

Buloke Shire Council

S7 Instrument of Sub-Delegation from CEO to Council Staff

By this Instrument of Sub-Delegation, in exercise of the power conferred by s 47(1) of the Local Government Act 2020, I, Wayne O'Toole, as Chief Executive Officer of Buloke Shire Council –

1. delegate each duty and/or function and/or power respectively described in column 1 of the Schedule (and summarised in column 2 of the Schedule) to the member of Council staff holding, acting in or performing the duties of the office or position respectively described in column 3 of the Schedule;
2. record that references in the Schedule are shown under the heading 'Positions'.
3. record that on the coming into force of this Instrument of Sub-Delegation each delegation under the Instrument of Sub-Delegation dated 25 October 2021 and executed by Wayne O'Toole is revoked;
4. declare that this Instrument of Sub-Delegation -
 - 4.1 comes into force immediately upon its execution;
 - 4.2 remains in force until varied or revoked;
 - 4.3 is subject to any conditions and limitations set out in paragraph 5, and in the Schedule; and
 - 4.4 must be read in accordance with any guidelines or policies which Council from time to time adopts; and
5. declare that the delegate must not determine the issue, take the action or do the act or thing if:
 - 5.1 the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council; or
 - 5.2 if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a
 - (a) policy; or
 - (b) strategy adopted by Council; or
 - 5.3 if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation, whether on account of ss 11(2)(a) – (n) and 47(2) (inclusive) of the Act or otherwise.

This Instrument of Sub-Delegation is dated 20 June 2022 and is made by the Chief Executive Officer under authority of an instrument of delegation authorised by Resolution of Council made on 8 September 2021.

Signed By:

Wayne O'Toole
Chief Executive Officer Buloke Shire Council

Date: 20 June 2022

In the presence of:

Witness

HANNAH YU
A/C DIRECTOR WORKS &
TECHNICAL SERVICES

Delegation Sources

- Aboriginal Heritage Act 2006
- Associations Incorporation Reform Act 2012
- Audit Act 1994
- Building Act 1993
- Catchment and Land Protection Act 1994
- Child Wellbeing and Safety Act 2005
- Children Youth and Families Act 2005
- Children's Services Act 1996
- Climate Change Act 2017
- Conservation, Forests and Land Act 1987
- Country Fire Authority Act 1958
- Cultural and Recreational Lands Act 1963
- Dangerous Goods Act 1985
- Development Victoria Act 2003
- Disability Act 2006
- Domestic Animals Act 1994
- Domestic Building Contracts Act 1995
- Education and Care Services National Law Act 2010
- Education and Training Reform Act 2006
- Electricity Safety Act 1998
- Emergency Management Act 2013
- Environment Protection Act 2017
- Environment Protection Regulations 2021
- Estate Agents Act 1980
- Family Violence Protection Act 2008
- Fences Act 1968
- Filming Approval Act 2014
- Fines Reform Act 2014
- Fire Services Property Levy Act 2012
- Flora and Fauna Guarantee Act 1988
- Food Act 1984
- Freedom of Information Act 1982
- Gambling Regulation Act 2003
- Gender Equality Act 2020
- Graffiti Prevention Act 2007
- Health Records Act 2001
- Heavy Vehicle National Law 2012
- Heavy Vehicle National Law Application Act 2013
- Heritage Act 2017
- Housing Act 1983
- Impounding of Livestock Act 1994
- Independent Broad-Based Anti-Corruption Commission Act 2011
- Infringements Act 2006
- Land Act 1958
- Land Acquisition and Compensation Act 1986
- Livestock Disease Control Act 1994
- Liquor Control Reform Act 1998
- Local Government Act 2020
- Local Government Act 1989
- Magistrates' Court Act 1989
- Major Transport Projects Facilitation Act 2009
- Mineral Resources (Sustainable Development) Act 1990
- National Parks Act 1975
- Pipelines Act 2005
- Privacy and Data Protection Act 2014
- Professional Engineers Registration Act 2019
- Public Interest Disclosures Act 2012
- Public Health and Wellbeing Act 2008
- Public Records Act 1973
- Road Management Act 2004
- Road Safety Act 1986
- Rooming House Operators Act 2016
- Second Hand Dealers and Pawnbrokers Act 1989
- Sex Work Act 1994
- Sheriff Act 2009
- Sport and Recreation Act 1972
- Subdivision Act 1988
- Summary Offences Act 1966
- Taxation Administration Act 1997
- Transfer of Land Act 1958
- Transport Integration Act 2010
- Valuation of Land Act 1960
- Victorian Environmental Assessment Council Act 2001
- Victorian Local Government Grants Commission Act 1976
- Victoria State Emergency Service Act 2005
- Victorian Data Sharing Act 2017
- Victorian Inspectorate Act 2011
- Victorian Planning Authority Act 2017
- Water Act 1989
- Building Regulations 2018
- Country Fire Authority Regulations 2014
- Dangerous Goods (Explosives) Regulations 2021
- Drugs, Poisons and Controlled Substances Regulations 2017
- Electricity Safety (Electric Line Clearance) Regulations 2020
- Infringements Regulations 2016
- Land Acquisition and Compensation Regulations 2021
- Local Government (General) Regulations 2015
- Local Government (Long Service Leave) Regulations 2021
- Local Government (Planning and Reporting) Regulations 2020

- Occupational Health and Safety Regulations 2017
- Public Health and Wellbeing Regulations 2019
- Public Health and Wellbeing (Prescribed Accommodation) Regulations 2020
- Road Safety Road Rules 2017
- Road Safety (General) Regulations 2019
- Road Safety (Traffic Management) Regulations 2019
- Subdivision (Fees) Regulations 2016
- Subdivision (Registrar's Requirements) Regulations 2011
- Miscellaneous and Administrative Powers

Positions

Abbreviation	Position
CPO	Capital Projects Officer
CEO	Chief Executive Officer
CO	Compliance Officer
CSO	Customer Services Officer
DSAS	Development Services Administration Support
DCD	Director Community Development
DCS	Director Corporate Services
DWTS	Director Works and Technical Services
EDTL	Economic Development and Tourism Lead
ECO	Environmental Compliance Officer
FOI	Freedom Of Information Officer
GOV	Governance Officer
HPFC	Heavy Plant and Fleet Coordinator
HRO	Human Resources Officer
MA	Manager Assets
MBT	Manager Business Transformation
MCF	Manager Community Facilities
MCS	Manager Community Services
MCE	Manager Customer Engagement
MDS	Manager Development Services
MEH	Manager Environmental Health
MFP	Manager Facilities and Projects
MF	Manager Finance
MGOV	Manager Governance
MHR	Manager Human Resources
MIP	Manager Infrastructure Planning
MW	Manager Works
MCHN	Maternal and Child Health Nurse

Abbreviation	Position
MBS	Municipal Building Surveyor
MERO	Municipal Emergency Resource Officer
PAY	Payroll / Accounts Payable Officer
PO	Planning Officer
PA	Procurement Assistant
RO	Revenue Officer
SAE	Senior Assets Engineer
SCS	Senior Corporate Support Officer
SBP	Superintendent Buildings and Properties
SNR	Superintendent Roads
SPU	Superintendent Urban and Parks
SWE	Superintendent Waste and Environment
TLC	Team Leader Compliance
TLPO	Team Leader Pool Operations
TLP	Team Leader Projects
TLSP	Team Leader Service Provision

Positions Groups

Positions Group	Position	Positions
A-ELT	Superintendents and Team Leaders	HPFC, SPU, SWE, SNR, SBP, TLPO, TLR, TLC, TLSP, TLP, TLCY
A-MT	Managers	MDS, MBT, MF, MCE, MW, MEH, MHR, MGOV, MCS, MA, MFP
A-SLT	Senior Leadership - Directors	CEO, DWTS, DCS, DCD
Council Staff	All Council Staff	MDS, HPFC, SPU, SWE, SNR, SBP, TLPO, FOI, EA, MBT, MF, GOV, MCE, SFO, APO, PAY, EDTL, TLR, CPO, HRO, CEO, SAE, MW, TLC, DWTS, MEH, DCS, DCD, PO, DSAS, CSO, ECO, TLSP, CO, MERO, MHR, MBS, RO, MGOV, MCS, MA, MFP, TLP, MCHN, TLCY, PA, TO, OHS

S7 Instrument of Sub-Delegation from CEO to Council staff

Aboriginal Heritage Act 2006			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Parts 4, 6 and 8	Powers, functions and duties of a sponsor of a cultural heritage management plan under Parts 4, 6 and 8 of the Aboriginal Heritage Act 2006.	MDS, DWTS	
s 74A(1)	Power to enter into an Aboriginal cultural heritage land management agreement with a registered Aboriginal party	CEO, DWTS	
s 74E(1)	Duty to give copy of Aboriginal cultural heritage land management agreement to Secretary of the Department of Premier and Cabinet	CEO, DWTS	

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

Audit Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 13(1)	Duty to pay, to the Consolidated Fund, an amount determined by the Auditor-General to defray the reasonable costs and expenses incurred by or on behalf of the AuditorGeneral in conducting an audit of the financial statements of the public body and expressing an audit opinion on Council under s 11	DCS	
s 13(4)	Power to dispute the reasonableness of an amount to be paid	DCS	
s 17(1)	Function of being consulted by the Auditor-General	MF, DCS	
s 18(1)	Function of receiving a final specification of a performance audit	MF, DCS	

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Audit Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 18(4)(a)	Function of receiving an amended specification	MF, DCS	
s 18(4)(b)	Function of being consulted by the Auditor-General	MF, DCS	
s 23(1)	Power to enter into an agreement with the Auditor-General for the provision of other auditing services	MF, DCS	
s 44	Function of receiving a written notice and power to give consent to entry	MF, DCS	
s 45	Power to consent to earlier entry	MF, DCS	
s 46(1)	Power to request that the Auditor-General, or authorised person, produce proof of identity	MF, DCS	
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	MF, DCS	
s 48	Power to request that the Auditor-General or authorised person serve an information gathering notice	MF, DCS	
s 58(2)(a)(i) & (ii)	Duty to give Council’s officer or employee a reasonable opportunity to respond in relation to the adverse material	DCS	
s 65(2)	Duty to give Council’s officer or employee a reasonable opportunity to respond in relation to the adverse material	DCS	
s 68(1)	Function of receiving information acquired by the AuditorGeneral	DCS	Where Council is a specified entity

Building Act 1993			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 3(1)	Power to appoint municipal building surveyor	CEO	The person must be a registered building surveyor (unlimited) as required by s 213
s 11(2)	Duty to publish notice in a newspaper if regulation under Part 2 ceases to have effect	MDS, DWTS, DSAS, MBS	

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Building Act 1993			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 25AD(1)	Function of receiving written notice of the occurrence of each prescribed event and the prescribed information relating to that event	MDS, MBS	
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	MDS, MBS	
s 29A	Function of giving consent to building permit for demolition in its capacity as responsible authority under the Planning and Environment Act 1987	MDS, DWTS, PO, MBS	
s 29B(1)	Duty to give notice where amendment of planning scheme sought in its capacity as responsible authority under the Planning and Environment Act 1987	MDS, DWTS, PO	In consultation with CEO , Advice to Council
s 29B(3)	Duty to give notice where request for amendment withdrawn, refused etc. in its capacity as responsible authority under the Planning and Environment Act 1987	MDS, DWTS	In consultation with CEO , Advice to Council
s 30	Function of receiving copy permit, plans and other documents	DWTS, DSAS, MBS	
s 30B	Function of receiving checklist confirming all relevant documents to be provided by building surveyor	MBS	
s 31(1)	Duty to keep register of building permits	MDS, DWTS, DSAS, MBS	
s 31(2)	Duty to make register available for inspection	MDS, DWTS, DSAS, MBS	
s 32	Duty to keep documents	MDS, DWTS, DSAS, MBS	
s 32A(2)	Duty to provide Development Victoria notice setting out information in s 32A(3) and a copy of any relevant planning permit within 14 days after being given a copy of building	MDS, DWTS	

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Building Act 1993			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	permit under s 30(1), in certain circumstances where s 32A(1) applies		
s 66(b)(i)	Function of determining fees	DWTS, MBS	Advice to Council and CEO
s 73	Function of receiving copy permit, plans and other documents	MDS, DWTS, DSAS, MBS	
s 74(1)	Duty to keep register of occupancy permits, temporary approvals and amendments	MDS, DWTS, DSAS, MBS	
s 74(2)	Duty to make register available for inspection	MDS, DWTS, MBS	
s 75	Duty to keep documents	MDS, DWTS, DSAS, MBS	
s 80	Function of receiving notification of appointment	MDS, DWTS, DSAS, MBS	
s 80A(3)(a)	Function of receiving written notice of designated building surveyor referred to in s 80A(2)	MDS, MBS	
s 80A(4)(a)	Function of receiving notice of the new designated building surveyor	MDS, MBS	
s 80C(4)(c)	Function of receiving a copy of the transfer form	MDS, MBS	
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)	MDS, MBS	
s 81(2)	Function of receiving notification for work terminated	DWTS, DSAS, MBS	
s 83F	Function of receiving notice of appointment of manager for private building surveyor's	DWTS, MBS	

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Building Act 1993			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	business from the Authority		
s 101(2)	Function of receiving copy documents	DWTS, MBS	
s 120(2)(a)	Function of receiving notification that an order is complied with	DWTS, MBS	
s 123(1)	Power to determine whether to recover from the owner the costs of work carried out or action taken under Part 8 Division 3 of the Act by the municipal building surveyor as a debt due to Council pursuant to s 123(1) of the Act	DWTS, MBS	In consultation with CEO
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	DWTS, MBS	
s 125(1)	Function of receiving copy notice or order	DWTS, MBS	
s 125(2)	Function of receiving written notice of the compliance, amendment or cancellation	DWTS, MBS	
s 126(1)	Duty to keep register of emergency orders, building notices and building orders	DWTS, DSAS, MBS	
s 126(2)	Duty to make register available for inspection	DWTS, DSAS, MBS	
s 138(5)	Power to appeal to the Building Appeals Board	MDS, MBS	Where Council is a 'prescribed reporting authority'
s 160(3)(d)	Power to make application to the Building Appeals Board	DWTS, MBS	In consultation with CEO
s 162(1)(a)(i)	Function of being consulted by the Building Appeals Board	DWTS, MBS	Advice to CEO
s 162(4)(b)	Function of entering into an agreement when directed by Building Appeals Board	DWTS, MBS	In consultation with CEO

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Building Act 1993			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 164(1)	Power to agree to terminate or vary agreement	DWTS, MBS	Advice to CEO
s 164(2)	Power to terminate or vary agreement	DWTS, MBS	Advice to CEO
s 164(4)	Power to apply for approval	DWTS, MBS	Advice to CEO
s 165(1)(a)	Duty to lodge copy or give notice	DWTS, MBS	Advice to CEO
s 165(1)(b)	Duty to apply to agreement made in the Register	DWTS, MBS	Advice to CEO
s 192(1)	Function of consulting with Minister regarding Alpine resorts	DWTS, MBS	Advice to CEO
s 192A(7)	Function of receiving a copy of the map prepared by the Minister	MDS, MBS	
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	MDS, MBS	
s 214(1)	Power to enter into agreement	DWTS, MBS	Advice to CEO
s 215(1)	Power to enter into agreements with a private building surveyor	DWTS, MBS	Advice to CEO
s 216A	Power to apply to the Minister for exemption	DWTS, MBS	
s 216C	Power to appoint a municipal building surveyor to carry out certain functions outside of the municipal district	CEO	No delegation, power of CEO only
s 216D(2)	Duty to establish and maintain a register of swimming pools located in Council's	MDS, MBS	

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Building Act 1993			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	municipal district		
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	MDS, MBS	
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	MDS, MBS	
s 222	Function of receiving order from Minister	DWTS, MBS	Advice to 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 s 230(2)(a) and (b)	MDS, DWTS	
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	MDS, DWTS	
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	MDS, DWTS	
s. 230(7)(c)	duty to provide an extract under s 230(6), if requested	MDS, DWTS	
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	MDS, DWTS	
s 234A	Duty to consider the complaint and give a written report to the complainant of the person's consideration of the complaint	MDS, DWTS	If the complaint is brought under Part 13 Division 2 of the Act
s 236(7)	Power to consent to remove or deface an order or notice put up under s 236(4) or 236(4A)	DWTS, MBS	
s 241(1)&(4)	Power to authorise a person or persons to bring proceedings for a summary offence against Part 3, 4, 5, 7 or 8 of the Act or the building regulations within Council's municipal	DWTS, MBS	Advice to CEO

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Building Act 1993			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	district pursuant to s 241(1) and 241(4)		
s 242	Function of receiving funds recovered through prosecution	DWTS, DSAS, CSO, MBS	
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	DWTS, MBS	Advice to CEO
s 259AB(1)	Function of entering an information sharing arrangement with the Authority	MDS, DWTS	Subject to s 259AB(2) Where Council is a relevant agency
s 259AB(3)	Power to request and receive information held by the Authority, and power to disclose information to the Authority	MDS, DWTS	Only to the extent that the information is reasonably necessary to assist in the exercise of functions under this Act, or the functions of Council Where Council is a relevant agency
s 259AB(4)(a)	Function of being referred, by the Authority, any matter (including any complaint) with respect to building work, plumbing work or architectural services	MDS, DWTS	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)	MDS, DWTS	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)	MDS, DWTS	Where Council is a building regulator
s 259AB(5)	Power to, despite any other Act or law of the State, refer a matter referred to in s 259AB(4) to the Authority, or to conduct an investigation into the matter jointly with the Authority	MDS, DWTS	Where Council is a building regulator
sch 2 cl 1(c)(i)	Function of determining fees	DWTS, MBS	Advice to Council
sch 2 cl 4(2)	Function of receiving copy application	DWTS,	

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Building Act 1993			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		DSAS, MBS	
sch 2 cl 4(3)	Function of receiving fees	DWTS, DSAS, CSO, MBS	
sch 2 cl 4(4)	Power to fix fees in accordance with cl 4(5)	DWTS, MBS	Advice to CEO and Council
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	MDS, MBS	Where Council is the 'reporting authority'

Catchment and Land Protection Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 22A(4)	Function of receiving a copy of the Minister's declaration	DWTS	
s 22B	Duty to prepare a roadside weed and pest animal management plan	DWTS, MEH, DCD, ECO	Where a declaration has been made in respect of Council's municipal district, under s 22A See also s. 22C for the contents of the plan
s 22C(3)	Function of determining which additional information to include in a roadside weed and pest animal management plan	DWTS, MEH, DCD, ECO	
s 22D	Duty to have regard to matters in s22D(a) - (c) when preparing a roadside weed and pest animal management plan	DWTS, MEH, DCD, ECO	
s 22E(1)	Duty to submit proposed roadside weed and pest animal management plan within 120 days of Minister's declaration	DWTS, MEH, DCD, ECO	
s 22E(2)	Power to apply in writing to the Minister to request an extension of time to submit the	DWTS, MEH,	

Catchment and Land Protection Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	proposed roadside weed and pest animal management plan	DCD, ECO	
s 22F	Duty to comply with procedure described in s 22F before preparing roadside weed and pest animal management plan	DWTS, MEH, DCD, ECO	
s 22G	Duty to comply with request of Minister to provide a revised roadside weed and pest animal management plan	DWTS, MEH, DCD, ECO	
s 22H	Function of receiving notice from the Minister of approval of roadside weed and pest animal management plan	DWTS, MEH, DCD, ECO	
s 22I(1)	Duty to publish the approved roadside weed and pest animal management plan on Council's website as soon as practicable after plan is approved	DWTS, MEH, DCD, ECO	
s 22I(2)	Duty to ensure that copies of the approved roadside weed and pest animal management plan are available for inspection during normal office hours	DWTS, MEH, DCD, ECO	
s 22J	Duty to implement measures set out in approved roadside weed and pest animal management plan	DWTS, MEH, DCD, ECO	
s 22K(1),(2)&(3)	Power to request, in writing, that the Minister approve a variation of its approved roadside weed and pest animal management plan	DWTS, DCD	
s 22K(4)	Function of receiving notice of Minister's decision to approve or refuse to approve the request for a variation of roadside weed and pest animal management plan	DWTS, MEH, DCD, ECO	
s 22L	Function of receiving Minister's request to vary approved roadside weed and pest animal management plan	DWTS, MEH, DCD, ECO	
s 22M(1)	Duty to publish a consolidated version of its approved roadside weed and pest animal management plan on its website as soon as practicable after variation under s 22K or 22L	DWTS, MEH, DCD, ECO	
s 22M(2)	Duty to ensure that a consolidated version of its approved roadside weed and pest animal management is available for inspection	DWTS, MEH, DCD, ECO	

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

Child Wellbeing and Safety Act 2005			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 19	Duty to comply with the Child Safe Standards	CEO, DCD, MCHN	

Child Wellbeing and Safety Act 2005			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 25	Function of receiving education and advice from the Commission for Children and Young People regarding the Child Safe Standards	CEO, DCD	
s 26	Function of receiving request from the Commission for Children and Young People for any information or document	CEO, DCD	
s 27(1)	Function of receiving request from a relevant authority to provide any information or document	CEO, DCD	
s 29(2)	Function of receiving written notice and consenting to inspection of relevant premises by the Commission for Children and Young People	CEO, DCD	
s 29(3)	Power to consent to inspection of relevant premises without written notice by the Commission for Children and Young People	CEO, DCD	
s 30	Duty to comply with notice to provide documents given under s 30(1)	CEO, DCD	
s 31	Duty to comply with notice to comply given under s 31(1)	CEO, DCD	
s 36	Duty to ensure that the Commission for Children and Young People is given any assistance reasonably required to perform functions	CEO, DCD	
s 41I	Power to seek review by the Commission for Children and Young People of decision by the Commission to issue a notice to produce or a notice to comply	CEO, DCD	
s 41J	Power to apply to VCAT for a review of the Commission for Children and Young People to issue a notice to comply	CEO	Must have first exhausted all available avenues for review under s 41I
s 41M	Function of being given opportunity to comment on adverse comment or opinion to be included in annual report or further report	CEO, DCD	
s 41V	Power to, on Council's own initiative, disclose confidential information, other than excluded information, to another information sharing entity	DCD	Where Council is an 'information sharing entity' and a 'disclosing entity'

Child Wellbeing and Safety Act 2005			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 41V	Function of receiving confidential information, other than excluded information	DCD	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	DCD	Where Council is an 'information sharing entity' and a 'requesting entity'
s 41W(1)	Function of receiving confidential information, other than excluded information	DCD	Where Council is an 'information sharing entity' and a 'requesting entity'
s 41W(1)	Function of receiving a request for confidential information, other than excluded information	DCD	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	DCD	Where Council is an 'information sharing entity' and a 'requesting entity'
s 41W(2)	Function of receiving confidential information from an information sharing entity	DCD	Where Council is an 'information sharing entity' and a 'responding entity'
s 41W(3)	Duty to comply with a request made under s 41W(1)	DCD	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)	DCD	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)	DCD	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)	DCD	Where Council is an 'information sharing entity'
s 41Z	Power to collect and use any confidential information disclosed to Council under Part 6A	DCD	Where Council is an 'information sharing entity'
s 41ZC	Duty to record prescribed information in respect of its collection, use and disclosure of confidential information	DCD	Where Council is an 'information sharing entity'

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Child Wellbeing and Safety Act 2005			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 41ZD(2)	Power to collect, use or disclose confidential information	DCD	Where Council is an 'information sharing entity' within the meaning of Part 5A of the Family Violence Protection Act 2008
s 41ZF	Power to refuse to give an individual access to their confidential information under a relevant privacy law	DCD	Where Council is an 'information sharing entity'
s 43(1)(a)	Function of receiving notice of the birth of a child	MCHN	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	MCHN	When the municipal district in which the mother usually resides is unknown and the birth occurs in Council's municipal district

Children Youth and Families Act 2005			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 23(1)	Function of being allocated money by the Secretary for the purposes of Part 3.1	CEO	
s 25	Power to use land or property for the purposes of the Department of Health and Human Services	CEO	Where authorised by the Secretary
s 26	Function of entering into an agreement with the Secretary	CEO, DCD	
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	DCD	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	CEO, DCD	
s 196	Function of receiving written direction from an authorised officer in relation to disclosure of information	CEO, DCD	

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Children Youth and Families Act 2005			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 197	Duty to comply with written direction from authorised officer	CEO, DCD	

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

Climate Change Act 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46	Power to make statement (a Council pledge) in respect of greenhouse gas emissions reductions	CEO	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	CEO	
s 49(3)	Duty to have regard to any directions of Minister regarding preparation of an emissions reduction pledge	CEO	
s 82(1)	Function of receiving notice of proposed Carbon Sequestration Agreement	CEO	Where Council is the public land manager

Conservation, Forests and Land Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 66(1)	Duty to submit plans to the Secretary to the Department of Environment, Land, Water and Planning of	CEO,	Specified works are listed in sch 3 of

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Conservation, Forests and Land Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	specified works prior to their commencement	DWTS	the Act
s 67	Power to take action contrary to a Code of Practice if paragraphs (a) and (b) apply	CEO, DWTS	

