumer protection compliance program.                           | MF&CP and CP.  | Note: Maddocks advised that while there is no specific provision or express duty imposed on Councils to administer a compliance program under either ( <i>Competition and Consumer Act 2010</i> or the <i>Australian Consumer Law and Fair Trading Act 2012</i> ) reference is included, to remind Councils that they are required to comply with Australian Consumer Law. |
| Duty to administer a privacy compliance program.   | MG&I and CCI.  |  |
| Power to authorise entertainment expenses for Councillors.   | Not delegated. |  |
| Power to authorise publication on the Internet.  | MSC&CS.        |  |
| Power to authorise publication on the Intranet.  | MP&C.          | For HR/IR matters.   |
| Power to make or authorise the making of submissions to external bodies.                               | Ds.            |  |
| Power to approve arrangements having important public relations aspect (e.g. opening of new facility). | Not delegated. | The power remains with the CEO.  |



| MISCELLANEOUS AND ADMINISTRATIVE POWERS   |                             |                          |
|---|-----------------------------|--------------------------|
| Column 1  | Column 2                    | Column 3                 |
| THING DELEGATED   | DELEGATE                    | CONDITIONS & LIMITATIONS |
| <b>Section C – Miscellaneous Issues</b>   |                             |                          |
| Power to authorise expenditure on advertising and media.  | Ds, Mgers and Coordinators. |                          |
| Power to give permission to publish any document or publication.  | Ds, Mgers and Coordinators. |                          |
| Power to authorise allocation or change-over of garbage bins.   | DI and MCITY.               |                          |
| Power to serve statements under the <i>Land Acquisition and Compensation Act</i> 1986.  | DCD.                        |                          |
| Power to sign transfer-related documentation under the <i>Duties Act</i> 2000.  | DCD.                        |                          |
| Power to authorise the release of deposit moneys under the <i>Sale of Land Act</i> 1962.  | DCD.                        |                          |
| Power to serve statutory notices in relation to land owned or managed by Council.   | DCD.                        |                          |
| Power to approve applications for consumption (but not sale of liquor) in Whitehorse Centre, and other rooms or venues which are under the control of Coordinator of Whitehorse Centre from time to time. | DCD and WCC.                |                          |
| To represent Council on the Clayton South Regional Landfill User Group.   | DI.                         |                          |

| MISCELLANEOUS AND ADMINISTRATIVE POWERS  |                      |  |
|--|----------------------|--|
| Column 1   | Column 2             | Column 3   |
| THING DELEGATED  | DELEGATE             | CONDITIONS & LIMITATIONS   |
| <b>Section C – Miscellaneous Issues</b>  |                      |  |
| To act as Council's staff representative on the Local Government Waste Management Forum and in the absence of the DCD represent Council on the Clayton South Regional Landfill User Group. | DI, MCITY and AMS&W. |  |
| The powers, discretions or function to sign documents in respect to leasing of or licensing the use or occupation of Council owned property.   | DCD and MP&L.        | Subject to satisfactory completion of statutory procedures specified in s 115 of <i>Local Government Act 2020</i> , if applicable and in case of leases involving annual payment of more than \$50,000 obtaining the CEO's consent to act. |
| 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 delegated.       | The power remains with the CEO.<br>Example: s 24ZW(2) of the <i>Prevention of Cruelty to Animals Act 1986</i> .  |
| <b>Section D - Miscellaneous Issues</b>  |                      |  |
| Approve leave without pay for their staff.   | Mgers                | Remains in force whilst restrictions on Council's services exist due to COVID-19, or until varied or revoked.  |
| Approve leave without pay for their staff, when the staff member has an existing leave balance (not in excess).  | Mgers                | Remains in force whilst restrictions on Council's services exist due to COVID-19, or until varied or revoked.  |