Country Fire Authority Act 1958			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 36	Function of providing fire hydrants when so requested by the Authority	MW, DWTS	
s 41A	Power to recover costs of serving notice by fire prevention officer	TLC, ECO	
s 42(1)	Power to request officers and members of any CFA brigade to carry out work (including burning) for the removal or abatement of any fire danger or for the prevention of fire	MW, TLC, DWTS	
s 42(2)	Duty to pay for work undertaken	TLC	
s 43(1)	Duty to take all practicable steps to prevent occurrence of fires and minimise the danger of spread of fires	TLC	
s 43(2)	Power to acquire equipment, etc. for purposes of s.43(1) and pay for it out of municipal fund	MW, TLC, DWTS	
s 50F(1)	Power to prepare Neighbourhood Safer Places Plan	TLC	
s 50F(4)	Duty to publish and make the Neighbourhood Safer Places Plan available at Council's office for public inspection during office hours free of charge	TLC	
s 50G(1)	Duty to identify and designate places as neighbourhood safer places	TLC	
s 50G(4)	Duty to ask the CFA to assess the neighbourhood safer place	TLC	
s 50H(1)	Duty to ensure that appropriate signage is provided at neighbourhood safer places	TLC	
s 50I	Duty to maintain all designated neighbourhood safer places	TLC, DWTS,	

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Country Fire Authority Act 1958			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		MFP	
s 50J(1)	Duty to conduct an annual review of designated neighbourhood safer places by 31 August of each year	TLC	
s 50J(2)	Duty to ask the CFA to assess each neighbourhood safer place	TLC	
s 50J(5)	Power to decommission a neighbourhood safer place if paragraphs (a) or (b) apply	TLC	With advice to Council
s 96A(1)(a)	Duty to appoint fire prevention officer	CEO	
s 96A(1)(b)	Power to appoint assistant fire prevention officers	CEO	
s 109C	Function of receiving funds for penalties recovered under s 41E	TLC, CSO	

Cultural and Recreational Lands Act 1963			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 4	Function of receiving rates	MF, DCS, CSO, RO	

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

Development Victoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations

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

Disability Act 2006			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 38(4)	Power to prepare a Disability Action Plan, in accordance with s 38	DCD,	

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Disability Act 2006			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		MCS	
s 38(5)	Duty to report on the implementation of the Disability Action plan in Council's annual report	DCD, MCS	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	DCD, MCS	If Council has not determined to prepare a plan under s 38(4) or are not taken to have prepared a plan under s 38(2)

Domestic Animals Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 10	Function of receiving applications for registration of dogs or cats	MDS, TLC, CO	
s 10A(4)	Duty to not register or renew the registration of a dangerous dog or a restricted breed dog unless the dog is (a) desexed or (b) a dangerous dog that is not a restricted breed dog and is exempt under s 10B(1)(c), 10B(1)(d) or 10B(1)(e) from the requirement to be desexed or (c) a restricted breed dog that is not a dangerous dog and is exempt under s 10B(1)(e) from the requirement to be desexed	MDS, TLC, CO	
s 10C(1)	Duty to not register a dog or cat unless the dog or cat (a) has been implanted with prescribed permanent identification device or (b) is of a class of dogs exempt under a resolution made under s 10D(3), from the requirement to be implanted with such a device or (c) is otherwise exempted under the Act from the requirement to be implanted with such a device or (d) subject to s 10C(2), has previously been registered with Council at any time in the 12 month period immediately before the application for registration was lodged	MDS, TLC, CO	
s 10C(5)	Duty to cause to be published a copy of the resolution	MDS, TLC, CO	
s 10C(6)	Duty to not register or renew registration of dangerous dog, menacing dog or restricted breed dog unless the dog has been implanted with permanent	MDS, TLC, CO	

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Domestic Animals Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	identification device		
s 10D(6)	Duty to cause to be published a copy of the resolution	MDS, TLC, CO	
s 12(1)	Power to appoint an agent for Council in the registration of cats and dogs	CEO	
s 13	Function of receiving notification of sale by domestic animal business or foster carer (including where the animal was not registered)	MDS, TLC, CO	
s 14(b)	Power to approve form of registration or renewal of registration of dogs and cats	MDS, TLC, CO	
s 15(2)	Power to permit pro-rata fees for dogs or cats registered for part of a year	MDS, TLC, CO	Advice to CEO and Council
s 15(6)	Duty to waive 50% of a registration fee of dogs or cats if paragraphs (a) or (b) apply	MDS, TLC, CO	
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	MDS, TLC, CO	
s 17(1)	Power to register or renew the registration of a dangerous dog and impose conditions upon the registration	MDS, TLC, CO	
s 17(1A)(a)	Power to register or renew the registration of a restricted breed dog	MDS, TLC, CO	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	TLC	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

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Domestic Animals Act 1994

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 17(2)	Duty to notify owner and allow owner opportunity to make submissions, if Council proposes not to register or renew the registration of a dangerous dog or restricted breed dog	MDS, TLC, CO	
s 17(3)	Duty to consider submissions in relation to the registration or renewal of registrations of a dangerous dog before making decision	MDS, TLC, CO	
s 17(4)	Duty to serve written notice of decision not to register or renew registration of dangerous dog or restricted breed dog	MDS, TLC, CO	
s 18(1)	Duty to keep register and allow inspection of register of all registered dogs and cats	MDS, TLC, CO	In consultation with CEO
s 18(2)(b)	Power to fix fee for inspection of registrations of dogs and cats in the municipality	MDS, TLC, CO	In consultation with CEO and Council
s 18(3)	Power to fix fees for making of records or obtaining certificates	MDS, TLC	in consultation with CEO and Council (Budget)
s 19(1)(a)	Duty to allocate a registration number to every dog and cat which is registered	MDS, TLC, CSO, CO	
s 19(1)(b)	Duty to give or send the owner a registration certificate	MDS, TLC, CSO, CO	
s 19(1)(c)	Duty to issue to the owner an identification marker	MDS, TLC, CSO, CO	
s 23(6)	Duty to give owner or occupier of the private property a copy of a notice served under s 23(3)	MDS, TLC, CO	
s 25(3)	Duty to cause to be published any orders made by Council under s 25	MDS, TLC,	

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Domestic Animals Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		CO	In consultation with CEO
s 26(2A)	Duty to obtain agreement of owner or occupier of private property, where Council proposes to make, by resolution, an order under s 26(2)	MDS, TLC, CO	
s 26(3)	Duty to cause to be published any orders made by Council under s 26	MDS, TLC, CO	In consultation with CEO
s 33A(1)	Duty to accept any dog or cat kept surrendered to Council by the owner of the animal	MDS, TLC, CO	
s 33A(3)	Duty to give Secretary certain information about a dog under its control if dog exhibits aggressive behaviour, may have been involved in a dog attack or may be a restricted breed dog	MDS, TLC, CO	This information must be given to the Secretary in the time specified in s 33A(4)
s 33A(2)(b)	Duty to deal with surrendered dog or cat in accordance with the Act, the regulations and relevant Codes of Practice	MDS, TLC, CO	
s 34(1)	Power to declare a dog dangerous	MDS, TLC, CO	
s 34(2)	Duty not to declare a dog dangerous in certain circumstances	MDS, TLC, CO	
s 35(2)	Duty to notify the owner and receive written and oral submissions from the owner if proposing a dog be declared dangerous	MDS, TLC, CO	
s 35(3)	Duty to consider materials submitted before making a declaration	MDS, TLC, CO	
s 36	Duty to give written notice of a declaration to owner	MDS, TLC, CO	
s 37	Function of receiving notification from owners of certain dogs	MDS, TLC, CO	

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Domestic Animals Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 41B(1)	Duty to notify the owner and allow it the opportunity to make submissions to the Council	MDS, TLC, CO	In consultation with CEO
s 41C	Duty to give notice of a menacing dog declaration to owner	MDS, TLC, CO	
s 41D	Function of receiving notification in relation to menacing dog	MDS, TLC, CO	
s 41F	Function of receiving notification from owners of restricted breed dogs	MDS, TLC, CO	Consultation with CEO and Council
s 41J(2)(a)	Power to issue a permit to own more than 2 restricted breed dogs to any person who has applied to the Council for such a permit	MDS, TLC, CO	In consultation with CEO and Council
s 41J(2)(b)	Power to issue a permit to keep more than 2 restricted breed dogs at a premises to any person who has applied to the Council for such a permit	MDS, TLC, CO	In consultation with CEO and Council
s 41J(3)	Power to fix fee for application for permit	MDS, TLC, CO	In consultation with CEO and Council (Budget)
s 44(1)	Power to require restraint of animals	MDS, TLC, CO	If Council has made a relevant local law prohibiting the keeping of animals in a specified area
s 44(2)	Duty to give written notice of requirement in s 44(1)	MDS, TLC, CO	
s 44AC(1)(c)	Power to inspect information kept on register of dangerous, menacing and restricted breed dogs, in accordance with the regulations	MDS, TLC, CO	
s 44AE	Duty to provide details of dangerous, menacing or restricted breed dogs to Secretary	MDS, TLC, CO	
s 44AEA	Duty to provide to the Secretary information relating to a dog destroyed under s 84TA, 84TB, 84TC	MDS, TLC, CO	

Domestic Animals Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 44AF	Duty to provide to the Secretary information relating to dangerous, menacing or restricted breed dogs	MDS, TLC, CO	
s 44AG	Duty to provide to the Secretary information about owners of dangerous, menacing or restricted breed dogs	MDS, TLC, CO	
s 44AH	Duty to provide, when requested under s 44H (1) a statement to Secretary confirming that information previously provided by Council is accurate	MDS, TLC, CO	
s 46(1)	Function of receiving applications to register a premises	MDS, TLC, CO	
s 46(2)	Power to approve form of registration of domestic animal businesses and information required	MDS, TLC, CO	
s 46(3)	Function of requiring and receiving any further information relating to an application Council	TLC	
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	MDS, TLC, CO	In consultation with CEO
s 48(2)	Power to approve form of renewal of registration	MDS, TLC, CO	
s 48(3)	Power to approve form of renewal of registration and information required	TLC	
s 48(4)	Function of requiring and receiving any further information relating to the application Council	TLC	
s 49(1)	Power to fix fees for registration or renewal of registration of domestic animal premises	MDS, TLC, CO	In consultation with CEO and Council
s 49(2)	Power to refund all or part of application fee	MDS, TLC, CO	

Domestic Animals Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 52(1)	Function of receiving an application for transfer of registration to a new premises	MDS, TLC, CO	
s 52(2)(a)	Power to approve form of application to transfer registration	MDS, TLC, CO	
s 52(2)(c)	Power to fix fee for transfer of registration and information required	MDS, TLC, CO	In consultation with CEO and Council
s 52(3)	Function of requiring and receiving any further information relating to the transfer of registration	TLC	
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	MDS, TLC, CO	In consultation with CEO and Council
s 54(1)	Power to refuse to register or renew the registration, refuse to transfer registration, suspend registration and revoke registration of premises	MDS, TLC, CO	In consultation with CEO and Council
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	MDS, TLC, CO	In consultation with CEO and Council
s 54(3)	Duty to refuse to register or renew the registration of a premises in relation to a breeding domestic animal business in certain circumstances	MDS, TLC, CO	
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	TLC	
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	TLC	
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	TLC	

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Domestic Animals Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	TLC	
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	TLC	
s 54B	Duty to refuse to register the premises on which a breeding domestic animal business is proposed to be conducted	TLC	
s 54C	Duty to refuse to transfer the registration of premises on which a breeding domestic animal business is being conducted to another premises	TLC	
s 54D	Duty to refuse to renew the registration of a premises on which a breeding domestic animal business is being conducted	TLC	
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	MDS, TLC, CO	In consultation with CEO and Council
s 56	Duty to receive both oral and written submissions and take into account any submissions	MDS, TLC, CO	In consultation with CEO and Council
s 57(1) & (2)	Duty to serve notice of decision and give reasons for decision	MDS, TLC, CO	
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	TLC	
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	TLC	
s 58AI(1)(a)	Power to cancel or not renew a commercial dog breeder approval	TLC	Where Council is the 'relevant Council'

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Domestic Animals Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 58AI(1)(b)	Power to suspend a commercial dog breeder approval	TLC	Where Council is the 'relevant Council'
s 58AI(2)	Duty to give the Minister notice of any suspension, cancellation or refusal to renew	TLC	
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	TLC	Where Council is the 'relevant Council'
s 58B	Power to apply to Minister to register premises as premises on which domestic animal business conducted	MDS, TLC, CO	Advice to CEO
s 58C(3)	Duty to comply with the terms, conditions, limitations and restrictions on registration of premises under s 58C	MDS, TLC, CO	In consultation with CEO
s 58D(2)	Power to apply to Minister for renewal of registration of premises	MDS, TLC, CO	Advice to CEO
s 58E	Duty to pay fee with application for registration or renewal of registration of premises	MDS, TLC, CO	Advice to CEO
s 58F	Power to surrender registration of premises on which domestic animal business conducted by notice to Minister	MDS, TLC, CO	Advice to CEO
s 58G	Duty to notify the Minister of transfer of registration	MDS, TLC, CO	
s 58J	Power to make submissions to the Minister regarding Minister's exercise of power under s 58H	CEO	In consultation with Council
s 58K	Function of receiving notice of Minister's decision	CEO	
s 58P	Function of receiving, from the Minister, a copy of the permit (including any conditions imposed on the permit)	TLC	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	TLC	Where Council is the 'relevant Council'

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Domestic Animals Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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.	TLC	
s 68A(1)	Duty to, in consultation with Secretary, prepare a domestic animal management plan	MDS, TLC, CO	Subject to s 68A(1A)
s 68A(1A)	Power to apply to the Secretary for an extension of time within which to prepare a domestic animal management plan	TLC	
s 68A(3)(a)	Duty to review domestic animal management plan annually and, if appropriate, amend the plan	MDS, TLC, CO	In consultation with CEO and Council
s 68A(3)(b)	Duty to provide the Secretary with a copy of the plan and any amendments to the plan	MDS, TLC, CO	In consultation with CEO and Council
s 68A(3)(c)	Duty to prepare an evaluation of its implementation of the plan for publication in Council's annual report	MDS, TLC, DCD, CO	In consultation with CEO and Council
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	TLC	
s 68C	Function of receiving an application for foster carer registration	TLC	
s 68D(1)	Power to renew registration	TLC	
s 68D(2)	Function of receiving an application for foster carer registration renewal	TLC	
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	TLC	
s 68G(a)	Power to approve form of applications under s 68C or 68D(2)	TLC	
s 68G(b)	Power to require information in applications under s 68C or 68D(2)	TLC	

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Domestic Animals Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 68G(c)	Power to fix fee for applications under s 68C or 68D(2)	TLC	Advice to CEO and Council
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	TLC	
s 68I(1)(b)	Power to impose conditions on a foster carer registration	TLC	
s 68J(1)	Power to suspend or cancel a foster carer registration where the criteria in s 68J(1)(a) or (b) apply	TLC	
s 68J(2)	Duty to notify the registered foster carer of a suspension or cancellation under s 68J(1)	TLC	
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	TLC	
s 68K(2)	Function of receiving written submissions from the holder of the registration	TLC	
s 68K(3)	Duty to consider any submission may under s 68K(2) before deciding to suspend, cancel or not renew the registration	TLC	
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	MDS, TLC	
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	MDS, TLC	
s 68R(1)(a)(i)	Duty to give the information set out in s 68R(2) to the Secretary within 7 days after making a decision under Part 4 to refuse to grant, renew or transfer a registration under that Part	MDS, TLC	
s 68R(1)(a)(ii)	Duty to give the information set out in s 68R(2) to the Secretary within 7 days after making a decision under Part 4 to suspend or revoke a registration under that Part	MDS, TLC	

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Domestic Animals Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 68R(1)(b)(i)	Duty to give the information set out in s 68R(3) to the Secretary within 7 days of making a decision under Part 5B not to grant or renew a registration under that Part	MDS, TLC	
s 68R(1)(b)(ii)	Duty to give the information set out in s 68R(3) to the Secretary within 7 days of making a decision under Part 5B to suspend or cancel a registration under that Part	MDS, TLC	
s 68Y(3)	Function of receiving, from the Secretary, the source number issued under s 68Y	MDS, TLC	
s 68Z(3)	Function of receiving, from the Secretary, the source number issued under s 68Z	MDS, TLC	
s 69(1)	Duty to make payment to the Treasurer of specified amounts in respect of registration of cats, dogs or registered animal business	MDS, TLC, CO	
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	TLC	
s 72	Power to appoint, by instrument, employees to be authorised officers	CEO	
s 72A(1)	Power to appoint person who is not employee of Council as authorised officer	CEO	Person appointed must have qualifications and experience prescribed by Secretary
s 73(1)	Duty to issue identity card to authorised officers	GOV	
s 84J	Power to retain custody of dog or cat until animal recovered under Division 5 or disposed of under Division 6	MDS, TLC, CO	In consultation with CEO
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	MDS, TLC, CO	In consultation with CEO
s 84L(2)	Power to retain custody of dog before destruction under division 6 where dog is seized under s 80 and officer cannot serve declaration because owner cannot be identified	MDS, TLC, CO	

Domestic Animals Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	MDS, TLC, CO	In consultation with CEO
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	MDS, TLC, CO	In consultation with CEO
s 84N(1)(d)	Power to fix an amount payable for the reasonable costs and expenses incurred by the Council in seizing the dog and retaining custody of it until its recover	MDS, TLC, DCD	In consultation with CEO and Council
s 84O(1)	Power to destroy a cat seized under Part 7A if cat does not bear an identification marker or device or cat is wild, uncontrollable or diseased	MDS, TLC, CO	In consultation with CEO
s 84O(2)	Duty to destroy dangerous dog or restricted breed dog as soon as possible where owner is entitled to recover dog under Division 5 but does not recover dog in accordance with the time period in that division	MDS, TLC, CO	In consultation with CEO
s 84O(3)	Duty to sell or destroy cat or dog (other than dangerous or restricted breed dog) as soon as possible where owner is entitled to recover dog under division 5 but does not recover dog in accordance with the time period in that division	MDS, TLC, CO	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)	MDS, TLC, CO	
s 84Q(1)	Duty to commence prosecution of a person as soon as possible after seizure under Part 7A, if authorised officer reasonably suspects that the person has committed an offence listed in s 84Q(2) with respect to a dog or a cat seized under that part, and power to retain custody of animal seized under section 84B and in any other case, Duty to retain custody until the outcome of the prosecution in s 84Q is known	MDS, TLC, CO	In consultation with CEO
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	TLC	
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	TLC	

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

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Domestic Animals Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	MDS, TLC, CO	In consultation with CEO
s 95	Function of receiving payment of fines	MDS, TLC, CSO, CO	In consultation with CEO
s 98(1A)	Power to apply to VCAT for review of a decision by Minister in relation to registration of domestic animal business	MDS, TLC, CO	In consultation with CEO
s 100A	Duty to notify Secretary where VCAT or Supreme Court sets aside a decision to declare a dog to be a dangerous dog, menacing dog or restricted breed dog	CEO	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	TLC	
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	TLC	

Domestic Building Contracts Act 1995			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 48R	Function of receiving details of alleged contraventions of building legislation	MDS, DWTS	

Education and Care Services National Law Act 2010			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 271(1)	Function of receiving information from National Authority in respect of education and care services	CEO	

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Education and Care Services National Law Act 2010			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 271(2)	Function of receiving information from Regulatory Authority in respect of education and care services	CEO	
s 271(3)	Power to disclose information to authorities or government departments in respect of education and care services	CEO	

Education and Training Reform Act 2006			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 2.3.13	Power to enter into and carry out a contract with the school Council	CEO, DCD	In consultation with Council
s 4.9.4(1AAA)	Function of responding to requests by Victorian Registration and Qualifications Authority for information under s 4.9.4	CEO	

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

Emergency Management Act 2013			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 59	Duty to establish a Municipal Emergency Management Planning Committee	CEO, DWTS, DCD	
s 59B(1)	Duty to nominate a chairperson of the Municipal Emergency Management Planning Committee	CEO, DWTS, DCD	Delegates cannot nominate

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Emergency Management Act 2013			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			themselves
s 59B(1)(a)	Power to nominate a member of Council staff to be the chairperson of the Municipal Emergency Management Planning Committee	CEO, DWTS, DCD	
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	CEO, DWTS, DCD	
s 59G(1)	Duty to appoint one or more municipal emergency management officers	CEO, DWTS, DCD	
s 59H(1)	Duty to appoint one or more municipal recovery managers	CEO, DWTS, DCD	
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	CEO, DWTS, DCD	
s 69	Duty to comply with an information gathering notice issued by the Inspector-General for Emergency Management	MDS, MEH, MERO	
s 70	Function of receiving draft review or report and providing comment or response to Inspector-General for Emergency Management	MDS, MEH, MERO	
s 70A(2)	Power to consent to entry of vessel, premises or vehicle	DWTS	
s 70A(3)	Duty to provide the Inspector-General with a written response to a request for consent under s 70A(2)	DWTS	
s 70B	Function of giving reasonable assistance to the Inspector-General for Emergency Management	MEH, MERO	

Environment Protection Act 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations

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Environment Protection Act 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 50(1)(ii)	Function of receiving application for permission	MEH	
s 50(2)	Duty of advising applicant that application does not comply with s 50	MEH	
s 50(3)	Power to require the applicant to provide necessary information relating to the application	MEH	
s 50(4)(b)	Power to agree time period	MEH	
s 54(1)	Power to issue a permission subject to conditions specified in the permission	MEH	
s 56(2)(b)	Function of receiving an application for the transfer of permit issued by Council	MEH	
s 56(4)	Duty to either refuse or transfer the permit subject any conditions within 20 business days after receiving application	MEH	
s 56(5)	Duty to refuse to transfer permit if Council if the applicant is not a fit and proper person to hold a permit	MEH	Consider s 66
s 56(6)	Duty to, as soon as practicable after making a decision, give applicant and holder of permit written notice	MEH	
s 57(2)(b)	Function of receiving application for amendment of permit	MEH	
s 57(4)	Duty to either refuse or amend permit subject to any conditions	MEH	
s 57(8)	Duty to, as soon as practicable after making a decision, give holder of permit written notice	MEH	
s 58(1)	Power to amend a permission issued on own initiative	MEH	
s 58(3)	Duty to, as soon as practicable after making a decision, give the permission holder written notice	MEH	
s 59(2)(b)	Function of receiving application to surrender or revoke a permit	MEH	
s 59(4)	Duty to either consent to the surrender application subject to any conditions or refuse to consent to the surrender within 20 business days after receiving an application	MEH	

Environment Protection Act 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 59(7)	Duty to, as soon as practicable after making a decision, give the permit holder a written notice	MEH	
s 59(9) & (10)	Duty to revoke the permissions if request received in writing and give the permit holder written notice	MEH	
s 60(1)	Power to suspend a permission	MEH	
s 60(2)	Duty to give permit holder written notice if proposing to suspend a permission	MEH	
s 60(3)	Duty to consider submissions	MEH	
s 60(4)	Duty to, as soon as practicable after making a decision, give the permit holder with written notice	MEH	
s 60(6)	Power to remove period of suspension	MEH	
s 60(7)	Power to extend period of suspension	MEH	
s 60(8)	Duty to give permit holder written notice of decision to extend period of suspension	MEH	
s 61(1) & (2)	Power to revoke permission on own initiative	MEH	
s 61(3)	Duty to give permit holder written notice if proposing to revoke a permission	MEH	
s 61(4)	Duty to consider submissions	MEH	
s 61(5) & (6)	Duty to, as soon as practicable, give permission holder written notice	MEH	
s 81(1)	Duty to issue a permit subject to any conditions or refuse to issue a permit upon receiving an application under s 50	MEH	
s 81(4)	Duty to refuse to issue a permit in circumstances specified	MEH	
s 83(1)	Function of receiving application for exemption	MEH	

Environment Protection Act 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 83(3)	Duty to grant the exemption subject to any conditions or refuse to grant the exemption within 10 business days upon receiving application	MEH	
s 84(1)(b)	Function of receiving renewal application	MEH	
s 84(4)	Duty to renew or refuse to renew the permit	MEH	
s 84(8)	Power to renew permit for (a) a period of not more than 5 years or (b) any shorter period prescribed	MEH	
s 84(9)	Power to renew a permit more than once	MEH	
s 114(2)	Power to appoint litter enforcement officer	CEO	Where Council is a litter authority
s 118(1)(b)	Function of receiving a written statement	MDS, TLC, MEH, CO	Where Council is a litter authority
s 121(1)	Power to issue a waste abatement notice	MDS, TLC, DWTS, MEH, CO	Where Council is a litter authority
s 121(6)	Power to direct the occupier of the place or premises to remove or dispose of the waste within the time specified in a waste abatement notice	MDS, TLC, MEH, CO	Where Council is a litter authority
s 121(8)	Power to vary or revoke a waste abatement notice	MDS, TLC, MEH, CO	Where Council is a litter authority
s 122(1)	Power to remove or dispose of waste or object or thing	MDS, MW, TLC, DWTS, MEH	Where Council is a litter authority after failure to comply with waste abatement notice.
s 122(2)	Power to recover any reasonable costs incurred in taking action under this section	MDS, TLC, MEH, CO	Where Council is a litter authority
s 131(1)	Function of receiving signed written report	MDS, TLC, MEH	
s 131(2)	Power to take further action	MDS, TLC, MEH,	

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Environment Protection Act 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		CO	
s 156(1)	Duty to comply with Order of the Governor in Council	MW, DWTS, MA	
s 171(1)	Power to appoint a residential noise enforcement officer	CEO	
s 172(1)	Power to issue a residential noise improvement notice	TLC, MEH, CO	
s 172(5)(a)	Power to extend time to comply with residential noise improvement notice	TLC, MEH, CO	
s 172(5)(b)	Power to revoke or amend any requirement specified in a residential noise improvement notice	TLC, MEH, CO	
s 174(1)	Power to apply for injunctions relating to residential noise	MDS, TLC, DWTS, MEH	
s 347(4)	Power to take proceedings for an offence against a provision of Part 6.3	MDS, TLC, DWTS, MEH	Where Council is a litter authority
s 391(1)	Power to nominate a representative to a Local Government Waste Forum in a waste and resource region	CEO, DWTS	Where Council is in a waste and resource region

Environment Protection Regulations 2021			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 21(2)	Power to require an applicant to provide additional information	MEH	
r 25	Power to administer prescribed permit activities	MEH	
r 33	Duty to inspect on-site wastewater management system and power to issue a certificate approving the use of the system if satisfied that the system complies with the permit	MEH	
r 100(1)	Duty to provide information	SWE, MW	

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Environment Protection Regulations 2021			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 100(5)	Duty to provide a report under subregulation (1) within 3 months after the end of the financial year to which the report relates	SWE, MW	
r 161	Function of receiving notification	MEH	Note: this provision applies on or after 1 July 2022
r 162(2)	Power to inspect records under subregulation 1	MEH	
r 171	Power to take proceedings for specified offences relating to on-site wastewater management systems	MEH	
r 215	Power to (a) waive the fee, in whole or parts; or (b) refund the fee paid, in whole or part	MEH, DCD	
r 220(2)	Duty to give a person a reasonable opportunity to provide further information in order to decide a new application	MEH	

Estate Agents Act 1980			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 70E(3)	Duty to comply with request of Director or Inspector under s 70E(1) to provide answers or supply information	CEO	

Family Violence Protection Act 2008			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 144D(3)	Duty to only share confidential information to the extent permitted by Part 5A, or the Regulations	DCD	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	DCD	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	DCD	Where Council is an 'information sharing entity'

Family Violence Protection Act 2008			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	DCD	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	DCD	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	DCD	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	DCD	Where Council is an 'information sharing entity'
s 144LB(1)	Power to request confidential information from another information sharing entity for a family violence protection purpose	DCD	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	DCD	Where Council is an 'information sharing entity' and a 'responding entity'
s 144LB(2)	Power to provide the responding entity with any confidential information that may assist the responding entity to identify the confidential information relevant to the request or determine whether to disclose the confidential information	DCD	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	DCD	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	DCD	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	DCD	Where Council is an 'information sharing entity' and a 'requesting entity'
s 144LC(1)	Duty to disclose confidential information to another information sharing entity that has requested the confidential information for a family violence protection purpose	DCD	Where Council is an 'information sharing entity' and a 'responding entity'

Family Violence Protection Act 2008			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	DCD	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	DCD	Where Council is an 'information sharing entity'
s 144M(1)	Power to disclose confidential information about a person of concern to a primary person for a family violence protection purpose if the confidential information is not excluded information	DCD	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	DCD	Where Council is an 'information sharing entity'
s 144N	Power to collect, use and disclose confidential information about a relevant person without consent	DCD	Where Council is an 'information sharing entity'
s 144NA	Duty not to collect, use or disclose confidential information about a primary person who is an adult unless s 144NA(a) or (b) applies	DCD	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	DCD	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	DCD	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)	DCD	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	DCD	Where Council is an 'information sharing entity'
s 144P(5)	Duty to comply with any guidelines issued under s 144P when handling confidential	DCD	Where Council is an 'information sharing entity'

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Family Violence Protection Act 2008			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	information in accordance with Part 5A		
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	DCD	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	DCD	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	DCD	Where Council is a 'framework organisation' that provides services relevant to family violence risk assessment and family violence risk management

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

Filming Approval Act 2014			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
sch 1 Principle 1	Duty to not unreasonably withhold the approval of an application for a film permit, subject to this Act and any other Act	EDTL, DWTS, DCD, MFP	
	Power to consider operational requirements such as commercial agreements and the maintenance of	EDTL, DWTS, DCD, MFP	

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Filming Approval Act 2014

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	any land or facilities. or to consider public amenity, safety and security, and environmental and heritage impacts when approving a permit application		
sch 1 Principle 2	Duty to approve or refuse an application for a film permit in a timely manner and to take reasonable steps to respond to an applicant within 5 business days	EDTL, DWTS, DCD	
sch 1 Principle 3	Duty to give reasons for refusal of a film permit application.	EDTL, DWTS, DCD	
sch 1 Principle 4	Duty to take reasonable steps to provide a single point of contact to deal with commercial filming on public land	EDTL, DWTS, DCD	
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	EDTL, DWTS, DCD	
sch 1 Principle 6	Duty for fees charged for applications for film permits and issuing film permits not exceed cost recovery	EDTL, DWTS, DCD	
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	EDTL, DWTS, DCD	
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	EDTL, DWTS, DCD	

Fines Reform Act 2014

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 10D(3)	Power to take action where work and development permit cancelled or partially completed	MDS, DWTS	
s 10F(4)	Function of receiving notice from Secretary regarding where infringement notice waived	TLC, DWTS	

Fines Reform Act 2014			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 10S(1)	Function of receiving a direction to suspend any enforcement action	MDS, DWTS	
s 10S(4)	Function of receiving notice of family violence scheme (FVS) applications	MDS, DWTS	
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	MDS, DWTS	
s 10U(2)(a)	Duty to withdraw an infringement notice	MDS, DWTS	If directed by the Director of Fines Victoria and within 28 days of the direction By issuing a withdrawal notice that complies with s 19(a) and (b)(iii) of the Infringements Act 2006
s 10U(2)(b)	Duty to notify the Director and the FVS eligible person of the withdrawal of the infringement notice	MDS, DWTS	
s 10V(4)	Function of receiving a direction to, and a duty to, take no enforcement action during the enforcement suspension period	MDS, DWTS	
s 10V(6)	Power to take any action referred to in s 38(1)(a) with respect to the FVS eligible offence	MDS, DWTS	if an effective known user statement is cancelled under s 84BF of the Road Safety Act 1986, and the FVS eligible offence is referred to Council
s 10V(7)(c)	Function of receiving a direction to withdraw an infringement notice and take no further action in relation to the relevant offence	MDS, DWTS	
s 10V(9)(a)	Duty to withdraw an infringement notice	MDS, DWTS	If directed by the Director of Fines Victoria and within 28 days of the direction By issuing a withdrawal notice that complies with s 19(a) and (b)(iii) of the Infringements Act 2006

Fines Reform Act 2014			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 10V(9)(b)	Duty to notify the Director and the FVS eligible person of the withdrawal of the infringement notice	MDS, DWTS	
s 10W(1)	Function of receiving a written notice of the Director of Fines Victoria's determination	MDS, DWTS	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	MDS, DWTS	If the Director of Fines Victoria determines that an FVS applicant is not an FVS eligible person in respect of the relevant FVS eligible offence under s 10T
s 10X(2)	Function of receiving referred matters from the Director of Fines Victoria	MDS, DWTS	
s 10Y(1)(a)	Power to withdraw an infringement notice and take no further action or issue an official warning	MDS, DWTS	Where the Director of Fines Victoria refers an infringement offence under s 10X(2) by issuing a withdrawal notice under s 19 of the Infringements Act 2006
s 10Y(1)(b)	Power to file a charge-sheet charging the offence	MDS, DWTS	
s 16	Function of registering infringement fines with Director of Fines Victoria and paying the prescribed fee	MDS, DWTS	
s 20(4)	Function of being advised by Director of Fines Victoria of determination	MDS, DWTS	
s 21(1)	Power to withdraw infringement notice, issue official warning or file a charge-sheet upon receipt of notice under s 20	MDS, DWTS	
s 21A	Duty to notify Director of Fines Victoria of commencement of proceeding by filing a charge-sheet under s 21(1)(c) in writing	MDS, DWTS	

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Fines Reform Act 2014			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 22	Power to request Director of Fines Victoria not to issue or serve notice of final demand	CEO, DWTS	
s 37(2)	Function of receiving written notice of enforcement cancellation from Director of Fines Victoria	MDS, DWTS	
s 38	Duty, once served notice of an enforcement cancellation notice, to withdraw notice, withdraw notice and issue a written warning or withdraw notice and commence proceeding	MDS, DWTS	
s 38A	Duty to notify Director of Fines of commencement of proceeding by filing a charge-sheet under s 38(1)(a)(iii) in writing	MDS, DWTS	
s 43	Power to refer infringement fine to Director of Fines Victoria for management by payment arrangement upon request	MDS, DWTS	
s 44	Function of receiving notice of notification of refusal of application under s 43	MDS, DWTS	
s 48(2)	Duty to request Director of Fines Victoria to remove infringement fine if infringement notice withdrawn	MDS, DWTS	
s 54(1)	Duty to provide Director of Fines Victoria with most up-to-date contact details of persons where referring infringement fine	MDS, DWTS	
s 54(5)	Function of receiving notice from Director of Fines Victoria where fine recipient makes certain requests	MDS, DWTS	
s 174	Function of receiving request from the Director of Fines Victoria or the sheriff	MDS, CEO, DWTS	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	MDS, CEO, DWTS	Where Council is a 'specified body' Unless the CEO of the Council certifies in writing that exceptional circumstances apply

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Fines Reform Act 2014			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations

Fire Services Property Levy Act 2012			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 9(9)	Power to apportion any levy amount	MF, DCS, RO	For 2 or more parcels of land which have a combined valuation and are owned separately
s 9A(1)	Function of receiving application for single farm enterprise exemption	RO	
s 9A(2)(b)	Power to specify form and timeframe for making applications under s 9A(1)	DCS	
s 9A(3)	Power to require further particulars or for applicant to verify particulars regarding application	MF, DCS, RO	
s 9A(4)	Function of receiving notice of changes in circumstances	MF, DCS, RO	
s 19 and 20	Duty to pay levy amount in respect of leviable land owned by Council	DCS, RO	Note: Council is only liable to pay the relevant fixed charge in respect of land described in s 20(1)
s 21(3)(a)	Function of assessing the amount of levy payable	MF, DCS, RO	
s 21(3)(b)	Function of collecting the levy payable	MF, DCS, RO	
s 21(4)(a)	Function of assessing the amount of levy payable	MF, DCS, RO	If Council has been directed to be a collection agency in respect of non-rateable leviable land not located within its municipal district boundaries
s 21(4)(b)	Function of collecting the levy payable	MF, DCS, RO	If Council has been directed to be a collection agency in respect of non-rateable leviable land not located within its municipal district boundaries
s 22	Power to exercise powers and functions under s 229 of the Local Government Act	MF, DCS, RO	

Fire Services Property Levy Act 2012			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	1989 (land information certificates) and s 313 of the Local Government Act 2020 (institute proceedings)		
s 24	Duty to keep levy records in accordance with s 24	MF, DCS, RO	
s 25(1)	Duty to give a written notice to the owner of leviable land or to another specified person if requested by owner	MF, DCS, RO	
s 25(6)	Duty to transfer the amount of levy collected to the Commissioner	MF, DCS, RO	
s 27(1)	Power to defer payment of levy in respect of rateable leviable land where applicant shows hardship	MF, DCS, RO	s 170 of the Local Government Act 1989 applies, subject to modifications set out in s 27. Note: may only defer levy if have deferred rates or charges under s 170 of the Local Government Act 1989 for that land
s 27(1)	Power to require payment of levy in respect of rateable leviable land where applicant no longer in hardship or no longer occupies land	MF, DCS, RO	s 170 of the Local Government Act 1989 applies, subject to modifications set out in s 27
s 27(1)	Power to waive levy in respect of rateable leviable land	MF, DCS, RO	s 171 of the Local Government Act 1989 applies, subject to modifications set out in s 27(4) Note: may only waive levy if have waived rates or charges under s 171 of the Local Government Act 1989 for that land
s 27(1)	Duty to waive levy upon receipt of an application which complies with s 171(4) of the Local Government Act 1989, in respect of rateable leviable land	MF, DCS, RO	s 171 of the Local Government Act 1989 applies, subject to modifications set out in s 27(4) Note: may only waive levy if have waived rates or charges under s 171 of the Local Government Act 1989 for that land
s 27(1)	Power to decide to treat a person to whom a waiver is granted as having made a continuing application or waiver in respect of rateable leviable land, in accordance with s 171(4)(f) of the Local Government Act 1989	MF, DCS, RO	s 171 of the Local Government Act 1989 applies, subject to modifications set out in s 27(4)

Fire Services Property Levy Act 2012			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			Note: may only waive levy if have waived rates or charges under s 171 of the Local Government Act 1989 for that land
s 27(1)	Function of receiving application for waiver of levy in respect of rateable leviable land	MF, DCS, RO	s 171A of the Local Government Act 1989 applies, subject to modifications set out in s 27(4) Note: may only waive levy if have waived rates or charges under s 171A of the Local Government Act 1989 for that land
s 27(1)	Power to require information or verification in respect of rateable leviable land	MF, DCS, RO	s 171A of the Local Government Act 1989 applies, subject to modifications set out in s 27(4) Note: may only waive levy if have waived rates or charges under s 171A of the Local Government Act 1989 for that land
s 27(1)	Power to waive levy or levy interest in respect of rateable leviable land	MF, DCS, RO	s 171A of the Local Government Act 1989 applies, subject to modifications set out in s 27(4) Note: may only waive levy if have waived rates or charges under s 171A of the Local Government Act 1989 for that land
s 28(1)	Power to defer payment of levy in respect of non-rateable leviable land where applicant shows hardship	MF, DCS, RO	s 170 of the Local Government Act 1989 applies, subject to modifications set out in s 28
s 28(1)	Power to require payment of levy in respect of non-rateable leviable land where applicant no longer in hardship or no longer occupies land	MF, DCS, RO	s 170 of the Local Government Act 1989 applies, subject to modifications set out in s 28
s 28(1)	Power to waive levy in respect of non-rateable leviable land	MF, DCS, RO	s 171 of the Local Government Act 1989 applies, subject to modifications set out in s 28(4)
s 28(1)	Duty to waive levy upon receipt of an application which complies with s 171(4) of the Local Government Act 1989, in respect of non-rateable leviable land	MF, DCS, RO	s 171 of the Local Government Act 1989 applies, subject to modifications set out in s 28(4)
s 28(1)	Power to decide to treat a person to whom a waiver is granted as having made a continuing application or waiver in respect of non-rateable leviable land, in	MF, DCS, RO	s 171 of the Local Government Act 1989 applies, subject to modifications set out in s 28(4)

Fire Services Property Levy Act 2012			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	accordance with s 171(4)(f) of the Local Government Act 1989		
s 28(1)	Function of receiving application for waiver of levy in respect of non- rateable leviable land	MF, DCS, RO	s 171A of the Local Government Act 1989 applies, subject to modifications set out in s 28(4)
s 28(1)	Power to require information or verification in respect of non-rateable leviable land	MF, DCS, RO	s 171A of the Local Government Act 1989 applies, subject to modifications set out in s 28(4)
s 28(1)	Power to waive levy or levy interest in respect of non-rateable leviable land	MF, DCS, RO	s 171A of the Local Government Act 1989 applies, subject to modifications set out in s 28(4)
s 29(1)	Duty to give concession	MF, DCS, RO	
s 30(1)	Duty to require a person to pay levy interest	MF, DCS, RO	
s 30(3)	Power to obtain court order requiring payment of levy	CEO	
s 30(4)	Power to waive levy interest where court order obtained under s 30(3)	CEO	
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)	CEO	
s 30(6)	Power to recover levy interest due in the same way as Council recovers the levy amount	CEO	
s 31(1)	Power to recover the whole of the levy from either all, any or one persons jointly liable to pay levy	CEO	Where 2 or more persons jointly liable to pay levy
s 31A(2)(a)	Duty to refund amount of levy proportionate to the part of levy year remaining where land ceases to be leviable land and levy payment has already been made	MF, DCS, RO	
s 31A(2)(b)	Duty to only require proportionate amount of levy to be paid where land ceases to be leviable land and levy payment has not already been made	MF, DCS, RO	
s 32(7)	Power to recover amount in arrears, in accordance with s 32(7)	MF, DCS, RO	

Fire Services Property Levy Act 2012			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 33(1)	Power to send notice where levy due and unpaid	DCS, RO	
s 33(5)	Power to recover unpaid amount due	MF, DCS, RO	
s 34	Duty to make adjustment and apply or refund overpayment in accordance with s.34 and give a revised assessment notice to the owner or specified person	MF, DCS, RO	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, DCS, RO	
s 35(4)(b)	Power to request occupier to disclose the amount of rent and name and address of person to whom rent is payable	MF, DCS, RO	
s 36(1)	Function of receiving application for refund of amounts overpaid	MF, DCS, RO	
s 36(4)	Duty to refund overpayment, if determined that the payment was in excess of amount owed	MF, DCS, RO	
s 36(5)	Power to refund overpayment, if determined that the payment was in excess of amount owed	MF, DCS, RO	
s 37(1)	Duty to separately account for levy amounts and levy interest collected	MF, DCS, RO	
s 37(3)	Power to retain any interest earned on levy amounts and levy interest	MF, DCS, RO	
s 37(5)	Duty to refund over payment	MF, DCS, RO	
s 38(1)	Power to cancel assessment of person's liability to pay levy if satisfied that an assessment has been made in error	MF, DCS, RO	
s 38(2)	Duty to comply with requirements in s 38(2) where Council has made an assessment in error	MF, DCS, RO	
s 39(2)	Duty to conduct another assessment of the levy amount and, if applicable, give the owner or specified person a revised assessment notice, in accordance with s 39(2)	MF, DCS, RO	

Buloke Shire Council

Fire Services Property Levy Act 2012			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 39(3)	Duty to refund payment in excess of amount owed and any interest accrued	MF, DCS, RO	
s 40	Duty to submit a return to the Commissioner	MF, DCS, RO	In a form approved by the Commissioner and in accordance with any directions issued by the Minister
s 41(1)	duty to pay all levy amounts and levy interest received to the Commissioner in 4 instalments	MF, DCS, RO	
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	MF, DCS, RO	
s 71(1)	Function of receiving application for alteration of levy records	MF, DCS, RO	
s 71(2)	Power to specify the manner and form of applications under s 71(1)	MF, DCS, RO	
s 72	Duty to comply with any Ministerial directions issued under s 72	MF, DCS, RO	

Flora and Fauna Guarantee Act 1988			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 4C(1)	Function of receiving a request for information from the Minister	DWTS, DCD, ECO	Where Council is a public authority
s 4C(2)	Duty to comply with a Minister's request for information under s 4C(1)	DWTS, DCD, ECO	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	DWTS, DCD, ECO	Where Council is a public authority If the Secretary is of the opinion that an action taken or to be taken by Council is likely to threaten the survival of a listed taxon or community of flora or fauna or a critical habitat
s	Function of receiving written notice from the Secretary	DWTS,	Where Council is a landholder of any land that is within the

Buloke Shire Council

Flora and Fauna Guarantee Act 1988			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
20B(1)(a)		DCD, ECO	area of the proposed determination
s 20B(1)(b)	Function of receiving written notice from the Secretary	DWTS, DCD, ECO	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	DWTS, DCD, ECO	Where Council is a landholder
s 25(1)	Function of being party to an agreement for management of flora and fauna	DWTS	
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	DWTS, DCD, ECO	Where Council is a landholder
s 29(1)(b)	Function of receiving notice of the making of a habitat conservation order from the Minister	DWTS, DCD, ECO	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 any thing in respect of which the authorised officer suspects that there has been a contravention of the Flora and Fauna Guarantee Act 1988 (Vic) or an instrument referred to in s 57(1) that is found at the land, building or vehicle	DWTS, DCD, ECO	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	DWTS, DCD, ECO	Where Council is the landholder of the land

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 7D(3)	Duty to comply with a declaration made by the Secretary under s 7D(1)	CEO	
s 7E(6)	Duty to publish a copy of a direction given by the Minister under s 7E(1) in the annual report	CEO	

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Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 19(4)(b)	Duty to notify the Department of the making of the order	MEH, DCD	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	MEH, DCD	If s 19(1) applies and if Council is not the registration authority
s 19A(4)(b)	Function of receiving notice from authorised officer	MEH, DCD	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	MEH, DCD	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	MEH, DCD	Where Council is the registration authority
s 19H(5)(a) & (5)(b)	Duty to take into account (a) the food safety performance of the food business; and (b) any guidelines issued by the Secretary in determining the frequency and intervals of the assessments and audits	MEH, DCD	Where Council is the registration authority
s 19I	Duty to conduct a food safety assessment as required under s 19H	MEH, DCD	Subject to s 19J 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 19IA(3) applies.	MEH, DCD	Where Council is the registration authority
s 19N	Function of receiving information from a food safety auditor	MEH, DCD	Where Council is the registration authority
s 19U(4)	Duty to ensure that information relating to costs of a food safety audit are available for inspection by the public	MEH, DCD	
s 19UA(4)	Duty to consider proprietor's history of compliance in deciding whether to charge the fee	MEH, DCD	<hr/> In consultation with CEO
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	MEH, DCD	

Buloke Shire Council

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 20(1C)	Duty to ensure authorised officers are suitably qualified or trained	CEO	
s 20(2)	Power to limit or impose conditions on the authority granted to an authorised officer	CEO	
s 26(5)	Duty to destroy or dispose of article	MEH, DCD	
s 32(1)	Duty to submit samples of food for analysis	MEH, DCD	
s 32(3)	Function of receiving report by analyst	MEH, DCD	
s 35A(2)	Function of receiving notice of operation from the proprietor of a food premises	MEH, DCD	Where Council is the registration authority
s 37	Function of receiving application, information and documents required under s 36 from the proprietor of a food business	MEH, DCD	
s 38(3)	Duty to consult with the Secretary about the proposed exemption under s 38(2)	MEH, DCD	
s 38AA(2)	Function of being notified of operation	MEH, DCD	Where Council is the registration authority
s 38AA(4)	Duty to determine whether the food premises are exempt from the requirement of registration	MEH, DCD	Where Council is the registration authority
s 38A(5) & (6)	Function of receiving a food safety audit certificate from a proprietor	MEH, DCD	Where Council is the registration authority
s 38B(1)(c)	Duty to inspect premises	MEH, DCD	Where Council is the registration authority
s 38E(1)(c)	Function of assessing the requirement for a food safety program	MEH, DCD	Where Council is the registration authority
s 38E(3)(a)	Function of receiving certificates	MEH, DCD	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	MEH, DCD	Where Council is the registration authority
s 39(2)	Duty to inspect within 12 months before renewal of registration	MEH, DCD	Where Council is the registration authority

Buloke Shire Council

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 39(3)	Duty to inspect within 3 months before renewal of registration if circumstances in s 39(3)(a)-(d) apply	MEH, DCD	Where Council is the registration authority
s 39A(6)	Duty to comply with direction of Secretary.	MEH, DCD	
s 40(1)	Duty to issue a certificate of registration in the prescribed form	MEH, DCD	Where Council is the registration authority
s 40D(2)	Duty to specify how long a suspension is to last under s 40D(1)	MEH, DCD	Where Council is the registration authority
s 40E(4)	Duty to comply with direction of Secretary	MEH, DCD	
s 43(1) and (2)	Duty to maintain records of the prescribed particulars and orders in force under Part III	MEH, DCD	Where Council is the registration authority
s 43(3)	Duty to make available information held in records, free of charge, on request	MEH, DCD	Where Council is the registration authority
s 43I	Function of receiving a statement of trade of a proprietor of a food business	MEH, DCD	
s 45AA	Power to act in proceedings against the Crown	CEO	Power of the responsible agency
s 45AC	Power to bring proceedings for an offence under the Act	MEH, DCD	
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	CEO	Where Council is the 'relevant Council' under s 53G(6)
s 53G(2)	Duty to advise the Secretary that a person has not appealed a conviction within the time allowed	CEO	Where Council is the 'relevant Council' under s 53G(6)
s.53G(3)	duty to inform the Secretary of the fact that an appeal or application for leave is lodged against the conviction and of other matters in this subsection	CEO	where Council is the relevant Council under subsection (6)
s 53G(4)	Duty to inform the Secretary of the outcome of the appeal or application	CEO	Where Council is the 'relevant Council' under s 53G(6)
s 58(1)	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 licence/permit under the Liquor	CEO	Where Council is the registration authority

Buloke Shire Council

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Control Reform Act 1998 is in force		
s 58(2)	Duty to notify the Victorian Commission for Gambling and Liquor Regulation of Liquor Licensing when a holder of a permit/licence under the Liquor Control Reform Act 1998 is found guilty or pleads guilty and in respect of which no conviction is recorded	CEO	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	MEH, DCD	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	MEH, DCD	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 direction under Part III or Part VII	MEH, DCD	
s 59C(7)(b)	Power to recover costs incurred under s 59C(2) or (3)	MEH, DCD	In consultation with CEO
s 71(a)	Power to revoke or suspend of the registration of the food premises under Part IIIB or s 40D in certain circumstances	MEH, DCD	In consultation with CEO

Freedom of Information Act 1982			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 7	Duty to publish information	DCS	
s 49D(3)	Power to request a copy of the application from the Information Commissioner	FOI, DCS	
s 49G(3)	Function of receiving notice from the Information Commissioner	FOI, DCS	
s 49I	Duty to assist the Information Commissioner to undertake a review	FOI, DCS	
s 49K	Function of consulting with the Information Commissioner	FOI, DCS	
s 49KA(2)(a)	Function of processing or identifying a reasonable sample of the documents upon notice from the Information Commissioner	FOI, DCS	If the Information Commissioner reasonably believes that an agency or Minister has failed to

Freedom of Information Act 1982			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			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	FOI, DCS	If the Information Commissioner reasonably believes that an agency or Minister has failed to undertake an adequate search for documents that relate to a decision that is the subject of a review under Division 1
s 49KA(3)	Duty to comply with requests under s 49KA(2) within the reasonable time stated in the Information Commissioner's notice, being not less than 10 business days	FOI, DCS	If the Information Commissioner reasonably believes that an agency or Minister has failed to undertake an adequate search for documents that relate to a decision that is the subject of a review under Division 1
s 49KA(4)	Power to apply for extension	FOI, DCS	
s 49KA(7)	Duty to notify the Information Commissioner within 3 business days after the end of the period referred to in s 49KA(2) or (3) of the information contained in s 49KA(7)(a)-(b)	FOI, DCS	If the Information Commissioner reasonably believes that an agency or Minister has failed to undertake an adequate search for documents that relate to a decision that is the subject of a review under Division 1
s 49KA(8)	Function to have the matter referred from the Information Commissioner in accordance with s 49L	FOI, DCS	If the Information Commissioner reasonably believes that an agency or Minister has failed to undertake an adequate search for documents that relate to a decision that is the subject of a review under Division 1

Freedom of Information Act 1982			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 49L(1A)	Duty to make a fresh decision where a matter is referred back to Council by the Information Commissioner	FOI, DCS	Decision must be made within 28 days of referral, unless other time period agreed under s 49L(2)
s 49L(2)	Power to agree with the Information Commissioner to another time period for making the fresh decision under s 49L(1)	FOI, DCS	
s 49L(4)	Duty to notify the Information Commissioner that a fresh decision has been made or has not been made	FOI, DCS	
s 49L(5)	Duty to revoke the earlier decision where a fresh decision has been made and to inform the applicant of the requirements of s 49L(6) and the effect of s 49(7)	FOI, DCS	
s 49M(1)	Power to exercise a choice to reconsider the subject matter of an application for review and make a fresh decision	FOI, DCS	<p>Must advise the Information Commissioner and the applicant in writing</p> <p>Decision must be made within 28 days of referral, unless other time period agreed under s 49M(2)</p> <p>May make a fresh decision only once during a review under this part s 49M(8)</p>
s 49M(2)	Power to agree with Information Commissioner to another time period for making a fresh decision	FOI, DCS	
s 49M(4)	Duty to notify the Information Commissioner in writing of a whether a fresh decision has or has not been made	FOI, DCS	
s 49M(5)	Duty to revoke the earlier decision where a fresh decision has been made and to inform the applicant of the requirements of s 49M(6) and the effect of s 49M(7)	FOI, DCS	
s 49N	Function of entering into an agreement in relation to a decision that is the subject of a review	FOI, DCS	
s 50(3D)	Power to apply to the Tribunal for review of a decision of the Information Commissioner under s 49P	CEO	

Freedom of Information Act 1982			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 50(3F)	Duty to notify the Information Commissioner of an application for review under s 50(3D)	DCS	
s 50(3FA)	Duty to notify the Information Commissioner of an application for review under s 50(3D1) (b), (c), (d) or (g)	DCS	
s 53(6)	Power to make an application to the Tribunal for an extension of time	DCS	
s 53A(1)	Duty to, if practicable, give written notice in accordance with s 53A(2)	DCS	
s 61E	Duty to co-operate with Information Commissioner where a complaint relates to the agency	DCS	
s 61G	Function of consulting with the Information Commissioner	FOI, DCS	
s 61GA(1)(a)	Function of processing or identifying a reasonable sample of the documents upon notice from the Information Commissioner	FOI, DCS	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	FOI, DCS	Where the Information Commissioner believes that an agency, principal officer or Minister has failed to undertake an adequate search for documents that relate to a decision
s 61GA(2)	Duty to comply with requests under s 61GA(1) within the reasonable time stated in Information Commissioner's notice, being not less than 10 business days	FOI, DCS	
s.61GA(3)	power to apply for extension	FOI, DCS	
s 61H	Power to reach an agreement with a complainant	FOI, DCS	
s 61I(2)	Power to make submissions to the Information Commissioner in relation to a complaint	FOI, DCS	

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Freedom of Information Act 1982			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s.61L(5)	Power to comment on, and respond to, a draft recommendation	FOI, DCS	
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	CEO	
s 64B	Duty to provide the Information Commissioner any information referred to in s 64(2)	FOI, DCS	
s 65AB	Duty to notify the responsible Minister if Council seeks leave to appeal	DCS	

Gambling Regulation Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 3.3.5	Function of receiving a copy of proposed applications	DWTS, PO	Advice to Council
s 3.3.5AA	Function of receiving notification from the Commission	DWTS	
s 3.3.5AB(2)	Function of receiving a copy of the amended application	DWTS	
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	DWTS	In consultation with Council
s 3.3.6	Power to make submission to Commission on application for approval of premises	DWTS	
s 3.3.8(4)	Function of receiving notification from the Commission of its decision	DWTS	Advice to Council
s 3.3.14	Power to apply to Tribunal for review of Commission's decision granting approval of premises	DWTS	In consultation with Council
s 3.4.18(2)	Function of receiving a copy of proposed request	DWTS	Advice to Council
s 3.4.18A	Function of receiving notification from the Commission that it has received a request	DWTS	Advice to Council

Buloke Shire Council

Gambling Regulation Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 3.4.18B(2)	Function of receiving amended copies of proposed request	DWTS	Advice to Council
s 3.4.18C	Duty to notify Commission as to whether it intends to make a submission under s 3.4.19	DWTS	In consultation with Council
s 3.4.19	Power to make submission to the Commission addressing the economic and social impact of a proposed licence amendment on the wellbeing of the community of the municipal district in which the approved venue (or venue whose approval under Part 3 is suspended) is located; and taking into account the impact of the proposed amendment on surrounding municipal districts	DWTS	In consultation with Council
s 3.4.21(2)	Power to apply to Tribunal for review of Commission's decision relating to amendment increasing number of gaming machines	CEO	In consultation with Council
s 8.5.3(2)	Function of receiving a copy of application for bingo centre	CEO	Advice to Council
s 8.5.5	Power to submit report to Commission on application received under s 8.5.3(3)(a)	CEO	In consultation with Council

Gender Equality Act 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 7(a)	Duty to consider and promote gender equality	DWTS, DCS, DCD, MHR	Where Council is a 'defined entity'
s 7(b)	Duty to take necessary and proportionate action towards achieving gender equality	DWTS, DCS, DCD	Where Council is a 'defined entity'
s 9(1)	Duty to undertake a gender impact assessment	DCS	Where Council is a 'defined entity'
s 10(1)	Duty to prepare a Gender Equality Action Plan	DCS	Where Council is a 'defined entity'

Gender Equality Act 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 10(2)(a)	Duty to take into account the gender equality principles in preparing a Gender Equality Action Plan	DCS	Where Council is a 'defined entity'
s 10(2)(b)	Duty to consult in preparing a Gender Equality Action Plan	DCS	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	DCS	Where Council is a 'defined entity'
s 11(1)	Duty to undertake a workplace gender audit before developing a Gender Equality Action Plan	DCS	Where Council is a 'defined entity'
s 11(2)(d)	Power to determine any other matters that are relevant	DCS	Where Council is a 'defined entity'
s 12(1)	Duty to submit a Gender Equality Action Plan to the Commissioner	DCS	Where Council is a 'defined entity'
s 12(2)	Power to request an extension of time to submit the Gender Equality Action Plan	DCS	Where Council is a 'defined entity'
s 12(3)(a)	Duty to, within a reasonable time after submitting the Gender Equality Action Plan to the Commissioner, publish the completed Gender Equality Action Plan on Council's website	DCS	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	DCS	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	DCS	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	DCS	Where Council is a 'defined entity'

Gender Equality Act 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 15(1)	Power to amend its Gender Equality Action Plan at any time if considers the amendment is considered necessary	DCS	Where Council is a 'defined entity'
s 15(2)(a)	Duty to submit the amended Gender Equality Action Plan to the Commissioner	DCS	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	DCS	Where Council is a 'defined entity'
s 16(1)	Duty to make reasonable and material progress in relation to the workplace gender equality indicators	DWTS, DCS, DCD	Where Council is a 'defined entity'
s 18(1)	Duty to make reasonable and material progress towards meeting gender equality targets prescribed	DWTS, DCS, DCD	Where Council is a 'defined entity'
s 18(2)	Duty to make reasonable and material progress towards meeting gender equality quotas prescribed	DWTS, DCS, DCD	Where Council is a 'defined entity'
s 19(1)	Duty to submit a progress report to the Commissioner	DCS	Where Council is a 'defined entity'
s 19(2)	Power to request an extension of time to submit a progress report	DCS	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)	DCS	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)	DCS	Where Council is a 'defined entity'
s 22(1)	Function of being issued with a compliance notice from the Commissioner	DCS	Where Council is a 'defined entity'

Gender Equality Act 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 22(2)	Duty to comply with the compliance notice	DCS	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	DCS	Where Council is a 'defined entity'
s 25(1)	Power to apply to the Tribunal for review of the Commissioner's decision to confirm a compliance notice under s 24(2)(c)	DCS	Where Council is a 'defined entity'
s 26(a)	Power to provide the Commissioner with a written undertaking	DCS	Where Council is a 'defined entity'
s 27(2)	Power to, with the consent of the Commissioner, withdraw or vary the undertaking	DCS	Where Council is a 'defined entity'
s 47(2)	Duty to have regard to any guidelines issued under s 47(1)	DCS	Where Council is a 'defined entity'
s 48(2)	Duty to have regard to the guidelines	DCS	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	DWTS, DCS, DCD, MGOV	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	DCS	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	DCS	Where Council is a 'defined entity'

Graffiti Prevention Act 2007			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 18(1)	Power to take action necessary to remove or obliterate graffiti from private premises where graffiti is visible from a public place, in accordance with s 18	MDS, TLC, MEH, DCD, CO	In consultation with CEO and Council
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	MDS, TLC, MEH, DCD, CO	In consultation with CEO
s 18(2)(a)	Power to serve notice regarding proposal to remove or obliterate graffiti at least 28 days before action proposed to be taken	MDS, TLC, MEH, DCD, CO	In consultation with CEO
s 18(3)(a)	Duty to serve notice regarding proposal to remove or obliterate graffiti at least 10 days before it is proposed to take action to remove or obliterate graffiti (where entry to private premises not necessary)	MDS, TLC, MEH, DCD, CO	In consultation with CEO
s 18(3)(b)	Power to remove or obliterate graffiti (where entry not necessary), Where written notice of proposed action given and owner gives consent or does not object in accordance with notice	MDS, TLC, MEH, DCD, CO	
s 18(3A)	Power to take further action to remove or obliterate graffiti	MDS, TLC, MEH, DCD, CO	Within 3 months after Council has taken action under subsection (3)
s 18(8)(a)	Duty to take reasonable steps to consult with owner or occupier in relation to manner of taking action to remove or obliterate graffiti	MDS, TLC, MEH, DCD, CO	
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)	MDS, TLC, MEH, DCD, CO	
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	MDS, TLC, MEH, DCD, CO	
s 19(1)	Power to authorise a person to carry out Council's functions under s 18.	CEO	
s 19(2)(c)	Power to determine performance criteria for authorised persons	CEO	
s 20(1)	Duty to issue an identity card to an authorised person	GOV	

Buloke Shire Council

Health Records Act 2001			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 48	Function of receiving notice of complaint from the Health Complaints Commissioner	CEO, DCD	Advice to Council
s 51(1)	Function of receiving notice that Health Complaints Commissioner has declined to entertain a complaint	CEO, DCD	Advice to Council
s 51(3)	Function of receiving notice that Health Complaints Commissioner referred complaint	CEO, DCD	
s 52(2)	Function of receiving notice that Health Complaints Commissioner referred complaint to registration board	CEO, DCD	
s 53(2)	Function of receiving notice that Health Complaints Commissioner has dismissed a stale complaint	CEO, DCD	
s 56(3)	Power to indicate wishes with respect to whether conciliation appropriate	CEO, DCD	
s 56(4)	Function of receiving notice of Health Complaints Commissioner's decision under s 56(1)	CEO, DCD	
s 57(4)	Function of receiving notice that Health Complaints Commissioner has dismissed the complaint after deciding conciliation is inappropriate	CEO, DCD	
s 61(1)(b)	Power to sign the record of a conciliation agreement	CEO, DCD	Advice to Council
s 61(2)	Power to lodge a copy of the record with the Tribunal	CEO, DCD	
s 63(1)	Function of receiving notice that conciliation has failed	CEO, DCD	Advice to Council
s 63(8)	Function of receiving notice that Health Complaints Commissioner has dismissed the complaint following a failed conciliation	CEO, DCD	Advice to Council
s 63(10)	Function of receiving notice that Health Complaints Commissioner is to conduct an investigation of the complaint	CEO, DCD	Advice to Council
s 64(2)	Function of receiving notice of Health Complaints Commissioner's ruling	CEO, DCD	Advice to Council
s 64(7)	Duty to report on action taken following notice of a ruling requiring specified action	CEO, DCD	Advice to Council
s 65(1)	Power to require the Health Complaints Commissioner to refer the complaint to the Tribunal	CEO, DCD	Advice to Council
s 72	Power to apply to the Tribunal for review of a decision to serve a compliance notice	CEO, DCD	Advice to Council

Health Records Act 2001			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 73(1)	Power to apply to the Tribunal for an interim order	CEO, DCD	Advice to Council

Heavy Vehicle National Law 2012			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 118(1)(b)	Duty to give or not give consent to the grant of a mass or dimension exemption notice for a category of heavy vehicles	SAE, DWTS, MA	Where Council is the relevant road manager Must comply with requirements of s 156
s 124(1)(b)	Duty to give or not give consent to the grant of a mass or dimension exemption permit for a heavy vehicle	SAE, DWTS, MA	Where Council is the relevant road manager Must comply with requirements of s 156
s 139(1)(b)	Duty to give or not give consent to the grant of a class 2 heavy vehicle authorisation notice	SAE, DWTS, MA	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	SAE, DWTS, MA	Where Council is the relevant road manager
s 156(1)	Duty to give or not give consent	SAE, DWTS, MA	Where Council is the relevant road manager
s 156(2)	Power to request a longer period to decide to give or not give consent under s 156(1)	SAE, DWTS, MA	Where Council is the relevant road manager
s 156(3)	Function of giving Regulator a written statement explaining its decision not to give consent	SAE, DWTS, MA	Where Council is the relevant road manager Statement must comply with s 172
s 157(2)	Function of receiving notice from the Regulator that an applicant has been notified of the third party consultation requirement	SAE, DWTS, MA	Where Council is the relevant road manager
s 158(2)	Duty to, as far as practicable, deal with the request for consent, where consultation with other entity is not yet completed	SAE, DWTS, MA	Where Council is the relevant road manager
s 158(4)	Power to decide to give or not give the consent in the circumstances	SAE, DWTS, MA	Where Council is the relevant road manager
s 159	Power to notify the Regulator that a route assessment is required and the fee payable for the route assessment	SAE, DWTS, MA	Where Council is the relevant road manager

Heavy Vehicle National Law 2012			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 159(4)	Power to stop considering whether to give or not to give consent until route assessment fee is paid	SAE, DWTS, MA	Where Council is the relevant road manager
s 160(1)	Power to consent to the grant of a mass or dimension authority subject to a road condition listed in (a) or (b)	SAE, DWTS, MA	Where Council is the relevant road manager
s 160(2)	Duty to give the Regulator a written statement explaining the decision to consent subject to conditions	SAE, DWTS, MA	Where Council is the relevant road manager Statement must comply with s 172
s 161(1)	Power to consent to the grant of a mass or dimension authority subject to a travel condition	SAE, DWTS, MA	Where Council is the relevant road manager
s 161(2)	Duty to give the Regulator a written statement explaining the decision to consent subject to travel conditions	SAE, DWTS, MA	Where Council is the relevant road manager Statement must comply with s 172
s 162(1)	Power to request the Regulator to impose a stated vehicle condition on the authority	SAE, DWTS, MA	Where Council is the relevant road manager
s 162(2)(b)	Function of being notified of the decision under s 162(2)(a)	SAE, DWTS, MA	Where Council is the relevant road manager
s 163(3)	Duty to give or not give consent within 3 months or longer as agreed with Regulator	SAE, DWTS, MA	Where Council is the relevant road manager
s 167(2)(b)	Power to give the Regulator a notice of objection to the application of s 167 to the proposed replacement authority	SAE, DWTS, MA	Where Council is the relevant road manager
s 167(2)(c)	Function of receiving notice that the Regulator withdraws the proposed replacement authority from the expedited procedure	SAE, DWTS, MA	Where Council is the relevant road manager
s 167(3)	Power to give written notice of consent or refusal	SAE, DWTS, MA	Where Council is the relevant road manager
s 169	Power to give consent to the grant of a mass or dimension authority for a trial	SAE, DWTS, MA	Where Council is the relevant road manager

Heavy Vehicle National Law 2012			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	period		
s 170(1)	Function of being notified by the Regulator of renewal of mass or dimension authority for trial period	SAE, DWTS, MA	Where Council is the relevant road manager
s 170(3)	Power to give written objection	SAE, DWTS, MA	Where Council is the relevant road manager
s 174(2)(a)	Power to request the Regulator to amend the mass or dimension authority, where satisfied of matters in s 174(1)	SAE, DWTS, MA	Where Council is the relevant road manager
s 174(2)(b)	Power to request the Regulator to cancel the mass or dimension authority, where satisfied of matters in s 174(1)	SAE, DWTS, MA	Where Council is the relevant road manager
s 174(4)(c)	Function of receiving notice from the Regulator that the road authority must not comply with the request	SAE, DWTS, MA	Where Council is the relevant road manager
s 176	Duty to give or not give consent to an amendment of a mass or dimension authority	SAE, DWTS, MA	Where Council is the relevant road manager The provisions relating to a request for consent under Division 2 of the Act apply to the request for consent under s 176
s 178(2)(a)	Power to request the Regulator to amend the mass or dimension authority, where satisfied of matters in s 178(1)	SAE, DWTS, MA	Where Council is the relevant road manager
s 178(2)(b)	Power to request the Regulator to cancel the mass or dimension authority, where satisfied of matters in s 178(1)	SAE, DWTS, MA	Where Council is the relevant road manager

Heavy Vehicle National Law 2012			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 178(4)(c)	Function of receiving notice from the Regulator that the road authority must not comply with the request	SAE, DWTS, MA	Where Council is the relevant road manager
s 180(2)	Function of receiving notice from the Regulator	SAE, DWTS, MA	Where Council is the relevant road manager
s 611(2)	Power to apply for a compensation order	SAE, DWTS, MA	
s 612	Function of preparing certificate	SAE, DWTS, MA	
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	SAE, DWTS, MA	
s 613(3)	Function of receiving notice that defendant intends to challenge the matter	SAE, DWTS, MA	
s 643(2)	Function of receiving referral of review application	SAE, DWTS, MA	
s 644	Duty to conduct internal review of reviewable decision and give applicant a reasonable opportunity to make written or oral representations	SAE, DWTS, MA	Where Council is the relevant road manager
s 645(1)	Duty to either confirm or amend decision or substitute another decision for the reviewable decision	SAE, DWTS, MA	Where Council is the relevant road manager
s 645(5)	Duty to, as soon as practicable, give the Regulator notice of the review	SAE, DWTS, MA	Where Council is the relevant road manager

Heavy Vehicle National Law Application Act 2013

Buloke Shire Council

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 18(2)	Power to enter into an arrangement to transfer a function	SAE, DWTS, MA	In respect of roads where Council is the relevant road manager

Heritage Act 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 29(4)	Function of receiving statement refusing a nomination from Executive-Director	CEO	
s 30(9)	Function of receiving written notice from Heritage Council of outcome of application for review	CEO	
s 34(1)	Function of receiving notice of acceptance of nomination from Executive Director	CEO	
s 40(1)	Function of receiving statement from Executive Director of recommendation not to include place or object in Heritage Register	CEO	
s 53(6)	Function of receiving notice of amendment to heritage register from Executive Director	CEO	
s 63(2)	Function of receiving notice of expedited amendment of Heritage Register	CEO	
s 96(5)	Function of receiving copy of amended permit application	CEO, DWTS	
s 100(1)	Function of receiving copy of permit application from Executive Director	CEO, DWTS	
s 100(2)	Power to make written submission to Executive Director in relation to application received under s 100(1)	CEO	
s 105(4)	Function of receiving notice of receipt of application to amend a permit from Executive Director	CEO	
s 106(5)	Function of receiving notice of application for review for permit to carry out works from Heritage Council	CEO	
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	CEO	
s 108(5)	Power to appear and be heard or represented at a hearing into review of Executive Director's determination	CEO	

Buloke Shire Council

Heritage Act 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 108(9)	Function of receiving written notice from Executive Director of Heritage Council's determination of review	CEO	
s 110	Function of receiving notice from Minister of referral of a matter to VCAT under s 109(2)(b)	CEO	
s 112	Function of receiving notice from Executive Director of decision by VCAT under s 111	CEO	
s 114(2)	Function of receiving notice from Executive Director of decision by Minister in relation to application for review	CEO	
s 120	Function of receiving written notice of removal of site from Heritage Inventory	CEO, DWTS	
s 131(1)	Function of receiving notice of recommendations made under s 130 by Executive Director	CEO	
s 133(3)	Function of receiving written notice from Heritage Council of approval of recommendation for a site of archaeological value	CEO	
s 179	Function of receiving notice of approval of World Heritage Strategy Plan	CEO	

Housing Act 1983			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 15(1)(d)	Function of consenting to any development, control, etc. of any land	CEO	
s 34(1)	Function of entering into arrangements with the Director whereby Council carries out works	CEO	
s 34(3)	Power to enter into arrangements with the Director for the purposes of this Act	CEO	
s 67(1)(a)	Power to do all things to make house comply with regulations or to give effect to direction	MDS, DWTS, MBS	
s 67(1)(b)	Power to demolish house (where case so requires)	MDS, DWTS	
s 67(2)	Power to recover expenses	MDS, DWTS	
s 67(3)	Power to sell or dispose of material	MDS, DWTS	

Buloke Shire Council

Housing Act 1983			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 68(1)	Power to order that house (a) be and remain unoccupied; or (b) be vacated by the occupier	MDS, DWTS, MEH, DCD, MBS	
s 68A	Power to revoke declaration	MDS, DWTS, MEH, DCD, MBS	
s 71(1)	Power to authorise person for purposes of s 71	CEO	
sch 2 cl 3(1)	Power to sell or give to the Director any land vested in it, other than Crown land	CEO	
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	DWTS	
sch 6 cl 1	Duty to lodge signed certificate	MDS, DWTS	
sch 6 cl 1	Power to authorise staff member to sign certificate	MDS, DWTS	
sch 6 cl 2	Power to request recording in Register	MDS, DWTS	
sch 6 cl 6	Duty to lodge notice with the Registrar of Titles that the declaration has ceased to operate	MDS, DWTS	
sch 6 cl 7(1)	Power to require occupier to pay to Council any money owing	MDS, DWTS	
sch 6 cl 7(2)	Duty to forward a copy of any notice under cl 7(1) to the owner of the house concerned	MDS, DWTS	
sch 6 cl 7(5)	Duty to notify occupier if Council receives any payment	MDS, DWTS	

Impounding of Livestock Act 1994

Buloke Shire Council

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 9(3)	Function of receiving notice from owner or occupier of whereabouts of livestock	MDS, TLC, CO	
s 10	Power to give written permission to owner or occupier of land to impound livestock on their land for longer than 4 days	MDS, TLC, CO	
s 14	Duty to keep record of impounded livestock	MDS, TLC, CO	
s 15	Duty to ascertain owner of livestock and serve a notice of seizure on the owner as soon as possible	MDS, TLC, CO	
s 16	Duty to release livestock	MDS, TLC, CO	
s 16A(3)	Power to approve form of notice to be served under s 16A(1)	MDS, TLC	
s 16B(3)	Power to approve form of notice to be served under s 16B(1)	MDS, TLC	
s 17	Duty to hold livestock for seven days, or 3 days after time within which measures must be taken under notice served , prior to disposal	MDS, TLC, CO	
s 17A	Duty to hold livestock for 14 days prior to disposal in accordance with Part 2	MDS, TLC, CO	Where authorised officer of Council has impounded livestock under section 5A of the Act
s 18	Power to offer uncollected livestock for sale	MDS, TLC, CO	<hr/> In consultation with CEO
s 19	Duty to give public notice of intention to sell livestock	MDS, TLC, CO	<hr/> In consultation with CEO
s 20	Duty to apply the proceeds of the sale of livestock in the order set out in s 20(1)	MDS, TLC, CO	
s 21	Power to dispose of livestock including destroying or re-housing	TLC, CO	
s 22	Function of posting written notice of the impounding of livestock at the pound where they are held	MDS, TLC,	

Buloke Shire Council

Impounding of Livestock Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		CO	
s 27	Function of receiving notice of proceedings	CEO	
s 28(1)	Duty to not sell or dispose of impounded livestock until (a) the time limit in s 27(2) has expired or (b) the proceedings have been determined or withdrawn, where Council receives notification of proceeding under s 27(1)	MDS, TLC, CO	In consultation with CEO
s 28(3)	Power to release impounded livestock pending determination of proceedings	MDS, TLC, CO	In consultation with CEO
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	MDS, TLC, CO	In consultation with CEO
s 30	Power to recover outstanding amount as a debt	MDS, TLC, CO	In consultation with CEO

Independent Broad-Based Anti-Corruption Commission Act 2011			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 15(6)	Function of consulting with and receiving information from the Independent Broad-based Anti-Corruption Commission (IBAC)	DCS	
s 35(2)	Power to enter into agreements or arrangements for use of services with the Independent Broad-based Anti-Corruption Commission (IBAC)	CEO	
s 56	Function of providing information to the Independent Broad-based Anti-Corruption Commission (IBAC)	DCS	In consultation with the CEO

Infringements Act 2006			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 6	Duty to provide Attorney-General with prescribed information	MDS, TLC, DWTS, CO	
s 9	Power to make and publish guidelines and policies in respect of the use of official warnings for infringement offences	MDS, TLC, DWTS, CO	
s 11	Duty to withdraw an official warning in certain circumstances	MDS, TLC, DWTS, CO	
s 15	Power to accept late payment of infringement penalty	MDS, TLC, DWTS, CO	
s 17(1)	Power to refer certain matters to the Court	MDS, TLC, DWTS	
s 17(3)	Power to withdraw infringement notice and file a charge and summons in the Children's Court in some circumstances	CEO	
s 18(1) & (2)	Power to withdraw an infringement notice in some circumstances	MDS, CEO, TLC, DWTS	
s 22	Function of receiving application for review of decision to serve infringement notice	MDS, CEO, TLC, DWTS	
s 23(1)	Power to request additional information required to conduct review	MDS, TLC, DWTS	
s 23(2)	Duty to suspend review where request made under s 23(1)	MDS, TLC, DWTS	
s 23(4)	Power to refuse or grant request for extension of time made under s 23(3)(b)	MDS, CEO, DWTS	
s 23(5)	Duty, if extension of time granted under s 23(4)(b), to inform applicant in writing of the period of the extension	MDS, CEO, TLC, DWTS	

Infringements Act 2006			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
.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	MDS, TLC, DWTS	
s 23(6)(b)(i) & (ii)	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 accept information provided by the applicant out of time and to review the decision under s 24 with that late information	MDS, TLC, DWTS	
s.24(1)(a) & (b)	duty, if application for review under section 22(1)(a), (b) or (c) is received, to review decision to serve infringement notice and suspend procedures used for enforcement of infringement penalty until review complete and applicant is sent advice of outcome	MDS, TLC, DWTS	
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	MDS, CEO, DWTS	
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	MDS, TLC, DWTS	
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	MDS, TLC, DWTS	
s 24(3)(b)	Duty to serve on the applicant written notice of outcome of review within 21 days of decision	TLC, DWTS	Advice to CEO and Council
s 25(1)	Power, after reviewing a decision, to take the following actions (or any combination of those actions): (a) confirm the decision to serve an infringement notice; (b) withdraw the infringement notice and serve an official warning; (c) withdraw the infringement notice; (d) withdraw the infringement notice and refer the matter to the Court in accordance with Part 2 or, where infringement notice served on a child, withdraw the infringement notice and file a charge and summons in the Children's Court; (e) in the case of an infringement offence involving additional steps, alter or vary those steps; (f) waive all or any penalty reminder notice fees; or (g) approve a payment plan.	MDS, TLC, DWTS	

Infringements Act 2006			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 25(2)	Power, in the case of application made under s 22(1)(b), to: (a) confirm the decision; (b) withdraw the notice and serve an official warning; or (c) withdraw the notice.	MDS, TLC, DWTS	
s 25(2A)	Power made under s 22(1)(d), to grant or refuse application	MDS, TLC, DWTS	
s 25(3)	Function of receiving application for payment plan for infringement notices confirmed under s 25(2)(a)	MDS, TLC, DWTS	
s 25(4)	Duty to serve application with written notice of decision made under s 25(2A)(a)	MDS, TLC, DWTS	
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	MDS, TLC, DWTS	
s 29(1) & (2)	Power to serve a penalty reminder notice	MDS, TLC, DWTS, CO	
s 40(1)(a)	Duty to lodge prescribed information with the Court, if person elects an infringement offence matter to be heard by the Court or if matter referred to Court	MDS, TLC, DWTS, CO	
s 40(1)(d)	Duty to serve details on person who was served with infringement notice, at least 14 days prior to hearing date	MDS, TLC, DWTS, CO	
s 46(1)	Function of receiving application for payment plan	MDS, TLC, DWTS, CO	
s.46(3)	duty to offer payment plan in certain circumstances	MDS, TLC, DWTS, CO	

Buloke Shire Council

Infringements Act 2006			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46(4)	Power to offer payment plan in certain circumstances	MDS, TLC, DWTS, CO	
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	MDS, TLC, DWTS, CO	
s 46(5)(b)	Power to offer a payment plan by referring the infringement penalty and penalty reminder notice fee to the Secretary for management by payment arrangement under the Fines Reform Act 2014	MDS, TLC, DWTS	
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	MDS, TLC, DWTS	
s 46(7)	Duty to cease action taken to collect infringement penalty upon receipt of application under s 46(1) or (1A)	MDS, TLC, DWTS	
s 47(1)	Power to arrange a payment plan	MDS, TLC, DWTS	
s 49(3)	Duty, if infringement notice withdrawn, withdraw infringement penalty and penalty reminder notice fee from payment plan	CEO	
s 49A(2)	Power to vary terms of a payment arrangement	MDS, TLC, DWTS	
s 49A(4)	Duty to give written notification to applicant of decision regarding payment plan variation	MDS, TLC, DWTS	
s 50(1)	Duty to allocate money received under payment plan in order of priority	CEO	
s 50(3)	Duty to advise person to whom payment plan applies of overpayment	CEO, DWTS	
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	CEO, DWTS	
s 50(3)(b)	Power to refund amount of overpayment by appropriating Consolidated Fund or refunding from another fund or	CEO, DWTS	

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Infringements Act 2006			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	account		
s.52(2)	duty to send written notice advising of default on payment plan	CEO	
s 53A(2)	Function of consulting with Secretary	DWTS	
s. 53B(2)	duty to comply with request by Secretary under s 53B(1)	DWTS	
s 53C(2)	Duty to respond give report to Secretary in response to any recommendations made under s 53C(1)	DWTS	

Land Act 1958			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 22D(1)	Duty to execute an instrument of transfer and surrender	CEO	Where the Attorney-General has authorised Council to surrender land
s 134A(2)(a)	Power to be consulted before Minister grants lease for stratum of Crown land	MW, DWTS, MA	In consultation with CEO Advice to Council
s 138A(3)(a)	Power to be consulted before person grants licence for strata of Crown land	MW, DWTS, MA	In consultation with CEO Advice to Council
s 140A(3)(c)	Duty to provide report to Minister for grant of licences for jetty landing stages on Crown land	CEO	Advice to Council
s 172(1)	Power to approve excise of land from certain streets by Governor in Council	CEO	
s 183A(1)	Power to raise funds by allowing use of common for the purposes of agriculture	CEO, DWTS	Consent of Minister required
s 190	Power to authorise persons to enter onto Crown land and	CEO	Consent of Minister required

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Land Act 1958			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	remove materials for the purposes of forming/maintaining public road		Advice to Council
s 349	Power to agree to closure of road on land vested in the Crown	MW, DWTS, MA	In consultation with CEO Advice to Council
s 400	Power to give notice to Secretary that road is an unused road	CEO, DWTS	Land Regulations 2016, r 10 For the purposes of s 400(2) of the Act, the prescribed form and particulars for a notice that a road or part of a road that a municipal Council considers is not required for public traffic is an unused road is the form and particulars in sch 4.
s 407(1)	Power to inform Minister it is desirable to re-open licensed closed road or water frontage	CEO, DWTS	
s 407(3)(b)	Power to cause any building / hedge/ ditch etc to be taken down / filled up / removed etc	CEO, DWTS	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	CEO, DWTS	Where the licence is granted in relation to an unused road or water frontage in Council's municipal district

Land Acquisition and Compensation Act 1986			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 6	Duty of the authority to serve notice of intention to acquire on persons with an interest in the land	MF, DCS, RO	In consultation with Council and CEO Note: Ratification by Council may be required
s 7(1)(b)	Power to serve statement on person interested in the land in accordance with s 7(1)(b)	CEO	

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Land Acquisition and Compensation Act 1986			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 9(1)	Duty of the authority to serve copy of notice on certain responsible authorities	MF, DCS, RO	To be reported to the CEO as soon as possible
s 9(2)	Duty of the responsible authority to provide information in writing when required to do so by an authority	MF, DCS, RO	Prescribed information listed under rr 11 and 12 of the Land, Acquisition and Compensation Regulations 2021 To be reported to the CEO as soon as possible
s 9(3)	Duty of the responsible authority to forward a copy of application for planning permit/building approval to an authority	MF, DCS, RO	To be reported to the CEO as soon as possible
s 10(1)	Duty of the authority to lodge notice and prescribed fee with the Registrar of Titles or Registrar-General	MF, DCS, RO	To be reported to the CEO as soon as possible
s 10(4)	Duty of the authority to give notice of cancellation/lapse in writing	MF, DCS, RO	To be reported to the CEO as soon as possible
s 10(7)	Duty of the authority to pay fees where an owner applies for a new s 32(2) certificate	MF, DCS, RO	To be reported to the CEO as soon as possible
s 14(1)	Power of an authority to amend notice upon agreement with persons on whom it was served	MF, DCS, RO	To be reported to the CEO as soon as possible
s 15(1)	Power of an authority not to proceed with the acquisition	CEO	Advice to Council Note: Ratification by Council may be required
s 15(2)	Duty of the authority to serve a statement cancelling the notice of intention to acquire	MF, DCS, RO	To be reported to the CEO as soon as possible
s 17	Power of the authority to agree with owner to extend operation of notice	MF, DCS, RO	In consultation with the CEO
s 18(1)	Power of the authority to acquire interest in land by agreement	MF, DCS, RO	To be reported to the CEO as soon as possible

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Land Acquisition and Compensation Act 1986			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 19	Function of the authority publishing a notice declaring the interest to be acquired	MF, DCS, RO	To be reported to the CEO as soon as possible
s 22	Duty of the authority to serve copy notice of acquisition and a statement to persons interested in that land	MF, DCS, RO	To be reported to the CEO as soon as possible
s 23	Duty of the authority to publish copy notice of acquisition in local newspaper	MF, DCS, RO	To be reported to the CEO as soon as possible
s 26(1)	Duty of the authority to endeavour to obtain agreement with the owner / occupier	MF, DCS, RO	To be reported to the CEO as soon as possible
s 26(5)	Power of the authority to enter into possession of the land	MF, DCS, RO	To be reported to the CEO as soon as possible
s 26(11)	Duty of the authority to serve copy certificate under s 26(4)(a) on occupier	MF, DCS, RO	To be reported to the CEO as soon as possible
s 27	Power of the authority to recover any rent due	MF, DCS, RO	To be reported to the CEO as soon as possible
s 28(1)	Power of the authority to issue a warrant where refusal to give up possession	CEO	Advice to Council Note: Ratification by Council may be required
s 31(1) and supporting provisions	Power of the authority to make an offer, including the Power to determine amount of the offer.	CEO	Advice to Council Note: Ratification by Council may be required
s 31(5)	Duty of the authority to have regard to a valuation of the land in making an offer under s 31	CEO	Advice to Council Note: Ratification by Council may be required
s 31(7)	Power of the authority to reduce the offer by an amount equal to outstanding interest, rates, taxes, etc.	CEO	Advice to Council

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Land Acquisition and Compensation Act 1986			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			Note: Ratification by Council may be required
s 32(1)	Duty of the authority to set out total amount of compensation where Minister directs information required to be set out by s 31 is inappropriate	CEO	Advice to Council Note: Ratification by Council may be required
s 32(2)	Duty of the authority to pay the total amount of compensation offered in court	CEO	Advice to Council Note: Ratification by Council may be required
s 32(4)	Duty of the authority to apply to the court or the Tribunal for determination of the amount payable	CEO	Advice to Council Note: Ratification by Council may be required
s 33(1)	Function of the authority of receiving notice of acceptance or notice of claim	CEO	Advice to Council
s 36(1)	Duty of the authority to serve a reply to the notice of claim	CEO	
s 36(2)	Power of the authority to admit/vary/reject the claim under s 36	CEO	Advice to Council
s 36(3)	Duty of the authority to provide claimant with method and basis of its valuation	MF, DCS, RO	
s 37(4)	Duty of the authority to serve reply to notice of claim on claimant, where no offer was made	CEO	
s 43(2)	Power of the authority to give notice of intention	CEO	
s 43(3)	Duty of the authority to do action specified in notice under s 43(2)	CEO	
s 45(1)	Power of the authority to grant a loan to claimant	CEO	In consultation with Council

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Land Acquisition and Compensation Act 1986			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 48(2)	Duty of the authority to serve reply to notice of claim within 3 months on claimant	CEO	
s 51(8)	Power of the authority to advance compensation to assist a person purchasing another interest in land	CEO	
s 63(1)	Duty of the authority to prepare all instruments of conveyance	MF, DCS, RO	
s 65(a)	Function of the authority to receive interest in land despite any restrictions under other laws	CEO	
s 65(b)	Function of the authority to recover compensation where authority acquires an interest under s 65(a)	MF, DCS, RO	In consultation with CEO
s 67(1)	Function of the authority to negotiate with agents	MF, DCS, RO	In consultation with CEO
s 68(1)	Power of the authority to purchase or redeem interest in mortgage	MF, DCS, RO	In consultation with CEO
s 68(4)	Power of the authority to direct where to convey release of mortgagee's interest upon payment under s 68(3)	MF, DCS, RO	
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	MF, DCS, RO	In consultation with CEO
s 68(6)	Power of the authority to direct where to convey release of mortgagee interest upon payment under s 68(5)	MF, DCS, RO	
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	CEO	
s 69(2)	Power of the authority to execute a deed poll	CEO	

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Land Acquisition and Compensation Act 1986			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 69(3)	Duty to register the deed poll in the office of the Registrar-General	MF, DCS, RO	
s 70(1)	Function of the authority to negotiate with the mortgagee/person entitled to redemption of the value of interest and compensation where sum payable exceeds value of land	MF, DCS, RO	In consultation with CEO
s 70(4)	Power of the authority to direct where to convey release of mortgagee interest upon payment under s 70(3)	MF, DCS, RO	
s 71(1)	Power of the authority to pay amount required by s 70(3) to the credit of the Trust Fund where mortgagee fails to convey interest or adduce good title	CEO	
s 71(3)	Power of the authority to execute and register a deed poll	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	MF, DCS, RO	In consultation with CEO
s 72(4)	Power of the authority to direct where to convey release of mortgagee's interest	MF, DCS, RO	
s 72(6)	Function of the authority to furnish copy memorandum under s 72(5)	MF, DCS, RO	
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	CEO	
s 73(3)	Power of the authority to execute and register a deed poll	CEO	
s 74(1)	Power of the authority to enter land	DWTS	Advice to CEO
s 74(2)	Duty of the authority to serve notice of intention to enter and a statement on occupier and owner	DWTS	Advice to CEO
s 75(1)	Power of the authority occupy land as long as is necessary for the	CEO	

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Land Acquisition and Compensation Act 1986			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	purposes of the Local Government Act 1989		
s 75(2)(a)	Power of the authority or authorised person to dig and take from land any clay, soil, etc.	MW, DWTS, MA	In consultation with CEO
s 75(2)(b)	Power of the authority to deposit any material on land	MW, DWTS, MA	In consultation with CEO
s 75(2)(c)	Power of the authority to make cuttings or excavations on land	MW, DWTS, MA	In consultation with CEO
s 75(2)(d)	Power of the authority to take timber from the land	MW, DWTS, MA	In consultation with CEO
s 75(2)(e)	Power of the authority to make and use roads on land	MW, DWTS, MA	In consultation with CEO
s 75(2)(f)	Power of the authority to manufacture on the land any materials required	MW, DWTS, MA	In consultation with CEO
s 75(2)(g)	Power of the authority to erect workshops, sheds, etc on land	MW, DWTS, MA	In consultation with CEO
s 75(3)	Duty of the authority to serve notice in writing on owner/occupier and Soil Conservation Authority if intends to enter land	MW, DWTS, MA	
s 75(5)	Duty of the authority to give notice in writing of nature and quantity of material taken	MW, DWTS, MA	
s 76	Duty of the authority to comply with obligations under s 76(a)-(e)	MW, DWTS, MA	
s 79(1)	Duty of the authority to fence land when so required by the owner	MW, DWTS, MA	
s 80	Power of the authority to refer a claim to the Court/Tribunal for determination	CEO	

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Land Acquisition and Compensation Act 1986			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 83	Duty of the authority to serve a copy of the referral notice on other parties	MW, DWTS, MA	
s 87	Power of the authority in a compulsory conference to increase the amount of an offer	CEO	
s 91(4)	Power of the authority to set-off costs of determinations against any compensation award/costs payable to claimant	CEO	
s 96(1)	Function of the authority to make application to the court for a valuer	DWTS	In consultation with CEO
s 103(1)	Power of the authority to inspect documents by notice in writing	MW, DWTS, MA	
s 104(3)	Power of the authority/authorise a person to accept service on its behalf	MW, DWTS, MA	In consultation with CEO
s 106(1)(c)	Power of the authority to extend/abridge time limits under the Act by agreement with concerned party	DWTS	In consultation with CEO
s 109(1)	Power of the authority to sell, lease or deal with an interest in land	DWTS	In consultation with CEO
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	MW, DWTS, MA	In consultation with CEO

Livestock Disease Control Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 107B(4)(a)	Function of receiving records maintained by the Secretary under ss 107B(1)(c), (d), (e) or (g)	SWE	Only applies to a member of Council staff responsible for the conduct or facilitation of livestock sales at a saleyard operated or managed by the Council

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Livestock Disease Control Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 121A	Function of receiving a request from the Secretary for information relating to land in the municipal district	MW, DWTS	In connection with the administration of, or in carrying out of the Secretary's functions under, the Act or the regulations

Liquor Control Reform Act 1998			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 27(1)	Power to apply to the Commission for a licence or BYO permit	CEO	
s 33	Function of receiving copy of application	MDS, DWTS, PO	
s 40(1)	Power to object to grant, variation or relocation of a licence	MDS, DWTS, PO	In consultation with CEO and Council
s 40(1A)	Power to object to grant, variation or relocation of packaged liquor licence or late night (packaged liquor) licence	MDS, DWTS, PO	In consultation with CEO and Council
s 91	Power to request the Commission to conduct an inquiry into whether there are grounds to take disciplinary action	CEO	
s 94	Power to request the Commission to conduct an inquiry into amenity or disuse	CEO	
sch 3, cl 18(3)	Duty to notify Minister of result of poll under cl 18(1)	CEO	

Local Government Act 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 11(8)	Duty to keep a public register of delegations under section 11 of this Act	DCS	

Local Government Act 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	DCS	
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	DCS	
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	DCS, MGOV	
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	MF, DCS	
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	CEO	
s 50	Duty to implement appropriate long service leave arrangements for members of Council staff in accordance with the regulations	MHR	
s 73(4)	Duty to publish a notice regarding a proposed local law in accordance with subsection 73(3)(a) to (d)	DWTS, DCS, DCD	
s 73(5)	Duty to ensure that a copy of the proposed local law is available for inspection	DWTS, DCS, DCD	
s 74(1)	Duty to obtain a certificate from a qualified person	DWTS, DCS, DCD	
s 74(5)	Duty to publish a notice after a local law is made in accordance with subsection 74(4)(a) to (d)	DWTS, DCS, DCD	
s 75	Duty to ensure that a copy of a local law made under section 74 is available for inspection	DWTS, DCS, DCD	
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	DWTS, DCS, DCD	

Local Government Act 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	local law		
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	DWTS, DCS, DCD	
s 82	Function of receiving any penalty recovered for an offence against a local law	MF, TLC, CSO, CO	
s 98	Duty to prepare an annual report in respect of each financial year	MF, MCE, DCS	Subject to section 99
s 99(1)	Duty to prepare, as soon as practicable after the end of the financial year, the performance statement and financial statements of the Council for the financial year	GOV, DCS, MGOV	
s 103	Power to invest any money in accordance with subsections (a) to (f)	DCS	
s 106	Duty to plan and deliver services to the municipal community in accordance with the service performance principles	DWTS, DCS, DCD	
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	TLPO, EDTL, CPO, SAE, RO, A-SLT, A-MT, A-ELT	
s 114(2)(a)	Duty to give notice before selling or exchanging land	DWTS	
s 114(2)(b)	Duty to undertake a community engagement process in accordance with Council's Community Engagement Policy before selling or exchanging land	DWTS	
s 114(2)(c)	Duty to obtain valuation before selling or exchanging land not more than 6 months prior to the sale or exchange	DWTS	
s 115(1)	Power to lease land	DWTS	
s 115(3)	Duty to include proposal to lease in the budget	DWTS	
s 115(4)	Duty to undertake a community engagement process in accordance with Council's	DWTS	

Local Government Act 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Community Engagement Policy before leasing land		
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)	DWTS	
s 117(1)(a)	Power to approve another person to carry out the work required under s 117(1)	MDS, TLC	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)	MDS, TLC	Delegation extends only to area of functional responsibility of delegate
s 117(3)	Power to recover costs of carrying out work	MDS, TLC, DWTS	Note: this provision commences on 1 July 2021
s 119	Power to require payment of all or part of money from present owner or occupier	MF, DWTS, DCS, RO	Subject to section 121
s 120(1)	Power to charge interest on unpaid money (other than rates and charges) in accordance with s 120	DWTS, DCS	Note: this provision commences on 1 July 2021
s 121	Function of receiving application for land information certificate	MDS, MF, PO, RO	See prescribed information under r 5 of the Local Government (Land Information) Regulations 2021
s 121(4)	Power to provide a land information certificate, including the power to provide in a land information certificate any other information concerning the land as the delegate considers in their absolute discretion to be relevant	MDS, MF, PO, RO	
s 152	Duty to pay the fees for a Councillor Conduct Panel to the Principal Council Conduct Registrar	DCS	
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	DWTS, DCS, DCD	

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Local Government Act 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 167(8)	Duty to pay any necessary expenses incurred by Councillors in attending mediation, training or counselling directed by a Councillor Conduct Panel	DCS	
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	DCS	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	DCS	
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)	DCS	
s 313(1)	Power to institute proceedings in the corporate name of the Council	DWTS, DCS, DCD	Subject to subsection (a) – (d)
s 313(1)	Power to authorise a person to institute proceedings in the corporate name of the Council	CEO	Subject to subsection (a) - (d)

Local Government Act 1989			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 154	Power to determine that land is not rateable land in accordance with s 154	MF, DCS, RO	
s 157(2)	Duty to publish notice of change in valuation system	MF, DCS, RO	
s 158(3)	Power to levy rates by sending notice to person liable	MF, DCS, RO	
s 158(3A)	Power to send rate notice to a person specified upon request	MF, DCS, RO	
s 159(5)	Power to determine form & time period	DCS	
s.159(6)	power to require applicant to give further particulars or verify particulars	DCS	
s 161(3)	Duty to make available for inspection certain information	DCS	
s 163(1C)	Duty to send a copy of the public notice to each person who will be liable to	DCS	

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Local Government Act 1989			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	pay the special rate or special charge		
s 163(4)	Power to levy special rate/charge by sending notice to person liable	DCS	
s 164(2)	Duty to notify of decision under s 164(1) to persons liable to pay special rate/charge	DWTS, DCS	Limited to Director or Executive Manager responsible for works or project.
s 165	Duty to refund excess money	DCS	
s 166(2)	Duty to notify persons liable that special rate/charge varied	DCS	
s 169(2)	Duty to send notice to person who was granted a rebate or concession and not complied with terms	MF, DCS, RO	In consultation with CEO
s 170(1)	Power to defer payment where applicant shows hardship	DCS	In consultation with CEO
s 170(3)(a)	Power to require payment where no longer hardship/in occupation	DCS	In consultation with CEO
s 171(1)	Power to waive rate/charge to eligible recipient or in accordance with Council determination	DCS	In consultation with CEO
s 171(4)(e)	Duty to waive amount which is in accordance with concession order upon receipt of application	MF, DCS, RO	
s171(4)(f)	Power to decide to treat person to whom waiver granted as having made continuing application or waiver	CEO	Requires the approval of the Minister administering the State Concessions Act 2004
s 171(5A)	Power to waive rate/charge where person has right to recover it from another (upon application of the eligible recipient)	DCS	In consultation with CEO
s 171A(1)	Function of receiving application for waiver	DCS	
s 171A(2)	Power to require information or verification	DCS	

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Local Government Act 1989			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 171A(3)	Power to waive rate/charge/interest	CEO	
s 172(1)	Power to raise interest and require payment from person liable	DCS	
s 172(3)	Power to exempt a person from paying interest	CEO	
s 172(4)	Power to recover interest due	MF, DCS, RO	
s 173(2)(a)	Duty to refund rates/charges where land ceases to be rateable and payment was made	MF, DCS, RO	Advice to CEO
s 173(2)(b)	Duty to require pro rata payment where land ceases to be rateable	MF, DCS, RO	Advice to CEO
s 175(2)	Power to require current rates, arrears from person acquiring land	MF, DCS, RO	
s 177(1)	Power to require occupier to pay rent upon notice	MF, DCS, RO	
s 177(4)	Power to recover unpaid rent as a debt due	MF, DCS, RO	
s 180(1)	Power to recover unpaid rate/charge as a debt due	DCS, RO	
s 181(2)	Power to dispose of land where rate/charge unpaid	CEO	
s 181(5)	Power to serve and to give notices before Council sells the land.	DCS	In consultation with CEO
s 181(7)	Power to deduct expenses incurred in connection with sale	MF, DCS, RO	
s 181C(2)	Power to send notice to person liable to pay environmental upgrade charge	MF, DWTS, DCS, RO	
s 181E(1)	Duty to use best endeavours to recover environmental upgrade charge	DWTS	
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	MF, DCS, RO	Council must refund any excess amounts paid to owner or occupier as a result of an adjustment being made to an

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Local Government Act 1989			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	the adjustment		upgrade charge under 181F(1)
s 185F(1)	Duty to comply with any direction of the Minister under s 185D	CEO	
s 181H	Power to enter into an environmental upgrade agreement on behalf of Council and declare and levy an environmental upgrade charge	CEO	Consult and report to Council
s 199	Duty to give notice of proposed drainage works to persons affected	DWTS	Advice to CEO
s 200(1)	Power to give persons notice that must carry out drainage works	DWTS, MA	Advice to CEO
s 200(2)	Power to carry out works itself where non-compliance with notice	MW, DWTS	Advice to CEO
s 201(1)	Duty to construct, manage, etc works under schemes approved under Water Act 1989	MW, DWTS	
s 201(2)	Power to carry out any power under the Act for purpose of 201(1)	DWTS	
s 203(1)	Power to develop and implement a transport plan	DWTS	
s 203(2)	Power to prepare a transport plan jointly with one or more other councils	DWTS	
s 203A	Power to procure, provide or enable transport services within the municipal district	DWTS, DCD	In consultation with CEO and Council
s 204(1)	Power to publish notice in Government Gazette of road to be declared a public highway	SAE, DWTS, MA	
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)	DWTS	Delegation only extends to matters within the functional responsibility of delegate. Advice to Council

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Local Government Act 1989			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 223(1)(a)	Duty to publish a public notice	CEO, DWTS, DCS, DCD	
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	CEO, DWTS, DCS, DCD	
s 223(1)(d)(ii)	Duty to notify submitters after made decision	CEO, DWTS, DCS, DCD	
s 223(3)	Power to authorise members of Council staff to carry out administrative procedures	CEO	
s 224(1)	Power to appoint authorised officer	CEO	
s 224(1A)	Duty to maintain register of authorised officers	CEO	
s 224(2)	Duty to supply authorised officers with identity cards	GOV	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	CEO	
s 224A(2)	Power to publish a notice in the Government Gazette which authorises police officers to enforce provisions of local law	CEO	
s 237A	Duty to make available to the Secretary to the Department any information requested in accordance with s.121A of the Livestock Disease Control Act 1994	TLC	
sch 10 cl 1(a)	Power to make, maintain and repair roads	MW, DWTS	
sch 10 cl 2	Administrative functions necessary to give effect to power to deviate roads	SAE, MW, DWTS, MA	
sch 10 cl 3	Administrative functions necessary to give effect to power to discontinue	DWTS	

Local Government Act 1989			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	roads		
sch 10 cl 4	Power to enter and take any materials necessary from certain land	DWTS	
sch 10 cl 5(1)(a)	Power to approve, assign or change the name of a road	DWTS	Power in cl 5(1) must be exercised in accordance with the Geographic Place Names Act 1998
sch 10 cl 5(1)(b)	Power to erect signs on a road	MW, DWTS	
sch 10 cl 5(1)(c)	Power to approve, assign and change the number of a road and any premises next to a road	DWTS, RO	
sch 10 cl 5(1)(d)	Power to require people to number their premises and to renew those numbers	DWTS, RO	
sch 10 cl 6	Power to cause standard survey marks to be established in roads	SAE, MW, DWTS, MA	
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	SAE, MW, DWTS, MA	
sch 10 cl 8(3)	Duty to publish notice in Government Gazette before starting work	SAE, MW, DWTS, MA	
sch 10 cl 9	Power to provide for temporary roads	MW, DWTS	
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	MW, DWTS	Advice to Council
sch 10 cl 11(a)	Power to require/cause the filling up of holes or excavations	MW, DWTS	

Buloke Shire Council

Local Government Act 1989			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
sch 10 cl 11(b)	Power to require/cause the removal of a cause of danger/damage	MW, DWTS	
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	MW, DWTS	
sch 10 cl 12	Power to make, maintain, repair or reconstruct a bridge or crossing	SAE, MW, DWTS, MA	
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	TLC, DWTS	In consultation with CEO and Council Ratification by Council may be required
sch 11 cl 2	Power to issue special parking permits to disabled persons	SAE, MW, DWTS, TLSP, MA	
sch 11 cl 3	Power to remove abandoned/unregistered vehicles	TLC, CO	
sch 11 cl 4	Power to tow away and impound vehicles which are causing an unlawful obstruction etc and to charge a fee	TLC, CO	Advice to CEO
sch 11 cl 5	Power to require or cause the removal of any encroachment or obstruction	TLC, CO	
sch 11 cl 6	Power to control traffic to enable works to be carried out on, over, or on land next to a road	SAE, MW, DWTS, MA	
sch 11 cl 7	Power to close a road, or part of a road for a particular period	SAE, MW, DWTS, MA	Advice to CEO
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	MW, DWTS	Advice to CEO
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	SAE, MW, DWTS, MA	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

Buloke Shire Council

Local Government Act 1989			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			required Advice to CEO
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	SAE, MW, DWTS, MA	If the road is a freeway or arterial road, consent of Head, Transport for Victoria is required Advice to CEO
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	CEO, DWTS	Ratification by Council may be required
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	SAE, DWTS, MA	Consultation with CEO
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	SAE, DWTS, MA	Only to be exercised where immediate risk of danger to people or damage to property exists and action is immediately reported to Council Consultation with CEO
sch 11 cl 13	Power to determine speed limits	DWTS	In consultation with Council and CEO
sch 11 cl 14	Power to prohibit or restrict traffic on a road if unsafe	MW, TLC, DWTS, CO	

Magistrates' Court Act 1989			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 99A(4)	Power to give persons or bodies making a written request under s 99A(3) access to any information that may be of use in the enforcement of court orders and fines	CEO	

Major Transport Projects Facilitation Act 2009

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 134(4)	Duty to comply with requirement to surrender public land under subs(1)(a)	CEO	
s 134(5)	Duty to give written notice to the Project Minister and project authority of any lease, licence or other of interest in land	CEO	
s 146(2)	Power to claim compensation for pecuniary loss or expense incurred	CEO	
s 147	Function of agreeing to transfer of building or structure	CEO	

Mineral Resources (Sustainable Development) Act 1990			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46(1)	Function of consulting with Minister	CEO	
s 77HB(2)	Function of consulting with Department Head before Department Head approves variation of work plan	MW, DWTS, MA	Advice to CEO
s 77M(3)	Power to consult with Minister regarding variation, suspension or revocation	MW, DWTS, MA	Advice to CEO
s 77R(1)(c)	Power to act, if specified by the Minister, as a referral authority	MW, DWTS, MA	Advice to CEO
s 80(2)(a)	Power to consult with Minister regarding amount of rehabilitation bond or further rehabilitation bond if the land is private land	MW, DWTS, MA	Advice to CEO
s 80(2A)	Power to consult with Minister regarding amount of rehabilitation bond in respect to an extractive industry work authority if the land is private land	MW, DWTS, MA	Advice to CEO
s 82(2)	Power to consult with Minister before Minister returns bond if rehabilitation is satisfactory and if the land is private land	MW, DWTS, MA	Advice to CEO

National Parks Act 1975			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations

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National Parks Act 1975			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 19C(1)	Power to enter into agreement with Minister for management of land vested in or controlled or managed by Council	CEO	
s 27(1)	Power to exercise powers in relation to a park with Parks Victoria's consent subject to any conditions it directs	CEO	

Pipelines Act 2005			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 21(1)	Power to consent to entry onto Crown Land for purpose of conducting survey	DWTS	Where Crown Land is vested in Council
s 102	Power to decide construction of the pipeline in relation to roads, bridges and tramways is satisfactory	DWTS	Where Council is the 'relevant authority' In consultation with Council and CEO
s 103	Power to decide construction of the pipeline in relation to electrical apparatus or other pipelines is satisfactory	DWTS	Where Council is the 'relevant authority' In consultation with Council and CEO
s 104	Function of being reimbursed by licensee for expense incurred due to the existence of a pipeline	DWTS	
s 105(1)	Power to refer a dispute under Division 2 Part 7 of the Act to the Governor in Council for determination	CEO	
s 105(2)	Duty to comply with Governor in Council's determination under s 105(1)	CEO	
s 116	Function of receiving notice from licensee of incident	CEO	Where Council is the 'relevant authority'

Privacy and Data Protection Act 2014			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 20(1)	Duty to comply with Information Privacy Principles	DWTS, DCS, DCD	
s 20(2)	Duty to comply with Information Privacy Principles when administering a public register	DWTS, DCS, DCD	

Privacy and Data Protection Act 2014			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 22(1)	Power to seek approval of a code of practice or an amendment to a code of practice	DCS	
s 22(4)	Function of being consulted by the Information Commissioner in relation to a code of practice	DCS	
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	DCS	
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	DCS	
s 26(4)	Function of being consulted by the Information Commissioner in relation to a code of practice	DCS	
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	DCS	
s 29(1)	Power to apply to the Commissioner for a public interest determination	DCS	
s 29(5)	Function of receiving draft determination	DCS	
s 29(6)	Function of attending a conference with the Information Commissioner	DCS	
s 30(1)	Power to request that application be for a temporary public interest determination	DCS	
s 34(1)	Power to apply to the Information Commissioner for approval of an amendment to a public interest determination	DCS	

Privacy and Data Protection Act 2014

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 34(2)	Function of receiving draft determination and attending a conference with the Information Commissioner and Power to make a submission	DCS	
s 35(2)	Function of receiving written notice from the Information Commissioner regarding revocation of a public interest determination	DCS	
s 36(1)	Duty to report to the Information Commissioner on an annual basis, or at any other agreed time	DCS	
s 38(1)	Power to apply to the Information Commissioner for a temporary public interest determination and power to make a submission	DCS	
s 41(2)	Function of receiving written notice from the Information Commissioner regarding revocation of temporary public interest determination	DCS	
s 47(1)	Power to apply for approval of an information usage arrangement	DCS	Where Council is a lead party to an information usage arrangement
s 47(2)	Duty to consult where required	DCS	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	DCS	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	DCS	Where Council is a lead party to an information usage arrangement
s 52(2)	Duty to consult where required	DCS	Where Council is a party to an information usage arrangement

Privacy and Data Protection Act 2014			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 53(2)	Power to request revocation of an approval of an information usage arrangement	DCS	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	DCS	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	DCS	Where Council is a party to an information usage arrangement
s 54(1)	Duty to report to the Information Commissioner about the information usage arrangement	DCS	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	DCS	Where Council's interests are affected by the decision
s 61	Function of receiving notice of complaint lodged with the Information Commissioner	DCS	
s 62(1)	Function of receiving notice that complaint is to be declined	DCS	
s 62(3)	Power to attend before the Information Commissioner and produce documents	DCS	
s 62(7)	Function of receiving notice of dismissal	DCS	
s 63(2)	Function of receiving notice of complaint being referred by the Information Commissioner	DCS	
s 64(2)	Function of receiving notice of complaint being dismissed by the Information Commissioner	DCS	

Privacy and Data Protection Act 2014			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 66(1)	Function of receiving notice that conciliation is inappropriate	DCS	
s 66(6)	Function of receiving notice of complaint being dismissed by the Information Commissioner	DCS	
s 67(3)	Power to attend conciliation and settle the matter	DCS	
s 68	Power to give information or produce a document	DCS	
s 69(1)	Power to prepare and sign conciliation agreement	DCS	
s 69(2)	Power to lodge certified conciliation agreement	DCS	
s 69(3)	Function of receiving copy of registered record	DCS	
s 71(1)	Function of receiving notice of unsuccessful conciliation	DCS	
s 71(6)	Function of receiving notice of complaint being dismissed by the Information Commissioner	DCS	
s 72	Power to apply to VCAT for an interim order	DCS	
s 77(1)	Power to administer/ implement order of VCAT	DCS	
s 77(3)	Function of receiving VCAT order relating to a public register administered by Council	DCS	

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Privacy and Data Protection Act 2014			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 78(1)	Duty to comply with compliance notice served by the Information Commissioner	DCS	
s 78(3)	Power to apply for extension in relation to compliance notice	DCS	
s 79	Power to give information or produce a document	DCS	
s 83(1)	Power to apply to VCAT for review of a decision of the Information Commission under s 78(1)	DCS	

Professional Engineers Registration Act 2019			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 75(3)	Duty to comply with a request under s 75(1)	DWTS	Where Council is a specified body

Public Interest Disclosures Act 2012			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 16(1)	Function of receiving a public interest disclosure that relates to the conduct of Council or of a member, officer or employee of Council	DCS	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	DCS	Where Council is a receiving entity
s 23	Power to provide information in respect of the disclosure	DCS	
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	DCS	Where Council is a receiving entity

Public Interest Disclosures Act 2012			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	may be) for assessment		
s 24(3)	Duty to advise the person who made the disclosure of the matters in s 24(3)(a) – (c)	DCS	Where Council is a receiving entity
s 26(6)	Function of being consulted by IBAC	DCS	Where Council is a notifying entity
s 27	Function of receiving notification of IBAC's determination	DCS	Where Council is a notifying entry
s 54(1)	Power to disclose information regarding an assessable disclosure or identity of person who has made an assessable disclosure, only in the circumstances listed in s 54(2)	DCS	
s 58(1)	Duty to establish procedures to facilitate the making of disclosures and the handling of those disclosures	DCS	
s 58(5)	Duty to establish procedures for the protection of persons from detrimental action by the Council, Council officers or Councillors	DCS	
s 59(4)	Duty to make procedures established under s.58 available to the public and to staff and Councillors	DCS	
s 61(1)	Function of receiving recommendations from IBAC	DCS	
s 70(1)	Duty to include certain items in annual report	DCS	
sch.1 cl 25(2)	Duty to complete the investigation of the disclosure under the Whistleblowers Protection Act 2001 and take action listed in sch.1 cl 25(2)(b)	DCS	Note: applies Where an investigation has been started but not completed under the Whistleblowers Protection Act 2001
sch.1 cl 29(2)	Duty to notify IBAC within 28 days of a disclosure made after commencement of this Act	DCS	

Public Health and Wellbeing Act 2008			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 25	Duty to report to the Secretary when required by notice	CEO	
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)	MEH, DCD	In consultation with CEO and Council
s 26(4)	Duty to review municipal public health and wellbeing plan annually and amend as appropriate	CEO, MEH, DCD	Unless s 27 applies
s 26(4A)	Duty to include a review of the measures referred to in s (2)(ba) when annually reviewing the municipal public health and wellbeing plan	MEH, DCD	Unless s 27 applies
s 26(6)	Duty to give a copy of the current municipal public health and wellbeing plan to the Secretary	CEO	Unless s 27 applies
s 26(6A)	Duty to report, to the Secretary, the measures referred to in s (2)(ba) at the intervals specified	CEO, DCD	Unless s 27 applies
s 26(7)	Duty to make copy of current municipal public health and wellbeing plan available for public inspection	CEO, MEH, DCD	Unless s 27 applies
s 27(3)	Power to apply to the Secretary for an exemption from complying with s 26	CEO, MEH, DCD	
s 27(6)	Duty to give a copy of the current Council Plan or Strategic Plan to the Secretary	CEO, DCD	If Council has been granted an exception from complying with s 26 and if change relates to matters in s 26(2)
s 28(a)	Duty, in a state of emergency or when a pandemic declaration is in force, to comply with an order of the Secretary	CEO, MEH, DCD	
s29(1)	Duty to appoint environmental health officer	CEO	Council must appoint at least one environmental health officer Council can only appoint person with the qualifications and experience specified in s 29(2)

Public Health and Wellbeing Act 2008			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 31(4)	Power to give directions to authorised officers	CEO, DWTS, DCD	
s 57(2)	Power to disclose certain information to the Secretary, Chief Health Officer or another Council	CEO, MEH, DCD	
s 57(4)	Power to disclose certain information to a Government Department, statutory body or other person responsible for administering another Act or regulations	MEH, DCD	
s 60	Duty to remedy all nuisances in municipal district	MEH, DCD	
s 62(2)	Duty to investigate any notice of a nuisance	MEH, DCD	
s 62(3)	Duty to take action in s 62(3)(a) or (b) where nuisance is found to exist after investigation	MEH, DCD	
s 62(3)(a)	Function of taking action specified in s 62(4) where appropriate	MEH, DCD	
s 62(3)(b)	Function of determining whether matter is better settled privately and, if so, advising of methods for settling matter privately	DCD	In consultation with CEO
s 62(4)(a)	Power to exercise the powers in section 66 where that section applies, for the purposes of s 62(3)(a)	DCD	In consultation with CEO
s 62(4)(b)	Power to issue an improvement notice or a prohibition notice for the purposes of s 62(3)(a)	MEH, DCD	In consultation with CEO
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)	CEO	
s 64	Power to institute proceedings for an offence under s 61	CEO	
s 65	Power to investigate nuisance occurring outside municipal district	CEO	

Public Health and Wellbeing Act 2008			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 66(2)(a)	Power to enter and take steps to abate nuisance and do all things necessary for abatement	MEH, DCD	Where nuisance comes from land for which the occupier and owner are unknown or cannot be found Unless another Council is abating the nuisance under s 66(2)
s 66(2)(b)	Power to do all things necessary for abatement of nuisance	MEH, DCD	Where nuisance comes from land for which the occupier and owner are unknown or cannot be found Unless another Council is abating the nuisance under s 66(2)
s 66(4)	Power to recover costs incurred under s 66(2)	DCD	
s 71	Function of receiving applications for the issue, renewal or transfer of a registration	MEH, DCD	
s 73(1)(a)	Power to give the applicant notice requiring specified information before considering the application under s 71	MEH, DCD	
s 73(1)(b)	Power to inspect prescribed accommodation or premises before considering the application under s 71	MEH, DCD	
s 73(1)(c)	Power to require alterations or improvements to prescribed accommodation or premises before considering the application under s 71	MEH, DCD	
s 73(2)	Power to issue, transfer or renew a registration subject to s 73(1)(c)	MEH, DCD	
s 73A	Duty and power to enter information in the Rooming House Register	MEH, DCD	
s.74	power to decide issue, transfer or renew registration	MEH, DCD	<hr/> In consultation with DCD
s 76(1)(a)	Power to refuse to issue a registration	MEH, DCD	Decision of delegate only valid where Council later ratifies

Public Health and Wellbeing Act 2008			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			the refusal In consultation with DCS and CEO 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)	MEH, DCD	Subject to s 74 Subject to S74 In consultation with DCS and CEO
s 76(1)(c)	Power to vary a registration	MEH, DCD	
s 76(1)(d)	Power to cancel a registration	MEH, DCD	In consultation with DCD
s 76(1)(e)	Power to suspend a registration	MEH, DCD	In consultation with DCD
s 76(1)(f)	Power to refuse to transfer a registration	MEH, DCD	Decision of delegate only valid where Council later ratifies the refusal In consultation with DCD
s 76(1)(g)	Power to transfer a registration subject to a condition imposed on the registration by the Council under s 73(2)	MEH, DCD	Subject to s 74
s 76(1)(h)	Power to refuse to renew a registration	MEH, DCD	Decision of delegate only valid where Council later ratifies the refusal In consultation with DCD and CEO
s 76(1)(i)	Power to renew a registration subject to a condition imposed on the registration by the Council under s 73(2)	MEH, DCD	Subject to s 74
s 76(3)	Duty to notify applicant or registration holder of decision under s 76 and ground(s) on which it was based	MEH, DCD	

Public Health and Wellbeing Act 2008			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 78	Power to issue a replacement certificate of registration	MEH, DCD	
s 78A(1)	Power to accept applications for the issue, transfer or renewal of registration in the online portal if accommodation or premises in located in the municipal district	MEH	
s 78A(2)	Duty to pay the charge for use of the online portal	MEH	
s 181(1)	Power to take any step in paragraphs (a)-(d) with respect to items seized by an authorised officer appointed by Council	MEH, DCD	
s 181(2)	Duty to notify owner of item forfeited under s 181(1)(c), setting out how to seek review of the decision	MEH, DCD	
s 182	Power to destroy or otherwise dispose of forfeited item	MEH, DCD	
s 185(1)	Function of receiving complaints about authorised officers appointed by the Council	CEO	Complaint must be in writing or other form approved by Council
s 185(2)	Power to approve form in which complaint is made	CEO	
s185(4)(a)	Duty to investigate any written complaint provided under s 185(2)	CEO	
s185(4)(b)	Duty to provide written report to the complainant on the results of the investigation under s 185(4)(a)	CEO	
s 194(2)(a)	Power to issue an improvement notice	MEH, DCD	In accordance with s 194(3) In consultation with DCD and CEO
s194(2)(b)	Power to issue a prohibition notice	MEH, DCD	In accordance with s 194(3) In consultation with DCD and CEO
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)	CEO	
s 197(2)	Power to cause a complaint to be made to the Magistrates' Court (where prohibition notice or improvement notice issued and person does not comply or nuisance likely to	MEH, DCD	In consultation with DCD and CEO

Public Health and Wellbeing Act 2008			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	recur)		
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	MEH, DCD	In consultation with DCD and CEO
s 197(5)(b)	Power to recover costs and expenses incurred	CEO	
s 197(6)	Power to recover costs and expenses in court	CEO	
s 205(2)	Function of receiving applications for review of Council decisions	CEO	
s 205(3)	Duty to review decision where application received under s 205(2)	CEO	
s 205(5)	Power to agree a period greater than 28 days for review of a decision with the applicant	CEO	
s 205(6)(a)	Power to make a decision affirming, varying or revoking a decision	CEO	
s 205(6)(b)	Power to make any other decision where original decision is revoked	CEO	Where decision is to refuse an application, decision of delegate only valid where Council later ratifies the refusal
s 205(7)	Duty to give applicant for review a written statement of the decision and reasons	CEO	
s 205(8)	Duty to inform applicant for review of right to apply to VCAT for a review under s207	CEO	
s 209(2)	Power to serve infringement notice	MEH, DCD	In consultation with DCD and CEO
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)	CEO	
s 219(2)(b)	Power to bring proceedings for offence relating to an improvement notice or a prohibition notice	CEO	

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Public Health and Wellbeing Act 2008			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 228(1)	Power to seek reimbursement of costs incurred where person is found guilty of an offence	CEO	
s 228(2)	Power to seek payment for cost of work conducted by Council where awarded legal costs	CEO	'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	CEO	Where Council is so authorised by Chief Health Officer under s 229(2)
s 230(2)(b)	Power to recover, in court, costs incurred under s 229	CEO	

Public Records Act 1973			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 8A	Duty to cause records to be transferred to custody of Public Records Office	DCS	

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 14(7)	Power to appeal to the Minister regarding decision of the Head, Transport for Victoria	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	CEO, SAE, MW, DWTS, MA	
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	CEO, SAE, MW, DWTS, MA	
s 72(1)	Duty to issue an identity card to each authorised officer the entity appoints	GOV	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	DWTS	Where Council is the appointing entity

Buloke Shire Council

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 87(1)	Function of receiving complaints about the exercise of a power by an authorised officer under the Road Management Act 2004 (Vic)	DWTS	Where Council is the appointing entity
s 87(2)(a)	Power to investigate complaint	DWTS	Where Council is the appointing entity
s 87(2)(b)	Power to provide written report	DWTS	Where Council is the appointing entity
s 88(2)	Function of receiving a document or information from a person who provides a document or information in response to a requirement of an authorised officer under the Road Management Act 2004 (Vic)	MDS, TLC, CO	Where Council is the appointing entity
s 89(2)	Power to provide written authority to an authorised officer to give any information acquired by the authorised officer in carrying out those functions to any other person, whether directly or indirectly	MDS, TLC, DWTS	Where Council is the appointing entity
sch 2 cl 4	Power to make submissions on the Head, Transport for Victoria's proposal to act under s 42 and cl 3	CEO, DWTS	
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	CEO, DWTS	
sch 5A cl 26	Duty to surrender land to the Crown following an order of the Governor in Council	CEO, DWTS	In consultation with Council
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	CEO, DWTS	In consultation with Council
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	CEO, DWTS	Council must have sustained pecuniary loss or incurred an expense

Road Safety Act 1986			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 59(1)(a) and	Power to authorise officer or other person to request or signal driver or person in	CEO	

Road Safety Act 1986			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
(d)	charge of motor vehicle to do certain things, such as stop the motor vehicle		
s 77(2)(b)	Power to prosecute and authorise staff member to prosecute	CEO	
s 84BE(1)	Function of receiving a statement under this section	TLC, DWTS, CO	Where Council is the enforcement official In consultation with CEO
s 84BE(4), (5) and (5A)	Power to decide to accept statements as effective statements for the purposes of this Part	TLC, DWTS, CO	Where Council is the enforcement official In consultation with 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	TLC, DWTS, CO	Where Council is the enforcement official In consultation with CEO
s 84BF	Power to cancel acceptance of a statement	TLC, DWTS, CO	Where Council is the enforcement official In consultation with CEO
s 87(1)	Power to serve, or cause to be served, a parking infringement notice	TLC, DWTS, CO	
s 87(1D)	Duty to issue an identity card to authorised person Council appoints	GOV	
s 87(1E)	Power to authorise a member of staff to sign identity card	CEO	
s 87(8)	Power to authorise person for purpose of serving parking infringement notices in accordance with s 87(1C)	CEO	
s 90D(1)	Power to enter into an agreement with the owner or occupier or land for the provision of parking services	DWTS	
s 90I	Power to issue parking permits to enable vehicles displaying a parking permit for people with disabilities to be parked in accordance with the Road Safety Road Rules 2017 (Vic)	MCS	
s 98(1)	Power to request Minister to extend application of Act	SAE, MW, DWTS, MA	In consultation with CEO

Buloke Shire Council

Road Safety Act 1986			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 99A(4)	Power to establish requirements for traffic management plan	SAE, MW, DWTS, MA	Where Council is the coordinating road authority under the Road Management Act 2004 In consultation with CEO
s 99B(1)	Power to issue permit to conduct non-road activity (including on conditions specified in s 99B(3))	SAE, MW, DWTS, MA	Where Council is the coordinating road authority under the Road Management Act 2004 In consultation with CEO
s 99B(2)	Power to authorise closure of highway to traffic	SAE, MW, DWTS, MA	Where Council is the coordinating road authority under the Road Management Act 2004 In consultation with CEO

Rooming House Operators Act 2016			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 49(3)	Duty to comply with request under s 49(1) to answer any questions	MEH, DCD	

Second Hand Dealers and Pawnbrokers Act 1989			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 26F	Duty to comply with Director's or inspector's request to answer questions or provide information regarding endorsed pawnbroker's business as pawnbroker	CEO	

Sex Work Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 35	Function of receiving notice of application for a licence	MDS, DWTS, PO	Advice to CEO

Buloke Shire Council

Sex Work Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 73	Duty to consider various factors before deciding on an application for a permit for use or development as a brothel	MDS, DWTS, PO	In consultation with CEO and Council
s 74	Duty to refuse to grant a permit for a brothel in certain circumstances	MDS, DWTS, PO	In consultation with CEO and Council
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	MDS, DWTS, PO	In consultation with CEO and Council
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 Planning and Environment Act 1987 as affected by Division 2 Part 4	MDS, DWTS, PO	In consultation with CEO and Council
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 Planning and Environment Act 1987 as if this Act had not been enacted	MDS, DWTS, PO	In consultation with CEO and Council
s 81(1)(a)	Duty to publish notice of making of declaration	MDS, DWTS, PO	
s 81(1)(b)	Duty to serve notice of making of declaration personally on owner/occupier/mortgagee of premises	MDS, DWTS, PO	
s 81(1)(c)	Duty to post up at or near entrance to premises copy of declaration	MDS, DWTS, PO	Must be visible and legible to persons entering
s 89(4)	Function of issuing certificate that an officer is authorised	CEO	

Sheriff Act 2009			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations

Buloke Shire Council

Sheriff Act 2009			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 54(1)	Duty to comply with request for information made under s 53(1)	CEO	Unless s 54(1)(a) and (b) apply

Sport and Recreation Act 1972			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 6(3)	Power to enter into agreement with Minister and to agree to conditions for Minister to carry out works or undertakings or provide services	CEO, DWTS	
s 14(3)	Function of receiving funds for works for provision of sport and recreation	DWTS, MFP	

Subdivision Act 1988			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 3(5)	Power to require variation of easement or restriction in compliance with planning scheme or permit	MDS, DWTS, PO	
s 5(3)(c)	Function of receiving application for certification	MDS, DWTS, PO	
s 5(3)(d)	Power to provide statement of compliance	MDS, DWTS, PO	Advice to CEO
s 5(4)	Power to accept and consider plans	MDS, DWTS, PO	Advice to CEO
s 5(4A)	Power to consider and certify plans before Transfer of Land Act 1958 application determined	MDS, DWTS, PO	
s 6(1)	Duty to certify plan within prescribed time in specified circumstances	MDS, DWTS, PO	Advice to CEO

Subdivision Act 1988			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 6(2)	Duty to refuse to certify plan where conditions in s 6(1) not met and give reasons in writing	MDS, DWTS, PO	Advice to CEO
s 7A(2)	Duty to, within 7 days after certifying the plan, give the Secretary to the Department of Environment, Land, Water and Planning written notice of that certification, a copy of the application for certification and the certified plan	MDS	
s 8(1)	Duty to refer plans to referral authority in certain circumstances	MDS, DWTS, PO	Unless sub s 8(2)-(5) apply Form of referral per r 13 and 14 of the Subdivision (Procedures) Regulations 2021
s 8(6)	Duty to give referral authority copy of certified plan where not referred to referral authority	MDS, DWTS, PO	
s 10(1)	Power to require applicant to alter plan	MDS, DWTS, PO	
s 10(2)	Power to agree to an alteration at request of applicant	MDS, DWTS, PO	
s 10(5)	Duty to send altered plan to referral authority	MDS, DWTS, PO	Must send notice in prescribed Form 7 in Schedule 1 outlining revised times, r 19 of the Subdivision (Procedures) Regulations 2021
s 10(7)	Duty to notify surveyor of alteration required by Council	MDS, DWTS, PO	
s 11(1)	Function of receiving application to amend certified plan	MDS, DWTS, PO	
s 11(2)	Duty to refer application under s 11(1) to referral authority	MDS, DWTS, PO	
s 11(2A)	Power to amend without referral if minor amendment	MDS, DWTS, PO	
s 11(7)	Duty to re-certify plan or advise of refusal in writing with reasons	MDS, DWTS, PO	

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Subdivision Act 1988			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 11(10)	Duty to notify surveyor of an amendment by acquiring authority where plan prepared by surveyor	MDS, DWTS, PO	
s 11(11)	Duty to give copy of re-certified plans to referral authority	MDS, DWTS, PO	
s 11A(1)	Power to require more information	MDS, DWTS, PO	
s 15(1)	Power to require engineering plan	MDS, DWTS, PO	Does not apply where s 14 applies
s 15(2)	Duty to approve/refuse approval/require alterations of engineering plan	MDS, DWTS, PO	Does not apply where s 14 applies
s 15(6)	Power to charge for engineering plans prepared by it	MDS, DWTS, PO	Does not apply where s 14 applies
s 17(2)(a)	Power to appoint supervisor of works	MDS, CEO, DWTS, PO	Does not apply where s 14 applies
s 17(2)(b)	Power to charge for supervision	MDS, CEO, DWTS, PO	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	CEO	Does not apply where s 14 applies
s 17(2A)	Power to request Minister to nominate authority to consider what works are required	CEO	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	MDS, DWTS	Does not apply where s 14 applies
s 18(1)	Power to require applicant to set aside land for public open space and/or pay a percentage	MDS, DWTS, PO	Does not apply where ss 14 and 18(8) apply Must have regard to matters in s 18(1A)-2
s 18(1B)	Power to vary time of payment by agreement with applicant	MDS, DWTS, PO	Advice to CEO
s 18(4)	Power to agree with applicant to set aside/pay different percentage	CEO	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	MDS, DWTS, PO	Does not apply where s 14 applies

Subdivision Act 1988			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 18(8)	Power to consider it unlikely that each lot will be further subdivided.	MDS	
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	MDS, DWTS, PO	
s 19(1)	Power to obtain valuation where value is not agreed	MDS, DWTS, PO	Does not apply where s 14 applies
s 19(3)	Duty to give applicant copy of valuation	MDS, DWTS, PO	Does not apply where s 14 applies
s 19(5)	Power to obtain revaluation on each anniversary of the making of the public open space requirement and vary the requirement accordingly, where the public open space requirement has not been complied with	MDS, DWTS, PO	Does not apply where s 14 applies
s 21(1)	Duty to issue statement of compliance, subject to s 21(2C) and (2CA)	MDS, DWTS, PO	Does not apply where s 14 applies Time limits apply (s 21(1)-(2))
s 21(2A)(a)&(b)	Duty to, in writing, notify Development Victoria of request within 7 days of receiving a request for issue of statement of compliance, and to provide Authority with a copy of planning permit	MDS, DWTS, PO	
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)	MDS, PO	
s 21(4)	Power to provide in the statement of compliance that agreement pursuant to Planning and Environment Act 1987 no longer applies in certain circumstances	MDS, DWTS, PO	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	MDS, DWTS, PO	
s 24A(1)	Duty to do any of the things listed in the table in this s 24A where so required by planning scheme with respect to reserves, etc	MDS, DWTS, PO	

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Subdivision Act 1988			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 24A(2)	Power to certify a plan prepared under s 24A(1) where applicant certifies land no longer reserved	MDS, DWTS, PO	
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.	MDS, DWTS, PO	
s 25(2)	Function of being notified by Registrar if plan is withdrawn or refused registration	MDS, DWTS, PO	
s 25(3)	Duty to notify referral authority affected by withdrawal/refusal	MDS, DWTS, PO	
s 34E	Power to apply to VCAT for order compelling an owners corporation to carry out a requirement or perform a duty	CEO	
s 34H(5)	Function of receiving notice from Registrar of amendment or cancellation of plan on winding up	MDS, DWTS, PO	
s 35(1)	Duty of acquiring authority to submit plan for certification and registration where land subdivided	MDS, DWTS, PO	
s 35(2)	Power to require acquiring authority to submit certification new/amended plan	MDS, DWTS, PO	s 35(3)-(5) apply
s 35(6)	Duty of an acquiring authority to advise Registrar of vesting date	MDS, DWTS, PO	
s 35(8)	Power of acquiring authority to submit for certification and registration of any land vested/registered in its own name	MDS, DWTS, PO	s 35(9) applies
s 36(1)	Function of stating in writing that it considers that subdivision requires removal/acquisition of easement	MDS, DWTS	s 35(1AA) applies
s 38	Power to provide written consent	RO	
s 38A(1)	Power to provide written consent	RO	
s 38B	Power to provide written consent	RO	
s 38C	Power to provide written consent	RO	

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Subdivision Act 1988			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 39(1)	Power to refer disputes to VCAT	CEO	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	MDS, CEO	
sch 2 cl 11(1)	Power to apply to a court for an order regarding scheme of development	CEO	

Summary Offences Act 1966			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 4	Power to give permission or consent to certain things	CEO	
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	SAE, DWTS	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	CEO	
s 50A(3)(b)	Power to apply to Governor in Council for revocation/variation of declaration under s 50A(3)(a)	CEO	

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

Transfer of Land Act 1958			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 26X(1)	Function of receiving enquiries, from the Registrar, for personal information that identifies	RO	

Transfer of Land Act 1958			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	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		
s 26X(2)	Function of disclosing personal information that identifies who is a ratepayer or mortgagor of the land	RO	
s 45(1)	Power to consent to the creation of an easement or the transfer of land	DWTS	Where Council is the landowner Advice to CEO
s 54	Power to make application to be registered proprietor	CPO, DWTS, TLP	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	CPO, DWTS, TLP	Applies only where the Council is an 'acquiring authority' as defined in s 53
s 57(1)	Duty to lodge notification with the Registrar upon service of notice of intention	CPO, DWTS, TLP	Applies only where the Council is an 'acquiring authority' as defined in s 53
s 57(2)	Power to withdraw notice of intention to acquire	CPO, DWTS, TLP	Applies only where the Council is an 'acquiring authority' as defined in s 53
s 62(4)	Function of receiving notice from Registrar of where land is located	CPO, DWTS, TLP	
s 73B	Power to consent to the creation or surrender of the right of carriageway	DWTS, RO	Where land is located in Council's municipal district
s 88(1B)	Power to consent to the varying or releasing of a restrictive covenant	DCS	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	CPO, DWTS, TLP	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	CPO, DWTS, TLP	

Transport Integration Act 2010			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 25(1)	Duty to have regard to the transport system objectives when exercising powers and performing functions under interface legislation which are likely to have a significant impact on the transport system	CEO, DWTS	
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.	CEO, DWTS	
s 25(3)	Duty to have regard to applicable specified policy principles	CEO, DWTS	
s 25(4)	Duty to have regard to applicable specified policy principles	CEO, DWTS	
s 26	Power to determine the weight to give to each transport system objective under ss 24 and 25	CEO, DWTS	
s 27	Power to determine the weight to give to each decision making principle under ss 24 and 25	CEO, DWTS	
s 115F(3)	Function of collaborating with the Commercial Passenger Vehicle Commission	CEO	
s 197B(2)	Function of receiving notice from regulated bodies	CEO	Where Council is the responsible authority and s 197 applies
s 197B(3)	Duty to meet with representatives from Director of Transport Safety	CEO	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	CEO	

Valuation of Land Act 1960

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 6(1)	Duty to give notice of the valuation to be each rating authority interested in the valuation of land in the area for which the valuation is being made	DCS	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)	DCS	Where Council is a rating authority
s 6(3)	Duty to give notice to valuer-general	MF, DCS, RO	Where Council is the rating authority
s 6(4)	Duty to ensure the valuer-general's request is given effect to	DCS	Where the 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	DCS	
s 7A(1)	Power to pay valuer subject to the requirements of this section	DCS	
s 7AE(2)	Duty to comply with an Order in Council requiring the making of a new valuation	DCS	
s 7A(2)	Power to make a payment, irrespective of s 7A(1), if Council satisfies paragraphs (a) and (b)	MF, DCS, RO	
s 7B(1)	Duty to provide valuation to valuer-general within 2 months of date on which the valuation was returned to Council	DCS	
s 8AA(1B)	Duty to pay the valuer-general in accordance with section where Council has requested a supplementary valuation	DCS	

Valuation of Land Act 1960

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 8AA(2)(a)	Power to agree the fees in respect of servicing of a valuation	DCS	In consultation 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	DCS	
s 10(6)	Power to revoke nomination made under s 10(1)	DCS	
s 11	Duty to cause a general valuation	DCS	Where Council is the valuation authority
s 12	Function of causing a valuation of rateable land at the direction of the Minister	DCS	Where Council is the valuation authority
s 13DA(1)	Power to appoint people to carry out valuations	CEO	Where Council is the valuation authority The person(s) to be appointed must hold the qualifications or experience specified by Minister
s 13DC(2)	Power to use in force valuations in certain circumstances	DCS	
s 13DF(3A)	Power to use supplementary valuation before it is certified to levy or adjust municipal rate or fire services property levy	DCS	
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)	DCS	
s	Function of receiving written certification of supplementary valuation from valuer-general	DCS	

Valuation of Land Act 1960

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
13DFA(2)			
s 13DFB(1)	Power to request valuer-general to carry out a supplementary valuation	DCS	
s 13DFB(3)	Function of receiving the supplementary valuation within 10 business days after the supplementary valuation is returned to the valuer-general	MF, DCS, RO	
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.	DCS	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	DCS	Where Council is the collection agency
s 13G(7)	Power to revoke nomination made under s 13G(1)	DCS	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	DCS	Where Council is the valuation authority
s 13I	Duty to comply with a Ministerial Direction given under s 13I	DCS	Where Council is the collection agency and also the valuation authority
s 13J	Power to appoint people to carry out valuation	DCS	The person(s) to be appointed must hold qualifications or experience specified by Minister

Valuation of Land Act 1960

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			Applies when Council is making a valuation for the purposes of the Fire Services Property Levy Act 2012
s 13L(4)	Power to use a supplementary valuation before it is certified by the valuer-general	DCS	Where Council is the collection agency
s 13L(6)	Power to adjust the fire services property levy payable retrospectively for any period considered just	DCS	Where Council is the collection agency
s 13M(2)	Function of receiving certification in writing that the valuer-general is satisfied that the supplementary valuation is correct	DCS	Where Council is the collection agency
s 13N(1)	Power to request the Valuer-General to make a supplementary valuation	DCS	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	DCS	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	DCS	Where Council is the rating authority
s 20(3)	Function of receiving objection and written submission where objection is because the value is too low or too high, and the value is not less than the prescribed amount	DCS	Where Council is the valuation authority
s 21(2)	Duty to refer an objection received to the valuation authority	DCS	Where Council is not the valuation authority

Valuation of Land Act 1960

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			which made the valuation
s 21(2A)	Duty to refer objection to valuer	DCS	Where Council is the valuation authority
s 21(5)	Function of receiving written notice from the valuer-general of recommendation	DCS	Where Council is the rating authority
s 21(6)	Duty to give effect to the decision of the valuer-general	DCS	Where Council is the rating authority
s 22(5)	Function of receiving copy of application to VCAT for review of valuation decision	CEO	Where Council is the valuation authority
s 22(6)	Duty to forward to principal registrar of VCAT notice of objection and copies of any notices given under s 21 and any information given or submissions lodged under s 20, in relation to objection, within 1 month after being served with copy of objector's application for review under s 22(5)	CEO	Where Council is the valuation authority

Victorian Environmental Assessment Council Act 2001

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 26D(1)	Function of conferring with the Victorian Environmental Assessment Council	CEO, DWTS	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	CEO, DWTS	

Victorian Local Government Grants Commission Act 1976

Buloke Shire Council

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 10	Duty to supply prescribed information to the commission by certain time	DWTS, DCS, MERO	In consultation with CEO

Victoria State Emergency Service Act 2005

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 34(1)	Power to apply for registration of a group of persons as a unit of the Service	CEO	
s 35(2)	Power to consult with the Chief Officer of Operations regarding removal of controller of a registered unit from office	CEO	

Victorian Data Sharing Act 2017

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

Victorian Inspectorate Act 2011

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 28(2)	Power to enter into agreements or arrangements for use of services with the Victorian Inspectorate	CEO	

Victorian Planning Authority Act 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 33(2)	Duty to comply with request by Authority under s 33(1) for information or assistance	CEO, DWTS	
s 34(1)	Function of consulting with Authority where exercising its Powers likely to affect Council's functions	CEO, DWTS	

Water Act 1989			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s12(1)(a)	Duty to make any authorisation or permission that may affect the drainage system subject to any conditions required to ensure the conservation of waterways, wetlands and aquifers	DWTS, MA	
s12(1)(b)	Power to withhold authorisation or permission until such works are carried out that are required to avoid or lessen any possible adverse effect	CEO	
s27(4)(a)(ii)	Function of receiving notice of a proposed declaration by the Minister that an area will be a water supply protection area	CEO	
s 32H	Duty to keep copy of approved management plan available for inspection	CEO	
s.36(3)(c)	Function of receiving a copy of an application for the grant of a bulk entitlement if Minister considers the Council is directly affected	CEO	
s67A	Function of receiving a copy of an application under s 67 in respect of a dam	CEO	
s 67B	Duty to advise the Minister of response to application	CEO	
s 122ZA(2)	Function of consenting to Minister's determination under s 122ZA(1)(b)	CEO	
s.122ZC	Power to contribute money to environmental or recreational area for improving or maintaining the area	CEO	
s144(2)(c)	Function of receiving a declaration by an Authority that land will be a serviced	CEO	

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Water Act 1989			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	property for the purposes of the Act, if likely to be affected		
s152	Function of receiving notice of intention to affect works	CEO, DWTS, MA	
s153	Function of receiving notice to alter or remove works	CEO, DWTS, MA	
s.165(1)	Power to require an Authority to fix fire plugs to works	CEO, DWTS, MA	
s165(2)	Duty to meet costs of providing, installing, marking and maintaining all fire plugs that the Council requires	CEO, DWTS, MA	
s.171D(2)	Duty to meet costs of providing, installing, marking and maintaining fire plug, where plug is in Council's municipal district	DWTS	In consultation with Council and CEO
s.180(1)	Duty to forward copy application for septic tank permit to Authority	MEH, DCD	
s180(3)	Function of receiving any notification of the location of the nearest sewer, the availability of works to service the land and any requirements	MEH, MA	
s180(4)	Duty to comply with any requirement of the Authority in regard to the application	MEH, DCD, MA	
s180(5)	Duty to not make a decision within 21 days after the copy is forwarded to the Authority	MEH, DCD	
s188(3)	Function of receiving notice of proposed declaration of a waterway if the Council may have an interest in the waterway	CEO	
s205(3)	Function of receiving notice of proposed declaration that an area of land will be liable to flooding or be a floodway area	CEO, DWTS, DCD	
s206(1)(b)	Function of receiving notice that an Order has been published in the Government Gazette	CEO, DWTS, DCD	
s206(3)	Duty to prevent land uses that are inconsistent with any identified flood hazards	CEO, DCD	

Buloke Shire Council

Water Act 1989			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	CEO, DCD	In consultation with Council
s214(2)(b)	Duty to be represented on a committee to carry out investigations in relation to water management if the Council is affected	MEH, DCD	In consultation with Council
s.217	Power to apply for an order for removal or modification of works	MEH, DCD	Advice to CEO
s218(2)(b)(ii)	Function of receiving notice of proposed declaration that an area of land will be a drainage course	CEO, DWTS	
s218(7)	Duty to act in accordance with a management plan approved by the Minister, if the Council has management and control of a drainage course	CEO, DWTS	
s218(8)	Power to require an owner, occupier or other public statutory body to remove any interferences, carry out any works and maintain any structures, if the Council has the management and control of a drainage course	CEO, DWTS	Subject to the limitations set out in 218
s218(10)	Duty to comply with any request by another public statutory body within 1 month	CEO, DWTS	
s218(14)	Power to enter into and remain on the drainage course for the purpose of doing anything that an owner or occupier failed to do	CEO, DWTS	
s244(7)	Function of receiving a copy of a community agreement, if land in the area is affected	CEO, DWTS	
s244(8)(b)	Power to consent to community agreement where it involves the construction of a drain across a road reserve	CEO, DWTS	In consultation with Council
s246	Power to exercise the powers and perform the Functions of the committee if requested by the committee, where land is affected by a community drainage or salinity mitigation or community water supply scheme	CEO, DWTS	In consultation with Council

Buloke Shire Council

Water Act 1989			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s263(2)	Function of receiving a request to arrange for a supplementary valuation to be made	CEO, DCS	
s286(1)(a)	Duty to contribute to the revenue of the Authority if requested	CEO, DCS	Conditions set out in s285 and s286 In consultation with Council
s287(1)(a)	Duty to make a special contribution to the revenue of the Authority if requested	CEO, DCS	Conditions set out in s285 and s287 In consultation with Council

Building Regulations 2018			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 5(2)	Power to designate an area liable to flooding	MDS, DWTS	Where Council is the relevant council
r 44	Function of receiving documents	MDS, DWTS	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	MDS, DWTS	Where Council is the relevant council
r 50	Duty to make documents available on request	MDS, DWTS	Where Council is the relevant council
r 51	Function of providing information	MDS, DWTS	Where Council is the relevant council
r 73(2)	Power of providing report and consent	MDS, DWTS, MBS	Where Council is the relevant council
r 74(4)	Power of providing report and consent	MDS, DWTS, MBS	Where Council is the relevant council
r 75(4)	Power of providing report and consent	MDS, DWTS, MBS	Where Council is the relevant council
r 76(4)	Power of providing report and consent	MDS, DWTS, MBS	Where Council is the relevant council
r 77(3)	Power of providing report and consent	MDS, DWTS, MBS	Where Council is the relevant council
r 78(6)	Power of providing report and consent	MDS, DWTS, MBS	Where Council is the relevant council

Building Regulations 2018

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 79(6)	Power of providing report and consent	MDS, DWTS, MBS	Where Council is the relevant council
r 80(6)	Power of providing report and consent	MDS, DWTS, MBS	Where Council is the relevant council
r 81(6)	Power of providing report and consent	MDS, DWTS, MBS	Where Council is the relevant council
r 82(5)	Power of providing report and consent	MDS, DWTS, MBS	Where Council is the relevant council
r 83(3)	Power of providing report and consent	MDS, DWTS, MBS	Where Council is the relevant council
r 84(9)	Power of providing report and consent	MDS, DWTS, MBS	Where Council is the relevant council
r 85(3)	Power of providing report and consent	MDS, DWTS, MBS	Where Council is the relevant council
r 86(3)	Power of providing report and consent	MDS, DWTS, MBS	Where Council is the relevant council
r 87(2)	Power of providing report and consent	MDS, DWTS, MBS	Where Council is the relevant council
r 89(3)	Power of providing report and consent	MDS, DWTS, MBS	Where Council is the relevant council
r 90(2)	Power of providing report and consent	MDS, DWTS, MBS	Where Council is the relevant council
r 91(5)	Power of providing report and consent	MDS, DWTS, MBS	Where Council is the relevant council
r 92(2)	Power of providing report and consent	MDS, DWTS, MBS	Where Council is the relevant council
r 94(6)	Power of providing report and consent	MDS, DWTS, MBS	Where Council is the relevant Council
r 95(3)	Power of providing report and consent	MDS, DWTS, MBS	Where Council is the relevant council
r 96(3)	Power of providing report and consent	MDS, DWTS, MBS	Where Council is the relevant council
r 97(2)	Power of providing report and consent	MDS, DWTS, MBS	Where Council is the relevant council
r 109(1)	Power of providing report and consent	MDS, DWTS, MBS	Where Council is the relevant council
r 109(2)	Power of providing report and consent	MDS, DWTS, MBS	Where Council is the relevant council

Building Regulations 2018			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 109(3)	Power to give consent under rr 109(1) or 109(2)	MDS, DWTS	Where Council is the relevant council if it considers that the projection of the part of the building beyond the street alignment will not be detrimental to the safety of the public
r 116(4)	Power of providing report and consent	MDS, DWTS, MBS	Where Council is the relevant council
r 130(1)	Power of providing report and consent	MDS, DWTS, MBS	Where Council is the relevant service authority
r 132(1)	Power of providing report and consent	MDS, DWTS, MBS	Where Council is the relevant council
r 133(2)	Power of providing report	MDS, DWTS	Where Council is the relevant council
r 134(2)	Power of providing report and consent	MDS, DWTS, MBS	Where Council is the relevant council
r 147L(2)	Function of receiving an application for registration	MDS, MBS	Where Council is the relevant council
r 147M(2)	Function of receiving an application for registration	MDS, MBS	Where Council is the relevant council
r 147N(2)	Function of receiving an application for registration	MDS, MBS	Where Council is the relevant council
r 147O(1)	Power to give notice	MDS, MBS	Where Council is the relevant council
r 147Q	Duty to enter information relating to a swimming pool or spa into Council's register	MDS, MBS	Where Council is the relevant council
r 147R(1)	Duty to give notice of the matters in r 147R(1)(a) – (g)	MDS, MBS	Where Council is the relevant council
r 147R(4)	Duty to specify a date for the purposes of r 147R(1)(g)	MDS, MBS	Where Council is the relevant council
r 147R(5)	Power to specify date	MDS, MBS	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	MDS, MBS	Where Council is the relevant council

Building Regulations 2018			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	swimming pool or registered spa no longer exists or is no longer capable of containing water to a depth of greater than 300 mm		
r 147S(2)	Duty to give a notice in writing after removing the information about the swimming pool or spa from the register	MDS, MBS	Where Council is the relevant council
r 147T(1)	Duty to determine the date of construction	MDS, MBS	Where Council is the relevant council
r 147U(1)	Duty to determine the date of construction	MDS, MBS	Where Council is the relevant council
r 147V(1)	Duty of receiving a certificate of compliance	MDS, MBS	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	MDS, MBS	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	MDS, MBS	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)	MDS, MBS	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)	MDS, MBS	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	MDS, MBS	Where Council is the relevant council
r 147ZD	Duty to update the applicable barrier standard on the register to include the applicable barrier standard referred to in the certificate	MDS, MBS	Where Council is the relevant council
r 147ZE	Duty to give a notice, in writing, to the owner as soon as practicable following lodgement of a certificate of pool and spa barrier compliance under r 147ZC	MDS, MBS	Where Council is the relevant council

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Building Regulations 2018			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	MDS, MBS	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	MDS, MBS	Where Council is the relevant council
r 147ZL(2)	Duty to give a notice, in writing, to the new owner of the land	MDS, MBS	Where Council is the relevant council
r 147ZM	Duty to submit the requested information to the Authority in the form approved by the Authority	MDS, MBS	Where Council is the relevant council
r 148	Duty to prepare maps	MDS, DWTS	
r 149(1)	Duty to amend or prepare map for the existing or new designated special area	MDS, DWTS	Where Council is the relevant council
r 149(2)	Duty to advise the Authority if a designated special area is altered or created	MDS, DWTS	
r 149(3)	Duty to lodge copies of designated special area maps with the Authority	MDS, DWTS	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	MDS, DWTS	
r 150	Power to designate areas within council's municipal district in which buildings are likely to be subject to attack by termites.	MDS, DWTS	
r 152(1)	Power to designate areas in council's municipal district that are likely to be subject to significant snowfalls	MDS, DWTS	For the purposes of the BCA
r 153(2)	Power of providing report and consent	MDS, DWTS, MBS	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	MDS, DWTS	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	MDS, DWTS	Where Council is the relevant council

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Building Regulations 2018			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	MDS, DWTS	Where Council is the relevant council
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)	MDS, DWTS	Where Council is the relevant council
r 154(1)	Power of providing report and consent	MDS, DWTS, MBS	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	MDS, DWTS, MBS	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)	MDS, DWTS	
r 166B(c)(ii)	Power to approve floor area size greater than 60m ²	MBS	
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	
r 166C(1)(b)	Function of receiving notification from building owner of the proposed commencement date of that occupation	MBS	
r 166C(2)	Function of receiving notification from building owner of proposed commencement date of occupation	MBS	
r 187(2)	Power of providing report and consent	MDS, DWTS, MBS	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	MDS, DWTS	For the purposes of s 75 of the Building Act 1993

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Building Regulations 2018			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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)	MDS, DWTS	For the purposes of s 75 of the Building Act 1993
r 203	Function of receiving documents	MDS, DWTS	
r 205	Function of receiving information	MDS, DWTS	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	MDS, DWTS	Where Council is the relevant council If the essential safety measure is required under an emergency order or a building order under Part 8 of the Building Act 1993
r 280(1)	Power to exempt a Class 10 building that is to be constructed on farm land and used for farming purposes, from all or any of the requirements of these Regulations	MDS, DWTS	Where Council is the relevant council

Country Fire Authority Regulations 2014			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 105(3)	Duty to notify the executive officer of the regional fire prevention committee of the name of the nominee nominated in accordance with r 105(2)	TLC, CO	
r 105(8)	Duty to give written notice to Authority of names and addresses of persons elected as representatives of Council	CEO, DCS	Representatives of Regional Fire prevention committee

Dangerous Goods (Explosives) Regulations 2021			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations

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Dangerous Goods (Explosives) Regulations 2021

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 146(3)	Function of receiving written notice of intention to discharge fireworks or firecrackers	DWTS	Does not apply if local law requires a person to give Council greater notice of an intention to discharge fireworks

Drugs, Poisons and Controlled Substances Regulations 2017

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 7(1)	Power to have possession of 'Schedule 4 poisons' that are necessary for immunisation programs coordinated by Council in accordance with the Public Health and Wellbeing Act 2008	MEH, DCD	

Electricity Safety (Electric Line Clearance) Regulations 2020

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
sch 1 cl 16	Function of receiving notice before cutting or removing certain trees	MW, ECO	
sch 1 cl 19	Function of receiving notice after completion of cutting or removal of the trees	MW, DWTS	
sch 1 cl 20	Power to consult relating to safety of cutting or removal of trees close to an electric line	MW, DWTS	
sch 1 cl 21(1)	Power to consult relating to assisting to determine an additional distance that allows for conductor sag and sway	MW, DWTS	
sch 1 cl 21(3)	Duty to keep record of the additional distance for at least 5 years	MW, DWTS	

Infringements Regulations 2016

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 8	Duty to report listed information to Attorney-General	CEO, TLC, DWTS	

Land Acquisition and Compensation Regulations 2021

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 11	Function of providing certain information as set out in (a)-(h) as requested by an Authority	CEO	
r 12	Function of providing certain information as set out in (a) - (d) as requested by an Authority	CEO	Where Council is responsible authority

Local Government (General) Regulations 2015

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 10	Duty to include in the notice of rates and charges the information prescribed	MF, DCS, RO	

Local Government (Long Service Leave) Regulations 2021

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 7(2)	Function of receiving request from member to grant pay instead of long service leave	DWTS, DCS, DCD	on voluntary termination
r 7(3)	Duty to pay the member one-tenth of 3 months ordinary pay for each year of completed recognised service	MF, PAY	on voluntary termination
r 7(5)(a)	Duty to transfer long service leave entitlement to the other Council with the payment to be transferred under r 19(3)	MF, PAY	deferment on voluntary termination
r 7(5)(b)	Duty to pay the public body or special body (as the case requires) an amount equal to one-fortieth of one month's ordinary pay for each completed month of recognised of the member calculated in accordance with these Regulations	MF, PAY	deferment on voluntary termination
r 7(6)(b)	Duty to pay the member one-tenth of 3 months ordinary pay for each year of completed recognised service	MF, PAY	If, before the member's termination becomes effective, the member has not taken the whole of the long service leave to which the member is entitled or pay instead of that leave, or deferred the taking of the long service leave entitlement under subregulation (4)
r 8(2)	Power to receive notice in writing from member who ceases employment in any of the circumstances set out under subregulation (1) to elect to take pay instead of all or any part of the long service leave to which the member is entitled	DWTS, DCS, DCD	termination in other circumstances

Local Government (Long Service Leave) Regulations 2021			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 8(3)	Duty to pay the member one-tenth of 3 months ordinary pay for each year of completed recognised service	MF, PAY	termination in other circumstances
r 8(4)(b)	Duty to pay member one-tenth of 3 months ordinary pay for each year of completed recognised service	MF, PAY	If a member who ceases employment in any of the circumstances set out under subregulation (1) has not taken the whole of the long service leave to which the member is entitled or pay instead of that leave before their termination or retirement becomes effective
r 8(6)	Duty to pay the member referred to in subregulation (5) one-tenth of 3 months ordinary pay for each year of completed recognised service	MF, PAY	
r 8(7)(b)(i)	Function of approving medical practitioner	DWTS, DCS, DCD	
r 9(2)	Duty to pay the legal personal representative of the member referred to in subregulation (1) (as the case requires) (a) the pay which the member elected to take; and (b) pay instead of any long service leave to which the member was entitled and which the member had not taken, or for which the member has not paid	MF, PAY	
r 13(6)	Power to include, to the extent determined in each particular case by first Council, the whole or any portion of a period of service when the member was absent from duty with the prior or subsequent approval	DWTS, DCS, DCD	
r 14(1)(b)	Duty to grant the member a day off instead of a public holiday	MF, PAY	
r 14(2)	Power to agree on a mutually convenient time with the member	A-ELT	
r 15	Power to agree on a mutually convenient time with the member to take all or part of long service leave entitlement	CEO	In consultation with relevant director.
r 16	Power to approve long serve leave entitlement at half the salary for twice the period	CEO	In consultation with the relevant director
r 17	Power to approve a member to engage in any employment for hire or reward	CEO	

Buloke Shire Council

Local Government (Long Service Leave) Regulations 2021			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	while the member is on long service leave		
r 18	Duty to provide another Council with any information in its possession which may be required by that other Council for the purposes of these Regulations	MF, DCS, MHR	
r 19(2)	Duty to, within 2 months of being informed of the employment, pay to the Council an amount equal to one-fortieth of one month's pay for each completed month of service of the member with Council	MF, DCS	Where Council is the member's former employer
r 19(3)	Duty to, within 2 months of being informed of the employment, pay to the Council an amount equal to one-fortieth of one month's pay for each completed month of service of the member with Council	MF, DCS	Where Council is the member's former employer
r 19(4)	Duty to refund a payment made to it under subregulation (3)	MF, DCS	Where Council is the member's new employer
r 20	Power to enter into an agreement with an authority, person responsible for an office or Authority referred to in regulation 13(4) regarding transfer of entitlements	DCS	

Local Government (Planning and Reporting) Regulations 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 5(1)	Duty to include statements describing the financial resources are in the prescribed form	MF, DCS	
r 5(2)	Duty to include a statement of capital works in the Financial Plan	MF, DCS	
r 6	Duty to include prescribed information in the Financial Plan	MF, DCS	
r 7	Duty to include the prescribed information in the financial statements included in the budget	MF, DCS	
r 8	Duty to include other prescribed information in the budget or revised budget	MF, DCS	

Local Government (Planning and Reporting) Regulations 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 9(2)	Duty to include the prescribed information in the report of operations	MF, DCS	
r 10	Duty to include in the report of operations a description of the operations of Council	MF, DCS	
r 11	Duty to include prescribed information relating to performance results in the performance statements	MF, DCS	
r 14	Duty to include the prescribed information in financial statements contained in the annual report	MF, MCE, DCS	

Occupational Health and Safety Regulations 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 375(3)(c)(ii)	Function to assist in the preparation of an emergency management plan for a major hazard facility	CEO, DWTS, DCD, MERO	Advice to Council
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	MW, DWTS, MEH, DCD, MERO	
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	CEO, DWTS, MERO	Advice to Council
r 394(1)	Function to receive information about the safety of a major hazard facility	CEO, DWTS, MERO	Advice to Council
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	MW, DWTS, MEH, DCD, MERO	
r 433(2)(b)(ii)	Function of assisting in the preparation of an emergency management plan for a prescribed mine	DWTS, MERO	
r 434(b)(ii)	Function to receive a copy of the emergency plan relating to the off-site consequences of a major incident occurring	DWTS, MERO	

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

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

Road Safety Road Rules 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 200(2)	Power to permit drivers of heavy and long vehicles to stop on roads in a built-up area for longer than 1 hour	SAE, MW, TLC, DWTS, CO, MA	
r 244C	Function of consulting with the Head, Transport for Victoria regarding specification of a route or area under r 244C(1)	DWTS	
r 289(1)(d)	Power to prohibit drivers riding bicycles or animals on the nature strip	DWTS, MA	

Road Safety (General) Regulations 2019

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Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
79(1)(b)	Power to authorise staff member to file a charge	CEO	

Road Safety (Traffic Management) Regulations 2019			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	DWTS	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	DWTS	
r 11(1)	Power to erect, display, place, remove or alter traffic control devices on roads or road related areas	DWTS	Where Council is a responsible entity
r 11(2)(a)	Power to erect, display, place, remove or alter a minor traffic control device that is for the control of stopping or parking of vehicles in accordance with Part 12 of the Road Safety Road Rules 2017 (Vic)	DWTS	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	DWTS	
r 11(2)(c)	Power to erect, display, place, remove or alter a traffic control device installed in accordance with r 15	DWTS	
r 11(2)(d)	Power to erect, display, place, remove or alter any other minor traffic control device or a major traffic control device	DWTS	With the authorisation of the Head, Transport for Victoria Subject to r 11(3)
r 11(4)	Duty to alter the minor traffic control device to remove the inconsistency or remove the minor traffic control device	DWTS	If a minor traffic control device referred to in r 11(2)(a) is inconsistent with a major traffic control

Road Safety (Traffic Management) Regulations 2019			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			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	DWTS	Where Council is the coordinating road authority for that road or road related area Note: see r 23(b)
r 13(1)(f)	Power to authorise a person, to whom a coordinating road authority has issued a permit under section 99B of the Road Safety Act 1986 (Vic) to conduct a nonroad activity, to erect, display, place, remove or alter any other minor traffic control device	DWTS, MA	Where Council is the coordinating road authority for that road or road related area Note: see r 23(b)
r 18(1)(b)	Power to authorise a person to erect, display, place, remove or alter traffic control devices	DWTS, MA	Where Council is the coordinating road authority Note: see r 23(b)
r 27	Power to permit, in writing, a person to drive a vehicle on a road in an organised procession (other than a funeral procession) or a parade	DWTS	Where Council is the coordinating road authority for that road
r 30(4)	Power to approve, in writing, a police-controlled rolling road closure	DWTS	Where Council is the coordinating road authority
r 32(2)(d)(ii)	Power to approve a highway collection being conducted	DWTS	
r 34(1)	Function of receiving an application for a permit under s 99B of the Road Safety Act 1986 (Vic) from a person intending to conduct a non-road activity on a highway	DWTS	Where Council is the coordinating road authority
r 34(4)	Power to reduce, waive or refund the fee for a permit	DWTS	Where Council is a coordinating road authority If there are special circumstances that justify the reduction, waiver or refund of the fee

Subdivision (Fees) Regulations 2016

Buloke Shire Council

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

Subdivision (Registrar's Requirements) Regulations 2011

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 20	Function of being advised by Registrar of any amendments made to any certified plan under s 22(2)(a) of Subdivision Act 1988	MDS, DWTS, PO	

Miscellaneous and Administrative Powers

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Section A - Finance Issues	Power to sign and issue Council order forms for purchase of goods, services and works and to enter into contracts for provision of goods, services and works to the Council	CPO, SAE, RO, A-SLT, A-MT, A-ELT	Expenditure in the Budget and up to approved financial delegation
Section A - Finance Issues	Power to authorise payment of wages, salaries, related payments.	CEO, DCS, MHR	In accord with agreed staff complements and budget parameters
Section A - Finance Issues	Power to authorise payment of Councillor and Mayoral allowances	CEO, DCS	Within the amount of allowance as determined by Council the Victorian Independent Remuneration Tribunal in accordance with s 7439 of the Local Government Act 1989 2020 In accordance with s 39(6) of the Local Government Act 2020, s 74 of the Local Government Act 1989 continues to

Miscellaneous and Administrative Powers			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			apply in respect of allowances payable to Mayors, Deputy Mayors and Councillors until the first Determination made by the Victorian Independent Remuneration Tribunal in accordance with s 39(6) of the Local Government Act 2020 As per Council resolution and policy
Section A - Finance Issues	Power to open bank accounts in Council's name	CEO, DCS	With consultation with CEO In accordance with Procurement Policy
Section A - Finance Issues	Power to approve invoices and accounts for payment. Budget items - e.g. super.	CPO, SAE, ECO, MERO, A-SLT, A-MT, A-ELT	Expenditure in Budget and up to approved financial authorisation limit.
Section A - Finance Issues	Power to authorise enforcement of overdue debts	MF, DCS	
Section A - Finance Issues	Power to appoint collection agency	DCS	
Section A - Finance Issues	Power to approve contract variations	CPO, CEO, DWTS, DCS, DCD, ECO, MERO, A-SLT, A-MT, A-ELT	Requires resolution of Council for approval of variation outside of approved project budget and where aggregated expenditure is above CEO financial delegation. Subject limitations set out in Financial Authorisations.
Section A - Finance Issues	Power to amend or vary agreements	A-SLT	Requires resolution of Council for approval of variation outside of approved project budget
Section A - Finance Issues	Power to sign cheques	CEO, DCS, RO	
Section A - Finance Issues	Power to authorise Petty Cash	A-SLT	
Section A - Finance Issues	Power to issue credit cards to staff	CEO	
Section A - Finance Issues	Power to authorise calling of invitations for expressions of interest or tenders for works, services and equipment.	A-SLT	

Buloke Shire Council

Miscellaneous and Administrative Powers			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Section A - Finance Issues	Power to authorise to sign contracts of sale and vendor statements for land approved for sale.	CEO, DWTS, DCS	
Section A - Finance Issues	Power to sign contracts of sale for the approved acquisition of Real Estate (see 2A).	CEO, DWTS, DCS	
Section A - Finance Issues	Power to authorise the order, release, refund, or return of securities, bank guarantees and bonds, relating to property transactions only.	CEO, DWTS, DCS	
Section A - Finance Issues	Power to authorise progress payments.	CPO, MW, DWTS, DCS, MERO, MA, MFP, A-SLT, A-MT, A-ELT	Where delegate is Contract Manager or Superintendent
Section A - Finance Issues	Power to authorise payment of contract variations.	CPO, A-SLT, A-MT, A-ELT	In accordance with procurement policy and subject to the accumulated expenditure not exceeding financial authorisation limits, as amended from time to time. Requires resolution of Council for approval of variation outside of approved project budget or scope.
Section A - Finance Issues	Power to determine fees and charges.	CEO, DWTS, DCS, DCD	As part of budget process
Section A - Finance Issues	Power to authorise the sale or disposal of assets other than land.	CEO, DWTS, DCS	
Section A - Finance Issues	Power to write off bad debts	MF, DCS	In accord with Debtor Policy. Advice to CEO.
Section A – Finance Issues	Power to approve electronic payments and transfers	MCE, DWTS, DCS, DCD	
Section B - Building Issues	Power to determine fees required under cl 1(c)(i) of sch 2 and ss 18, 42 and 54 of the Building Act 1993 for building permit, application for an occupancy permit (building work) and application for an occupancy permit (places of public entertainment).	MDS, DWTS	In consultation with CEO and part of Budget Process

Buloke Shire Council

Miscellaneous and Administrative Powers			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Section B - Building Issues	Power to determine fees payable, person responsible for payment of fees and method of payment and recovery of fees for any application, approval, permit, consent, referral, request, information, inspection, consultation, advice, report, the keeping of documents and records or other function, service or work performed or provided under the Building Act 1993, Building Regulations 2018 or for the purposes of any other building control or related function of the Council by the Council or its delegate or any member of staff of the Council.	MDS, DWTS	In consultation with CEO and part of budget process
Section C - Miscellaneous Issues	Power to appoint agent, and enter into agency agreement, for the purposes of s108 of the Local Government Act 2020	CEO, A-SLT	
Section C - Miscellaneous Issues	Power to obtain legal opinions and instruct external legal providers	MF, MHR, MGOV, MA, MFP, SCS, A-SLT	MFP, MA - in consultation with consultation with relevant director. SCS - under instruction from relevant director.
Section C - Miscellaneous Issues	Power to approve legal costs	MF, MHR, MGOV, MA, MFP, SCS, A-SLT	MFP, MA - in consultation with consultation with relevant director. SCS - under instruction from relevant director.
Section C - Miscellaneous Issues	Power to make "ex gratia" settlement of insurance claims.	CEO	
Section C - Miscellaneous Issues	Power to manage processing of insurance claims.	GOV, DCS, MHR, MGOV, PA	
Section C - Miscellaneous Issues	Power to execute funding and service agreements with other levels of government.	CEO, A-SLT	
Section C - Miscellaneous Issues	Power to execute applications for government grants.	CEO, A-SLT	
Section C - Miscellaneous Issues	Power to determine suitability and value of "in kind" local contributions toward \$ for \$ capital works.	A-SLT	In consultation with Manager Finance

Buloke Shire Council

Miscellaneous and Administrative Powers			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			Advice to CEO
Section C - Miscellaneous Issues	Power to assess and determine applications for HACC services.	TLSP	
Section C - Miscellaneous Issues	Power to grant approval for storage or sale of liquor on Council premises.	CEO	
Section C - Miscellaneous Issues	Power to make seasonal and casual allocation of sporting grounds.	DWTS, MFP	
Section C - Miscellaneous Issues	Power to enter into agreements for voluntary or not-for-profit organisation to use Council facilities	DWTS, MFP	
Section C - Miscellaneous Issues	Power to make statements to the press	CEO	
Section C - Miscellaneous Issues	Power to make a decision relating to the conduct of a proceeding before the Victorian Civil and Administrative Tribunal, including a decision to settle the proceeding	DWTS, DCD, PO	Where Council is a party to a proceeding at the Victorian Civil and Administrative Tribunal Advice to CEO
Section C - Miscellaneous Issues	Power to give authority to make statements to the press	CEO	
Section C - Miscellaneous Issues	Power to authorise the issue of media releases	MCE, CEO	Within policy lines adopted by Council
Section C - Miscellaneous Issues	Power to authorise access to Council files and documents	CEO, DCS	
Section C - Miscellaneous Issues	Power to sign correspondence	Council Staff	Subject to correspondence matter being commensurate to the duties of the position holder as outlined within their approved position description.

Buloke Shire Council

Miscellaneous and Administrative Powers			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Section C - Miscellaneous Issues	Power to make a decision relating to the conduct of a proceeding before Court, including a decision to settle the proceeding	CEO	
Section C - Miscellaneous Issues	Power to approve litigation settlement amounts	CEO	up to ## insert amount## Up to \$150,000
Section C - Miscellaneous Issues	Power to appeal a decision of the Victorian Civil and Administrative Tribunal or Court	CEO	
Section C - Miscellaneous Issues	Duty to administer a competition and consumer protection compliance program	DCS	
Section C - Miscellaneous Issues	Duty to administer a privacy compliance program	DCS, MGOV	
Section C - Miscellaneous Issues	Power to authorise entertainment expenses	CEO	
Section C - Miscellaneous Issues	Power to authorise publication on the internet	MCE, CEO	
Section C - Miscellaneous Issues	Power to authorise publication on the Intranet	MBT, MCE, CEO, MHR, MGOV, A-SLT	
Section C - Miscellaneous Issues	Power to make or authorise the making of submissions to external bodies	CEO, DWTS, DCS, DCD	
Section C - Miscellaneous Issues	Power to approve arrangements having important public relations aspect (e.g. opening ceremony for new facilities)	MCE, CEO, A-SLT	
Section C - Miscellaneous Issues	Power to authorise expenditure on advertising and media	MCE, CEO, A-SLT	
Section C - Miscellaneous	Power to give permission to publish any document or	MCE, CEO, MGOV, A-	

Buloke Shire Council

Miscellaneous and Administrative Powers			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
Issues	publication	SLT	
Section C - Miscellaneous Issues	Power to authorise allocation or changeover of garbage bins	SWE, MW	In consultation with DWTS
Section C - Miscellaneous Issues	Power to serve statements under the Land Acquisition and Compensation Act 1986	CEO, DWTS, DCS	
Section C - Miscellaneous Issues	Power to sign transfer-related documentation under the Duties Act 2000	CEO, DWTS, DCS	
Section C - Miscellaneous Issues	Power to authorise the release of deposit moneys under the Sale of Land Act 1962	CEO, DWTS, DCS	
Section C - Miscellaneous Issues	Power to serve statutory notices in relation to land owned or managed by Council	CEO	
Section C - Miscellaneous Issues	Power to request a Minister or Secretary to appoint a Council officer to be an authorised officer or authorised for a particular purpose under an Act	CEO	
Section C - Miscellaneous Issues	Function of lodging claims for Natural Disaster Financial Assistance and liaising with the Department of Treasury and Finance regarding claims	CEO	